

Department of Toxic Substances Control

Official Policy

CIVIL RIGHTS POLICY

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(Signature on file at 03/29/2018 adoption date)

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Signature

Date Signed

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I. POLICY STATEMENT

The Department of Toxic Substances Control (DTSC) is committed to promoting fairness, equity, and the principles of environmental justice, as well as ensuring the department does not discriminate in its decisions, actions, or delivery of services. DTSC will not tolerate unlawful discrimination and will vigorously seek to meet the requirements and intent of the civil rights protections articulated in Title VI of the Civil Rights Act of 1964, Executive Order No. 13166, California Government Code section 11135, and the California Dymally-Alatorre Bilingual Services Act.

These federal and state civil rights laws collectively provide that no person shall, on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation, be 1) excluded from participation in, 2) denied full and equal access to the benefits of, or 3) subjected to unlawful discrimination in any program or activity conducted, operated, or administered by DTSC or that receives financial assistance from DTSC. The protected characteristics described in this policy include a person who actually possesses any of these characteristics, a perception that a person has any of those characteristics, or that the person is associated with a person who has, or is perceived to have, any of those characteristics.

II. PURPOSE

The purpose of this policy is to ensure that DTSC actively promotes civil rights protections and implements all of its programs and activities in a non-discriminatory manner, and that DTSC contractors, grantees, and other recipients of DTSC funding (DTSC funding recipients) also comply with federal and state civil rights laws, including Title VI of Civil Rights Act of 1964, Executive Order No. 13166, California Government Code section 11135, and the California Dymally-Alatorre Bilingual Services Act.¹

III. RELEVANT AUTHORITIES

The following is a list of key federal and state laws, regulations, and guidance documents related to this policy:

1. Title VI of the Civil Rights Act of 1964 (Pub. L. No. 88-352 § 601 (July 2, 1964), 78 Stat. 252.)
2. Presidential Executive Order No. 13166, 65 FR 50121 (Aug. 11, 2000)

¹ This policy and any internal procedures adopted for its implementation are intended solely as guidance. This policy does not constitute a rulemaking.

3. California Dymally-Alatorre Bilingual Services Act (Gov. Code, § 7290 et seq.)
4. California Government Code, § 11135
5. California Government Code, § 11136
6. California Health and Safety Code, § 39711
7. The Age Discrimination Act of 1975 ((Pub. L. No. 94-135 (Nov. 28, 1975), codified under 42 U. S. C. § 6101 et seq.)
8. Section 504 of the Rehabilitation Act of 1973 (codified under 29 U.S.C.A § 794)
9. Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons, (Presidential Exec Order No. 13166, 69 Fed. Reg. 35602 (June 25, 2004))
10. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, (Presidential Exec. Order No. 12898, 59 Fed. Reg. 7629 (Feb. 16, 1994))
11. United States Environmental Protection Agency, Compliance with Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency, Feb. 10, 2017, (Class. No. 1000.32)
12. U.S. Department of Justice, Title VI Legal Manual (Jan. 26, 2017)
13. U.S. EPA, External Civil Rights Compliance Toolkit (Jan. 18, 2017)
14. Department of Toxic Substances Control, Kettleman Title VI Settlement Agreement (Aug. 10, 2016)

IV. DEFINITIONS

For purposes of this policy, the definitions of the terms outlined below apply:

- a. Civil Rights and Language Access Implementation Plan (Implementation Plan): A document required by this policy and DTSC's Language Access Policy (DTSC-OP-0017 (03/29/2018)), which provides clear and concrete actions DTSC will take to ensure civil rights protections and equal language access in DTSC's programs and services.
- b. Complainant: An individual or other party filing a civil rights complaint under this policy. An individual alleging discrimination by DTSC in violation of civil rights laws can also designate an authorized representative to assist with the individual's complaint. A complaint can be filed by someone who possesses, or is perceived to possess, a protected characteristic, and who believes that discrimination based on that characteristic occurred. A complaint may also be filed by someone who believes discrimination occurred based on his or her association with someone with an actual or perceived protected characteristic. Additionally, someone who witnesses or has knowledge of any discrimination in violation of civil rights laws may also file a complaint.

