

Office of Protection and Advocacy for Persons with Disabilities

Discrimination Complaint Procedure

As required by section 46a-68-46 of the Affirmative Action Regulations, this complaint procedure addresses complaints alleging discrimination based upon any legally protected class, including race, color, religious creed, age, sex, national origin, marital status, gender identity or expression, sexual orientation, learning disability, physical disability or blindness, present or past history or mental disability, intellectual disability, genetic information, and criminal record history. Retaliation complaints are also covered under the OPA discrimination complaint procedure. Additionally, any member of the public alleging discrimination in the provision of services, activities, programs or benefits of the Department of Administrative Services related to a qualifying disability may use the OPA Discrimination Complaint Procedure.

The OPA Discrimination Complaint Procedure will be distributed annually to all employees and will be posted on both the agency's intranet and internet website. All employees shall also be notified of the right to file with state enforcement agency Connecticut Commission on Human Rights and Opportunities (CCHRO) and that such complaints shall be filed with the CCHRO within **180 days** of the alleged discriminatory treatment. Each new employee upon appointment shall receive and acknowledge a copy of the OPA Discrimination Complaint Procedure.

*Any person requiring a copy of this procedure in an alternative format should contact Jamila Goolgar, Equal Employment Opportunity Designee, via phone at (860) 713-5258 or email at Jamila.Goolgar@ct.gov.

All employees are expected to cooperate fully with all administrative complaint investigations and any actions taken by OPA as a result of such investigations.

Counseling

OPA is committed to providing a work environment in which all people are treated with respect and dignity. Accordingly, the Equal Employment Opportunity Manager (Alicia Nuñez) and staff of the Equal Employment Opportunity Unit are available to counsel employees with questions or concerns about OPA's anti-discrimination policies. Any individual requesting counseling will meet with the Equal Employment Opportunity Unit staff in a private area. Issues discussed during such counseling sessions will be kept as confidential as possible, consistent with OPA's legal obligations.

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During such counseling sessions, the participants will be advised of their rights under state and federal anti-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 OPA policies and will be given a copy of the OPA Discrimination Complaint Procedure.

* Jamila Goolgar may be contacted at (860) 713-5258 and is located on the 5th floor of the State Office Building at 165 Capitol Avenue, Hartford.

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 thirty (30) days from the date of the alleged act.

Complaints may be made verbally or in writing to the Equal Employment Opportunity Unit or the OPA Human Resources Division. The OPA Human Resources Division shall promptly forward any complaint alleging discrimination or retaliation to the Equal Employment Opportunity Unit for investigation. 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 received in the Equal Employment Opportunity Unit or Human Resources Division.

Each complaint must contain the following:

- The full name and address of the complainant;
 - The full name and work address of the respondent;
 - 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.
- 1) The Equal Employment Opportunity Unit shall notify the respondent (person(s) against whom the complaint is filed) that a complaint has been filed.
 - 2) The Equal Employment Opportunity Unit shall notify the Executive Director, and when appropriate, the Director(s) of the business center where the parties work, of necessary details of the allegations.
 - 3) A member of the Equal Employment Opportunity Unit shall try to facilitate conciliation between the complainant and the respondent where there is an indication that both parties are willing to work together towards a resolution.
 - 4) If no conciliatory agreement is possible, the Equal Employment Opportunity Unit shall continue with the investigatory process, keeping the Executive Director of the business center fully informed of its progress.
 - 5) The Equal Employment Opportunity Unit shall investigate all complaints and prepare a summary of the findings for administrative review. The investigative process shall not exceed ninety (90) days.

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- 6) The Equal Employment Opportunity Unit will notify the complainant, respondent and the parties listed above of the final determination in writing. In this notification, the complainant shall be advised of his or her avenues of appeal if he or she is not satisfied with the decision.
- 7) If the complainant disagrees with a finding that the complaint is not substantiated, he or she may file a written appeal with the Executive Director of OPA within ten (10) business days of receipt of the written determination. The Executive Director (or designee) will contact the complainant to discuss the complaint and any possible resolutions.
- 8) All complainants retain the right to pursue a remedy through other administrative, collective bargaining, and/or legal channels or with appropriate enforcement agencies.
- 9) If the investigation of the complaint indicates a policy violation occurred, the findings will be reviewed with the Executive Director (or designee), who will determine appropriate disciplinary action.
- 10) The Equal Opportunity Unit shall maintain all records of affirmative action complaints, investigations, outcomes, and their disposition. Records so retained shall be confidential, except where disclosure is required by law. These records are subject to examination by the Commission on Human Rights and Opportunities. OPA will notify the Commission on Human Rights and Opportunities annually, through its Affirmative Action Plan, of all discrimination complaints and any remedial actions taken. The Equal Employment Opportunity Unit 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:

1. Connecticut Commission on Human Rights & Opportunities (CCHRO)
CAPITOL REGION OFFICE
999 Asylum Avenue, Second Floor
Hartford, CT 06105
(860) 566-7710
(860) 566-7710 (TDD also)
(860) 566-1997 (FAX)

Complaints must be filed with the CCHRO no later than one hundred and eighty (180) days after the alleged act of discrimination occurred.

2. Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800) 669-4000 (Voice)
(800) 669-6820 (TDD)

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

3. Department of Justice (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)
4. Any other state, federal or local agency, including the United States Department of Labor, Wage and Hour Division, that enforces laws concerning discrimination in employment.

Protection from Retaliation

OPA strictly forbids retaliation against employees reporting discriminatory acts or participating in internal or external investigations. Agents of OPA shall not retaliate against, coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his or her rights under Federal or State law or because an individual aided or encouraged any other individual in the exercise of rights granted or protected by State or Federal law. OPA will take any appropriate administrative actions necessary to prevent and/or correct any retaliatory measures. All employees are strongly urged to report all instances of retaliation to Jamila Goolgar, Equal Employment Opportunity Designee, at (860)713-5258 or to Eileen Morin, Human Resources Specialist, at (860)713-5028.