

## **DISCRIMINATION COMPLAINT PROCEDURE**

Schuylkill Community Action (S.C.A.) as regulated by the Civil Rights Act of 1964, Title VI, and by Regulations of the Pennsylvania Human Relations Commission, 16 Pa. Code Chapter 49, is expressly prohibited from discriminatory practices with respect to any corporate function because of race, creed, color, sex, national origin, age, handicap, political affiliation or belief. "Corporate functions" include: (1) any program, project or activity for the provision of services, financial aid or other benefits to individuals whether provided through an employee of S.C.A. or provided by others through contracts or other arrangements with S.C.A.; (2) employment practices, including recruitment or recruitment advertising, employment, layoff or termination, upgrading, demotion or transfer, and rates of pay or other forms of compensation; (3) provision of facilities, including location, accessibility and utilization; and (4) policy administration, including participation as a member of a planning or advisory body which is an integral part of the program.

If any person believes that he/she has encountered discrimination because of race, creed, color, sex, national origin, age, handicap, political affiliation or belief, precipitated by S.C.A., an employee of S.C.A., an individual or organization contracting with S.C.A., or the policy making bodies of S.C.A., he/she may file a discrimination complaint to S.C.A. utilizing the following procedures. Nothing in this policy should be construed to mean that a complainant cannot file a complaint directly with the the Pennsylvania Human Relations Commission at any time and S.C.A. will provide appropriate contact information upon request.

### **LOCAL COMPLAINT PROCEDURES**

#### **1. Submission of an Equal Opportunity Complaint**

- a. The complainant must file a formal written discrimination complaint with the Equal Opportunity Officer (EOO) of S.C.A. within 90 calendar days after the alleged discrimination occurred.
- b. Upon receipt of a discrimination complaint, the EOO within two working days shall notify in writing the aggrieved employee, charged party, and appropriate supervisors including the Executive Director of the receipt of the complaint and his/her intention to investigate the matter.

#### **2. Resolution and Decision by SCA**

- a. The EOO shall make every effort to resolve the complaint informally. The EOO shall, if requested by the complainant, assist in discussions with any party to the complaint and may take other steps which may assist in the resolution of the complaint, including any fact gathering investigation. This may include separate interviews with the aggrieved and charged parties.

- b. The aggrieved person has the right to be accompanied, represented and advised by a representative or attorney of his/her choice. If the aggrieved person or the representative is an employee of S.C.A., he/she shall be given a reasonable amount of working time to prepare and present his/her request for resolution of the complaint. A reasonable amount of working time has been determined to be not more than 10% of the employee's time on the job during the complaint resolution period.

### **3. Report on Findings and Efforts of Resolution**

Within ten (10) working days following the receipt of a complaint, the Affirmative Action Officer will submit a written set of findings and recommendations to all concerned parties, including the Supervisor and the Executive Director.

### **4. Appeal**

Within five (5) working days of the receipt of the Affirmative Action Officer's findings and recommendations, the complainant may appeal to the Executive Director. The Executive Director shall consider the appeal, make any necessary inquiries, and respond to the aggrieved employee and other involved parties within ten (10) working days of the receipt of the appeal. The decision of the Executive Director shall be carried out immediately.

If the employee is still not satisfied with the Executive Director's decision, or if the situation has not been rectified, the employee may then appeal within five (5) days to the Board of Director's Equal Opportunity Committee in writing through the Executive Director. After receipt of such written notification, a written finding by the Board Equal Opportunity Committee must be rendered within one calendar month.

## **ASSURANCE AGAINST INTIMIDATION**

Schuylkill Community Action will not intimidate, retaliate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Regulations of the Pennsylvania Human Relations Commission, 16 Pa. Code Chapter 49, or by Title VI of the Civil Rights Act of 1964, or by this Discrimination Complaint Procedure because he/she has made a complaint, testified, assisted, or participated in any manner in any investigation, proceeding or hearing under this Procedure. The identity of complainants shall be kept confidential except, to the extent necessary to carry out the purposes of this Procedure, including the conduct of any preliminary inquiries thereunder.