- c. Discrimination: The unlawful denial of fair and equal access to a program or activity offered, conducted, administered, or funded (in whole or in part) by DTSC based on a protected characteristic. Discrimination includes both intentional discrimination, also referred to as disparate treatment, and disparate impact discrimination.²
- d. Protected characteristic: A characteristic of a person that cannot form the basis of discrimination. Protected characteristics include sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation.

V. COMMITMENT TO PROTECTING CIVIL RIGHTS

To ensure DTSC's commitment to civil rights, DTSC will develop, evaluate, implement, and revise as needed an Implementation Plan, which will provide clear and concrete actions DTSC will take to ensure civil rights protections and equal language access to ensure that its programs and services are not offered, conducted, or administered in a discriminatory manner. The Implementation Plan will include, at a minimum, the steps DTSC will take to ensure civil rights protections and equal language access in its permit decisions, enforcement activities, site mitigation decisions, and other department activities. The Department will phase in activities as described in its Civil Rights and Language Access Implementation Plan.

Title VI of the Civil Rights Acts of 1964 and California Government Code Section 11135

² In its Implementation Plan, DTSC will outline how it will evaluate and address disparate impact discrimination in the implementation of its programs and activities, consistent with federal and state civil rights and environmental laws and guidance. This includes, but is not limited to, guidance from the U.S. Department of Justice and U.S. EPA, which together defines intentional discrimination and disparate impact discrimination as follows:

1. Intentional discrimination occurs when an individual or group of individuals is intentionally or purposely treated differently, or otherwise knowingly caused harm because of an actual or perceived protected characteristic. Being treated differently can include being denied participation in, or the benefits of, a program or activity. Intentional discrimination requires a showing that a challenged action, that subjects an individual or group of individuals to disparate treatment, was motivated by an intent to discriminate, but does not require a showing of bad faith, ill will, or evil motive.
2. Disparate impact discrimination occurs when a facially neutral procedure or practice causes an adverse and significantly disproportionate effect on members of a group identified by protected characteristic. Disparate impact discrimination is generally prohibited, regardless of intent, unless: (1) a substantial legitimate justification for the challenged procedure or practice exists; and (2) no comparatively effective alternative practices exist that would achieve the same legitimate objective but with less disparate impact.

As a recipient of federal and state funds, DTSC is required to comply with Title VI of the Civil Rights Act of 1964 and California Government Code Section 11135. These laws, among others, prohibit both intentional and disparate impact discrimination. In its Implementation Plan, DTSC will outline how it will evaluate and address disparate impact discrimination in the delivery of its programs and activities consistent with federal and state civil rights and environmental laws and guidance. DTSC commits to the following:

1. DTSC will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program, service, or activity offered or conducted by DTSC;
2. DTSC will ensure that federal and civil rights requirements are incorporated into all applicable policies, procedures, bids, assurances, grants, and contracts that it administers, or for which it has oversight responsibilities; and
3. DTSC will disseminate information regarding all federal and state civil rights requirements to all contractors, subcontractors, and beneficiaries of federal and state funding that DTSC administers, and will ensure that its funding recipients comply with such requirements.

Title VI of the Civil Rights Act of 1964 provides that “[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” California Government Code section 11135 provides that “[n]o person in the State of California shall, on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state.” California Government Code section 11136 further provides that “whenever a state agency that administers a program or activity that is funded directly by the state or receives any financial assistance from the state has reasonable cause to believe that a contractor, grantee, or local agency has violated the provisions of Section 11135 the head of the state agency, or his or her designee, shall notify the contractor, grantee, or local agency of such violation and shall submit a complaint detailing the alleged violations to the Department of Fair Employment and Housing for investigation.”

Program Review and Environmental Justice

DTSC is committed to the principles of environmental justice, equal opportunity, and equitable service for all individuals in the State of California. DTSC will consider and ensure civil rights protections as part of its periodic review of its programs and services to identify and address environmental justice gaps. DTSC will also create, maintain, and make available to the public a list of tools and sources of information, such as the Office of Environmental Health Hazard Assessment's CalEnviroScreen (<https://oehha.ca.gov/calenviroscreen>) to assist DTSC in complying with this Policy and carrying out its Implementation Plan.

