

UNIVERSITY OF UTAH
OFFICE OF EQUAL OPPORTUNITY & AFFIRMATIVE ACTION
Policy 5-210, DISCRIMINATION COMPLAINT FORM

Note: This form is not viewed as an official charge unless it is signed and submitted to the OEO/AA at the address listed on the following page. It is the responsibility of this office to investigate and/or mediate all cognizable claims of discrimination and sexual harassment.

1. _____

Name	Daytime Telephone	Cell/Home Telephone

Home Address	City	Zip Code

Campus Address (if applicable)	Campus Telephone	

2. Please indicate your status at the time of the alleged discrimination. (Check all that apply)

☐ **Faculty** ☐ **Staff** ☐ **Applicant**
☐ **Patient** ☐ **Participant** ☐ **Student** ☐ **Other**

3. Cause of discrimination. (Check all that apply)

<input type="checkbox"/> Race	<input type="checkbox"/> Sex	<input type="checkbox"/> Religion
<input type="checkbox"/> Color	<input type="checkbox"/> Sexual Harassment	<input type="checkbox"/> Age
<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender Identity/Expression	<input type="checkbox"/> Disability
<input type="checkbox"/> Protect Veteran* **	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> Retaliation

* **Date and nature of discharge:** _____ ** **For definition of Protected Veteran, see University Policy 5-210**

4. Please indicate your choice of resolution process. Note that selecting the Mediation/Negotiation Process does not limit you from choosing the Investigation Process at a later time.

☐ **Investigation** ☐ **Mediation/Negotiation**

5. Please provide information pertaining to the individual(s) you feel have discriminated against/sexually harassed you. (If there is more than one individual, list all who are applicable on a separate sheet.)

Name	Title	Campus Telephone

Department	Department Address	

6. **On a separate sheet of paper**, please provide the following information concerning your complaint:

- Briefly explain how you and/or others were treated differently than similarly situated individuals and list dates of occurrences.
- Provide the names of the individual(s) treated differently. Include telephone numbers and position titles if known.
- Identify the individual(s) who may have witnessed the alleged discriminatory action or who could provide information relevant to the issues raised in your complaint. Include telephone numbers if known.
- Describe other actions you have taken, if any, in attempting to resolve the situation.
- Describe the actions you feel are necessary to remedy the situation.
- List any internal grievance processes you have initiated or may initiate regarding your complaint.
- If you are alleging discrimination due to disability, please describe your disability and how it substantially limits you. Depending on the nature of your disability, this office may require medical documentation.

I affirm that I have read the above charge and it is true to the best of my knowledge and belief.

Name - Charging Party

Signature

Date

UNIVERSITY OF UTAH
OFFICE OF EQUAL OPPORTUNITY & AFFIRMATIVE ACTION
FILING OPTIONS & TIME LINES

- I.** To file an internal complaint regarding discrimination, sexual harassment, or retaliation:
A complaint of discrimination, sexual harassment, and/or retaliation must be filed with the Office of Equal Opportunity and Affirmative Action within 120 calendar days of the date of most recent alleged discriminatory act(s) or event(s).

University of Utah
Office of Equal Opportunity & Affirmative Action
201 S. Presidents Circle, Room 135
Salt Lake City, UT 84112
Telephone: 801-581-8365
Fax: 801-585-5746

- II.** To file an external complaint regarding discrimination, sexual harassment, or retaliation:

A. Regarding Employment:

1. State Agency:

Utah Anti-Discrimination and Labor Division (UALD)
160 East 300 South, 3rd floor
P.O. Box 146630
Salt Lake City, Utah 84114-6630
Telephone: 801-530-6801
FAX: 801-530-7609
Email: discrimination@utah.gov
www.laborcommission.utah.gov

Individual complaints regarding: Utah Anti-Discrimination Act of 1965, Title VII of the Civil Rights Act of 1964, as amended, Age Discrimination in Employment Act of 1967, as amended, and the Americans with Disabilities Act of 1990.

Must file complaint within 180 days.

2. Federal Agencies:

a. Equal Employment Opportunity Commission

Phoenix District Office
3300 North Central Avenue, Suite 690
Phoenix, AZ 85012
Telephone: 1-800-669-4000
TDD: 1-800-669-6820
Fax: 602-640-5071
www.eeoc.gov

Individual complaints regarding: Title VII of the Civil Rights Act of 1964, as amended, Age Discrimination in Employment Act of 1967, as amended, Equal Pay Act of 1963, Title I and Title V of the Americans with Disabilities Act of 1990, Sections 501 and 505 of the Rehabilitation Act of 1973 and the Civil Rights Act of 1991.

Must file complaint within 180 or 300 days, depending upon the complaint alleged.

b. U.S. Department of Labor

Office of Federal Contract Compliance Programs (OFCCP)
525 South Griffin Street, Room 512
Dallas, TX 75202
Telephone: 972-850-2650
Fax: 972-850-2651
www.dol.gov/esa

Class Action and individual complaints regarding:
Executive Order 11246 of 1965, as amended

Must file complaint within 180 days

Veterans Readjustment Assistance Act of 1974 and Section 503 of the Rehabilitation Act of 1973, as amended, Title I of the Americans With Disabilities Act of 1990.

