

**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**
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 supports 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:**

**Office of Equal Opportunity  
P.O. Box 6123 – Site Code 049Z  
Phoenix, Arizona 85005-6123**

**Telephone No.: 602-364-3976**

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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. The Department must make a reasonable accommodation to allow a person with a disability to take part in a program, service or activity. Auxiliary aids and services are available upon request to individuals with disabilities. For example, this means if necessary, the Department must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. To request this document in alternative format or for further information about this policy, contact your local office manager; TTY/TDD Services: 7-1-1. • Free language assistance for DES services is available upon request. • Disponible en español en línea o en la oficina local.