Language Access

DTSC is committed to eliminating or reducing Limited English Proficiency (LEP) as a barrier to accessing DTSC programs through its Language Access Policy (DTSC-OP-0017 (03/29/2018)). To ensure early, equal, and meaningful access to LEP persons, DTSC's Implementation Plan will describe how DTSC provides language access for specific programs and services, including, at a minimum, the process for language access related to hazardous waste facility permit decisions, enforcement, supplemental environmental projects, cleanup plans, and grants and other funding opportunities.

Hazardous Waste Permitting Decisions

Consistent with the Kettleman Title VI Settlement Agreement (Aug. 10, 2016), this policy specifically provides the following foundational commitments on permitting decisions for hazardous waste facilities. The Implementation Plan will provide detailed descriptions of DTSC's permitting process, as well as key actions DTSC will take to protect civil rights by ensuring that the permitting program is administered in a non-discriminatory manner:

- a. Review of Hazardous Waste Facility Permit Applications – DTSC will ensure that each permit application is made available to the public in compliance with DTSC's Language Access Policy (DTSC-OP-0017 (03/29/2018)). DTSC will ensure that all applications for hazardous waste facility permits are evaluated using the defined criteria for safety and protectiveness of human health and the environment. DTSC will use available tools and processes to evaluate and mitigate, as appropriate, potential impacts of the facility or operation on nearby communities when considering a permit application. DTSC will also develop and enhance tools and processes to assess cumulative impacts and vulnerability in communities potentially affected by hazardous waste permit decisions.

- b. Comments Received on Hazardous Waste Permit Applications – DTSC will ensure that comments submitted to DTSC during review of a permit application, as well as responses to those comments, are made available to the public in compliance with DTSC’s Language Access Policy (DTSC-OP-0017 (03/29/2018)). Information about the civil rights complaint process will also be made available to commenters during public comment periods, as described in the Implementation Plan.

- c. Environmental Documents and Hazardous Waste Permit Decisions – For hazardous waste facility permit decisions, DTSC will ensure that it complies with the California Environmental Quality Act (CEQA) (Pub. Res. Code, § 21000 et seq.) and the CEQA Guidelines (Title 14 of the California Code of Regulations, Sections 15000 – 15387). DTSC will require the preparation of environmental documents for permit decisions as required under the CEQA Guidelines (Title 14 of the California Code of Regulations, Sections 15000 - 15387). DTSC will require subsequent environmental documents as provided in Title 14, Section 15161. DTSC will also ensure that environmental documents for hazardous waste facility permit decisions are prepared using the defined significance criteria for assessing potential impacts. DTSC will ensure that environmental documents and hazardous waste decisions associated with each permit application are made available to the public in compliance with DTSC’s Language Access Policy (DTSC-OP-0017 (03/29/2018)).

- d. Consideration of Petitions for Review – DTSC will consider alleged state and federal civil rights violations as part of an appeal of a hazardous waste facility permit decision so long as the person appealing the decision complies with Section 66271.18 of Title 22 of the California Code of Regulations. Additional information about Petitions for Review may be found in the Implementation Plan, and at: <http://www.dtsc.ca.gov/HazardousWaste/AppealingPermit.cfm>.

VI. INQUIRIES AND COMPLAINTS

For questions regarding this policy, please contact DTSC’s Office of Civil Rights by telephone at (916) 324-3095 or by email ocr@dtsc.ca.gov. You can also contact the Office of Civil Rights by facsimile at (916) 322-3111 or by writing to:

Attn: Office of Civil Rights
Department of Toxic Substances Control
1001 “I” Street, 12th Floor
Sacramento, CA 95814

If you believe you or someone else have been subjected to behavior that violates this policy or other discriminatory treatment in violation of federal or state civil rights laws, you may file a complaint with DTSC using DTSC's Civil Rights Complaint Form (Form 1443), which is available on DTSC's website at www.dtsc.ca.gov/PublicForms, or by calling DTSC's Office of Civil Rights at (916) 324-3095.³ More information regarding DTSC's civil rights violation complaint process is provided below. You may also submit a complaint directly to the Department of Housing and Fair Employment (DFEH). More information regarding this process is available on their website at <https://www.dfeh.ca.gov/>.

