



**STATE OF CONNECTICUT
ADJUTANT GENERAL'S OFFICE
MILITARY DEPARTMENT
GOVERNOR WILLIAM A. O'NEILL ARMORY
360 BROAD STREET, HARTFORD, CONNECTICUT 06105**

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GOVERNOR
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FRANCIS J. EVON, JR.
MAJOR GENERAL
THE ADJUTANT GENERAL

**CONNECTICUT MILITARY DEPARTMENT (CTMD)
EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE (DCP)**

SUMMARY

As required by section 46a-68-89 of the Affirmative Action Regulations, the CTMD processes discrimination complaints in accordance with a published complaint process. Through this DCP, CTMD addresses complaints alleging discrimination, including but not limited to harassment, based upon any legally protected class, including: race; color; religious creed; age; sex; pregnancy; sexual orientation; gender identity or expression; marital status; national origin; ancestry; intellectual disability; genetic information; learning disability; physical disability (including, but not limited to, blindness); mental disability (past/present history thereof); military or veteran status; or criminal record in state employment. Retaliation complaints are also covered under the CTMD DCP.

All CTMD employees must comply with state laws and policies pertaining to discrimination. CTMD's DCP is used to process employee discrimination complaints. Any employee or member of the public alleging discrimination in the provision of CTMD services, activities, programs or benefits related to a qualifying disability may use the CTMD DCP. All employees are expected to cooperate fully with all administrative investigations and any actions taken by CTMD because of such investigations.

All employees are hereby notified of their right to file discrimination complaints with the CTMD or directly with state agency charged with enforcement of the laws concerning discrimination: the Connecticut Commission on Human Rights and Opportunities (CCHRO). Employees filing complaints with CCHRO must file within 300 days of the alleged discriminatory treatment. Each new employee upon appointment shall receive and acknowledge a copy of the CTMD DCP.

CTMD distributes the DCP to all employees annually. CTMD posts the DCP on agency's policy bulletin boards and on our agency's website under the "Policy Statements" link. <https://portal.ct.gov/MIL/Human-Resources/Policy-Statements>. Copies of the DCP may also be requested from the CTMD's Equal Employment Opportunity Officers (EEOOs).

Ms. Selestian Patterson, HRG1/EEEO, CTMD, Governor William A. O'Neill State Armory, Hartford, CT 06105-3706, (860) 493-2787, selestian.patterson@ct.gov.

Ms. Erica L. Blackmon, HRG3/EEEO, CTMD, Governor William A. O'Neill State Armory, Hartford, CT 06105-3706, Phone 860-548-3248, erica.blackmon@ct.gov.

DEFINITIONS

“Employee” is a person who is hired by the CTMD in accordance with the agency’s Affirmative Action Plan (AAP) and who is governed as a state employee in accordance with the State Personnel Act (Chapter 67, Connecticut General Statutes (CGS)). A member of the armed forces of the state is not an employee.

“Member of the armed forces of the state” is defined by CGS Section 27-61. Such member serves in one of the following militia organizations: Connecticut National Guard (CTNG), Governor’s Guard, Connecticut State Guard, Connecticut State Guard Reserve. Such member is not an employee, is not hired in accordance with the CTMD AAP and is not governed by the State Personnel Act. Such member is governed in accordance with Title 27 (Armed Forces and Veterans), General Statutes of Connecticut, and is subject to a separate CTMD Militia’s Discrimination Complaint Policy (Circular Letter 2023-2), which is posted at <https://portal.ct.gov/MIL/Human-Resources/Military-Department-Publications> and may be obtained by members through their chain of command.

COUNSELING

CTMD is committed to providing a work environment in which all people are treated with respect and dignity. To ensure compliance and understanding, CTMD EEOOs (listed above) are available to counsel employees about CTMD’s discrimination policies. Counseling is conducted in a confidential manner, consistent with CTMD’s legal obligations.

During such counseling sessions, CTMD EEOOs or other subject-matter experts assigned the duty to counsel employees will advise participants of their rights under state and federal discrimination laws and the right to file directly with the CCHRO or other appropriate enforcement agencies to ensure that legal options for filing with these agencies are not foreclosed. Participants will be provided with applicable CTMD policies and the CTMD DCP.

INTERNAL COMPLAINT PROCESS

All complaints alleging discrimination or retaliation should be filed as soon as possible after the alleged act of discrimination or retaliation, and, absent extenuating circumstances, no later than forty-five (45) days from the date of the alleged act.

Complaints may be made verbally or in writing to CTMD’s EEOOs for processing. If a supervisor or manager receives a discrimination complaint, the supervisor must immediately forward the complaint and inform the employee to immediately contact a CTMD EEOO. Accommodations to the filing process will be made available for persons with disabilities upon request. The filing date of the complaint is the day the complaint is presented to or otherwise received by CTMD’s EEOO. The EEOO must properly record the date (date-time stamp or memo).

1. An EEOO will assist a complainant (person filing a discrimination complaint) to make a complaint during the intake session. A complaint must contain at least the following.

