

CLIENT DISCRIMINATION COMPLAINT SCREENING TOOL

Any valid complaint received by the Office of Equal Opportunity (OEO) must conform with the requirements of the Civil Rights Act of 1964, or applicable civil rights laws.

The definition of ‘Complaints/Grievances’ are often misused or misunderstood.

The following describes a clearer understanding of the Civil Rights Act of 1964, as it applies to ADOA/DES/OEO.

In order to determine where the complaint should be directed, read the following carefully:

1. Has the alleged action taken place within the last 60 calendar days? Yes No

2. Is the allegation based on:
 - **RACE**
 - **COLOR**
 - **NATIONAL ORIGIN**
 - **RELIGION**
 - **SEX** (Includes Pregnancy, Sexual Harassment)
 - **INDIVIDUALS WITH DISABILITIES** (Americans with Disabilities Act of 1990, as amended, Sections 501, 503, and 504 of the Rehabilitation Act of 1973, as amended)
 - **DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS** (Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended)
 - **AGE** (Age Discrimination in Employment Act of 1967, as amended), (Age Discrimination Act of 1975).
 - **RETALIATION**
 - **GENETICS** (Title II of the Genetic Information Nondiscrimination Act [GINA] of 2008)
 - **POLITICAL AFFILIATION**
 - **SEX STEREOTYPE**
 - **GENDER IDENTITY**

3. Why do you believe that one of the above protected classes is the primary reason for the unfavorable treatment?
 - Attach documentation, witness statements, etc., that support the claim.

HARASSMENT:

Discriminatory harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual based on race, color, sex, national origin, religion, age, disability, or retaliation, and that has the purpose or effect of violating the client’s civil rights.

Non-Discriminatory harassment covers a wide range of behaviors of an offensive nature. It is commonly understood as behavior intended to disturb or upset, and it is characteristically repetitive. It is intentional behavior which is found threatening or disturbing (i.e. bullying).

DISCRIMINATION:

Unlawful discrimination occurs when someone, or a group of people, is being treated less favorably than another person or group because of their race, color, national or ethnic origin; sex, pregnancy or marital status; age; disability; religion; sexual preference; or some other characteristic specified under anti-discrimination or civil rights legislation.

Discrimination not covered by the Civil Rights Act includes behavior by individuals or groups that use persistent aggressive or unreasonable behavior against a co-worker or subordinate. This may also include workplace bullying using such tactics as verbal, nonverbal, psychological, physical abuse, and humiliation. This type of aggression while not protected by the Civil Rights Act must be taken seriously.

RETALIATION:

Unlawful retaliation is discrimination against any individual because s/he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, hearing, or litigation under Title VII, the ADEA, the EPA, or the ADA.

Retaliation not covered by the Civil Rights Act occurs when adverse acts are taken against a client who has not filed a civil rights complaint. The motive for such retaliation may be seeking revenge on others for reasons not connected to civil rights or engaging in other protected activities.

Direct issues to:

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Equal Opportunity Employer/Program • Under Titles VI and VII of the Civil Rights Act of 1964 (Title VI & VII), and the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Genetic Information Nondiscrimination Act (GINA) of 2008; the Department prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, disability, genetics and retaliation. To request this document in alternative format or for further information about this policy, contact your local office; TTY/TDD Services: 7-1-1. • Free language assistance for DES services is available upon request.