If you believe that you have been subjected to behavior that violates federal civil rights laws, you may also file a complaint with the United States Environmental Protection Agency's (US EPA) Office of Civil Rights. More information regarding this process is available on US EPA's website at <https://www.epa.gov/ocr>.

1. FILING A COMPLAINT

A Complainant⁴ may file a civil rights complaint with DTSC if the Complainant believes that DTSC, including its employees, contractors, and grantees, has discriminated against the Complainant based on their actual or perceived ethnic group identification, ancestry, religion, age, sex, sexual orientation, color, genetic information, race, national origin, marital status, medical condition, or physical or mental disability. A complaint can also be filed if the Complainant believes they have been discriminated against based on their actual or perceived association with someone of a protected characteristic or they believe they witnessed discrimination occur against a third party based on the third party's actual or perceived protected characteristic.

The Complainant may use DTSC's Civil Rights Complaint Form (Form 1443) to submit his or her complaint to DTSC via email at ocr@dtsc.ca.gov, by facsimile at (916) 322-3111, or by mail to:

Attn: Office of Civil Rights
Department of Toxic Substances Control
1001 "I" Street, 12th Floor
Sacramento, CA 95814

³ Additional complaint forms and processes are available for DTSC employees wishing to file a complaint based on their status as an employee. Please see the Office of Civil Rights page on DTSC's intranet for more information.

⁴ See definition of Complainant, Section IV, which includes authorized representatives.

The Complainant may also file a complaint by submitting a written, signed, and dated statement to DTSC. The written statement must:

- Provide the Complainant's contact information, including current street address, telephone number, and, if available, email address;
- Provide a detailed description of the alleged discriminatory act(s);
- Provide all known information that identifies the individual that committed the alleged discriminatory act(s), including, if known, whether the individual is a DTSC employee or a DTSC contractor or subcontractor;
- Identify the Complainant as a person possessing a protected characteristic who was allegedly discriminated against or a person that is authorized to represent such a person, or a person associated with a person possessing a protected characteristic, or a class of people who were allegedly discriminated against, or a third-party complainant who believes they witnessed discrimination by DTSC against someone based on an actual or perceived characteristic; and
- Demonstrates the timely filing of the complaint.

The written statement may be submitted to DTSC in the same manner as DTSC's Civil Rights Complaint Form (Form 1443) (see above).

The Complainant must ensure that his or her complaint is timely. To be timely, all complaints must be filed with DTSC no later than 365 calendar days after:

- The date of the alleged act of discrimination; or,
- The date when the Complainant became aware of the alleged discrimination; or,
- The date of the last discrimination, if the same conduct continued over a course of time.

If the Complainant first obtained knowledge of the facts of the alleged discrimination after the expiration of 365 calendar days from the date of its alleged occurrence, they will have up to 435 calendar days from the date of the alleged occurrence to file a complaint.

A complaint that is filed untimely can still be considered by DTSC, but such decisions are made by DTSC in its sole discretion and on a case-by-case basis.

2. REVIEW OF COMPLAINTS

DTSC will review all written complaints to determine whether the matter is something DTSC's can act upon based on whether:

- The Complainant has provided a Civil Rights Complaint Form (Form 1443) or other written, signed, and dated statement, as described above;
- The Complainant 1) suffered the alleged discrimination and based on a protected characteristic, or is perceived to have a protected characteristic, 2) is authorized to represent a person or specific protected class of people who were allegedly discriminated against based on a protected characteristic, or 3) believes they witnessed discrimination against a third party based on the third party's actual or perceived protected characteristic;
- The complaint is timely submitted;
- The complaint identifies the individual that committed the alleged discriminatory act(s), if known, including whether the individual is a DTSC employee or a DTSC contractor or subcontractor; and
- The complaint provides a detailed description of the alleged act(s) that the Complainant believes are discriminatory.