- The full name and work address of the person against whom the complaint is made.
- A brief description of the alleged act(s) of discrimination and location(s)
- The date(s) of the alleged act(s)
- The complainant's protected class(es)
- The complainant's signature and date

2. The EEOO shall notify the respondent (person(s) against whom the complaint is filed) that a complaint has been filed alleging that they engaged in discrimination, listing the type of discrimination, with a summary of the process, confidentiality of the matter and directing no retaliation. Specific facts of the discriminatory acts are confidential until case closure.

3. The EEOO shall notify TAG that a complaint has been filed, providing a summary of the allegations.

4. The EEOO, or a mediator designated by TAG, shall try to facilitate conciliation between the complainant and the respondent(s), if the parties are amenable to mediation.

5. If the mediation does not result in a resolution, the EEOO shall continue with the investigatory process, keeping TAG informed.

6. The EEOO shall investigate all complaints and prepare a report of investigation (ROI), containing the investigatory findings/recommendations for administrative review by the Attorney General Designee and/or by servicing counsel. Upon finalizing the review, the EEOO shall present the ROI to TAG for a final determination.

7. EEOO will memorialize TAG final determination in writing, signed by TAG. If the investigation found a policy violation occurred, TAG will, with advice of HRO/HRG3 determine appropriate disciplinary action and/or other necessary corrective action (e.g., policy revision).

8. The EEOO will notify the complainant, respondent and other interested parties (e.g., AGD, HRO) of the final determination.

9. Regardless of the TAG determination, complainants may pursue a remedy through other administrative, collective bargaining, and/or legal channels or with appropriate enforcement agencies.

10. The CTMD internal discrimination complaint process should not exceed ninety (90) days from the filing date, absent extenuating circumstance (e.g., extended mediation sessions, complex case). If the processing exceeds 90, the EEOO shall keep the complainant aware of the last date for filing the with CCHRO based on the 300-day filing period.

11. The EEOO shall maintain all records of affirmative action complaints, investigations, and TAG determinations. Records so retained shall be confidential, except where disclosure is required by law. The EEOO shall ensure that the records are retained IAW Connecticut retention schedule. These records are subject to the Connecticut Freedom of Information Act and are (with redaction, if required) release and examination by the CCHRO. CTMD will notify the CCHRO annually, through its Affirmative Action Plan, of all discrimination complaints and any remedial actions taken. The EEOO will review all records of complaints and their dispositions annually to discern any pattern(s) of discrimination.

LEGAL REMEDIES

In addition, any person who believes he/she has been the subject of any act of unlawful discrimination may file a written complaint of discrimination with the following entities.

Connecticut Commission on Human Rights & Opportunities (CCHRO)*

CCHRO Capitol Region Office, 450 Columbus Blvd, Suite 2 Hartford, CT 06103
PHONE: (860) 566-7710, TDD: (860) 566-7710, FAX: (860) 566-1997

CCHRO West Central Region Office, Rowland State Government Center 55 West Main Street, Suite 210, Waterbury, CT 06702-2004
PHONE: (203) 805-6530, FAX: (203) 805-6559, TDD: (203) 805-6579

CCHRO Southwest Region Office 350 Fairfield Avenue, 6th Floor Bridgeport, CT 06604, PHONE: (203) 579-6246, FAX: (203) 579-6950, TDD: (203) 579-6246

CCHRO Eastern Region Office 100 Broadway Norwich, CT 06360
PHONE: (860) 886-5703, FAX: (860) 886-2550, TDD: (860) 886-5707

*Complaints must be filed with the CCHRO no later than 300 days (300) days after the alleged act of discrimination occurred.

Equal Employment Opportunity Commission (EEOC)*

John F. Kennedy Federal Building 475 Government Center, Boston, MA 2203 (800) 669-4000 (Voice), (800) 669-6820 (TDD)

*Complaints must be filed with the EEOC no later than three hundred (300) days after the alleged act of discrimination has occurred.

Department of Justice (DOJ)

DOJ- Office of the Americans with Disabilities Act / Civil Rights Division P.O. Box 66118, Washington, DC 20507 (202) 514-0301 (Voice), (202) 514-0383 (TDD)

Miscellaneous

Any other state, federal or local agency, including the US Department of Labor, Wage and Hour Division, that enforces laws concerning discrimination in employment.

PROTECTION FROM RETALIATION

CTMD strictly forbids retaliation against employees reporting discriminatory acts or participating in internal or external investigations. CTMD employees shall not retaliate against, coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his or her rights under State or Federal law. CTMD employees shall not retaliate against an employee who aided any other person in the exercise of rights granted or protected by State or Federal law. CTMD will take any appropriate administrative actions necessary to prevent and/or correct any substantiated acts of retaliation perpetrated by its employees. Employees are urged to report instances of retaliation.

COMMITMENT TO TREATING ALL PERSONS WITH DIGNITY AND RESPECT

As the Adjutant General, I am ultimately responsible for ensuring the success of our efforts to ensure that CTMD's work environment is free from harassment and discrimination. The effectiveness of CTMD's efforts to achieve this goal requires the cooperation of all employees, supervisors, and managers. We all share in the responsibility to treat all persons with dignity and respect. I ask all CTMD personnel to act accordingly and to be familiar with this policy and to review it at least annually.

FRANCIS J. EVON, JR.
Major General
The Adjutant General

October 26, 2023

Date