Must file complaint within 300 days

- c. Veteran's Employment and Training Service
140 East 300 South, Room 209
Salt Lake City, UT 84111
Telephone: 801-524-5703

Complaints regarding: Uniformed Service Employment and Re-employment Rights Act.
No time limitation to file.

B. Regarding Education:

United States Department of Education
Office of Civil Rights– Denver
1244 Speer Boulevard, Suite 310
Denver, Colorado 80204
Telephone: 303-844-5695
Toll free: 877-521-2172
FAX: 303-844-4303
www.ed.gov/about/offices/list/ocr/index.html

Complaints regarding: Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, Title II of the Americans with Disabilities Act of 1990, Age Discrimination Act of 1975.
Must file complaint within 180 days.

C. Regarding health care, human services, and activities:

U.S. Department of Health & Human Services
Office for Civil Rights– FOB
1961 Stout Street, #1426
Denver, Colorado 80294-3538
Telephone: 303-844-2024
Fax: 303-844-2025
TDD: 303-844-3439
www.hhs.gov/ocr

Complaints regarding: Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act of 1990 (ADA), and the Community Service Assurance provisions of the Hill-Burton Act.
Must file complaint within 180 days.

D. Regarding Housing (Residents of dorms and family student housing)

- 1. Utah Anti-Discrimination and Labor Division (UALD)
160 East 300 South, 3rd floor
P.O. Box 146630
Salt Lake City, Utah 84114-6630
Telephone: 801-530-6801
Toll free: 1-800-222-1238
FAX: 801-530-7609
Email: fh@utah.gov
www.laborcommission.utah.gov

Complaints regarding: Utah Fair Housing Act of 1993, as amended.
Must file complaint within 180 days.

- 2. United States Department of Housing and Urban Development
1670 Broadway, 25th floor

Denver, Colorado 80202
Telephone: 303-672-5440
FAX: 303-672-5004
Email: CO Webmanager@hud.gov

Complaints regarding: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), Section 504 of the Rehabilitation Act of 1973, as amended, Title II of the Americans with Disabilities Act of 1990, Age Discrimination Act of 1975, Title IX of the Education Amendments Act, and Architectural Barriers Act of 1968.

Must file complaint within 180 or 365 days, depending upon the complaint alleged.
It is not necessary to file a complaint with this Division in order to preserve your right to file a private lawsuit at a later date. The Fair Housing Laws allow you to take your complaint directly to court within two years of the discriminatory act.

06/17/2009 - updated

**UNIVERSITY OF UTAH
OFFICE OF EQUAL OPPORTUNITY & AFFIRMATIVE ACTION
NOTICE OF NON-RETALIATION REQUIREMENT**

University of Utah policy and state and federal law prohibit retaliation against any individual who files a complaint, opposes illegal discrimination or harassment or assists or participates in any manner in a discrimination investigation or proceeding conducted by the University of Utah or an external agency.

Individuals who exercise their rights under Section 504 of the Rehabilitation Act of 1973, as amended, or the Americans With Disabilities Act Amendments Act of 2008 are protected from retaliation. Any individual who has filed for an accommodation or has complained, testified or participated in any manner in the investigation of any complaint shall not be intimidated, threatened, coerced, or discriminated or retaliated against in any way.

Section 704 (a) of Title VII of the Civil Rights Act of 1964, as amended, states:

It shall be an unlawful employment practice for an employer to discriminate against any of his [or her] employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he [or she] has opposed any practice made an unlawful employment practice by this sub-chapter, or because he [or she] has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this sub-chapter.

6/17/2009 - updated

**UNIVERSITY OF UTAH
OFFICE OF EQUAL OPPORTUNITY & AFFIRMATIVE ACTION
STATEMENT OF UNDERSTANDING**

In addition to conducting internal investigations, the OEO/AA is responsible for investigating and responding to complaints received from external enforcement agencies. When a person files a complaint with the OEO/AA and/or an external enforcement agency, relevant information provided or obtained during the investigation of either the internal or external complaint may be used by OEO/AA in its investigative report or response.

It is the responsibility of all parties to a complaint to ensure that the OEO/AA has a current address and contact number on file. All correspondence to parties will be mailed via the campus mail system or by regular US mail to the address(es) provided by the respective parties, or to the party representative in the case of multiple complaints, or by electronic mail (email) at the request of the receiving party. Documents mailed by US mail will be presumed to have been received three business days after the date of mailing if the address is in state or five business days if the address is out of the state.

If you have filed, or intend to file, other internal grievances related to these issues, the processing of the grievances may be put on hold pending resolution of your Policy 5-210 complaint if the issues raised cannot be clearly separated.

By signing below, you affirm that you have been informed of the procedures, time constraints and external avenues of redress that are available to you.

Name

Signature

Date

Email address, in lieu of mail delivery: _____