DTSC will acknowledge receipt of the complaint within 10 calendar days of receiving the complaint. Within 30 calendar days of acknowledging receipt of the complaint, DTSC will provide the Complainant with written notice of whether DTSC: (1) has jurisdiction and accepts the complaint for investigation; (2) rejects the complaint; (3) or refers the complaint to the appropriate agency.

If DTSC determines it can act upon the complaint and accepts a complaint for investigation, DTSC will assign an investigator to the complaint within five (5) business days of making this determination.

Where the complainant has articulated facts that do not appear discriminatory but warrant further review, DTSC, at its discretion, may forward the complaint to a party within DTSC or outside of DTSC for action. DTSC will inform the Complainant in writing as part of the complaint transfer process.

3. INVESTIGATION OF COMPLAINTS

When DTSC has accepted a complaint for investigation, it will conduct a neutral and thorough investigation into the allegations. Upon completion of its investigation, DTSC will reach a determination on the merits of the complaint. DTSC will inform the Complainant in writing of its determination on the merits of the discrimination complaint.

If a complaint is substantiated by the department, the department will take appropriate corrective action that may include prohibiting discriminatory actions, disciplinary action, instituting additional preventative measures, and withdrawing DTSC funding from DTSC funding recipients. Furthermore, if DTSC has the reasonable belief that a DTSC funding recipient discriminated against an individual due to a protected characteristic, the complaint will be referred to DFEH in accordance with Government Code section 11136.

4. APPEAL OF DTSC'S CIVIL RIGHTS INVESTIGATION DECISION

If a Complainant disagrees with DTSC's written determination on the merits of the discrimination complaint, they may appeal the department's decision by filing a claim with DFEH. As referenced above, DFEH provides its own established process for investigating claims of civil rights violations in the form of discrimination.

5. CONFIDENTIALITY OF COMPLAINTS

DTSC strives to protect the confidentiality of the Complainant and all participants in the civil rights complaint process to the greatest extent possible and as authorized by law. The nature of this process, however, does not permit absolute confidentiality. The right to due process and equitable treatment for all parties involved requires DTSC to interview many individuals in its investigation. Confidentiality will be protected and honored to as great a degree as is legally possible. However, anonymity and complete confidentiality cannot be guaranteed once a complaint is made or unlawful behavior is made known to DTSC. The complaint files will be maintained in confidence to the fullest extent of the law. The Office of Civil Rights may release information to appropriate DTSC personnel and outside agencies as required by law to resolve a complaint.

VII. RESOURCES

- DTSC's Civil Rights Complaint Form (Form 1443)
www.dtsc.ca.gov/PublicForms, and attached as Appendix A
- DTSC's Communication Assistance Resolution Form (Form 1602):
www.dtsc.ca.gov/PublicForms
- DTSC's Public Participation Manual:
www.dtsc.ca.gov/PublicParticipation

APPENDIX A. CIVIL RIGHTS COMPLAINT FORM

This page has been intentionally left blank. Please see the following page.

HOW TO FILE A CIVIL RIGHTS COMPLAINT WITH DTSC'S OFFICE OF CIVIL RIGHTS

DTSC is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation.

Therefore, if you believe that you or someone else has been subjected to discrimination under Title VI of the 1964 Civil Rights Act or Government Code section 11135 by DTSC, its contractors, grantees, or other funding recipients, you may file a complaint with DTSC's Office of Civil Rights (OCR).

You must file your discrimination complaint within one year of the alleged discrimination. However, if you do not discover facts about a discriminatory practice until after the expiration of the one-year filing period, you may have an additional 90 days to file a complaint. The address and telephone number for DTSC's OCR is listed in the heading of the Complaint Form.

The OCR needs certain information to investigate your complaint. Consequently, please make sure you carefully follow the instructions below for filing out your complaint. The instruction numbers match the numbers in the Discrimination Complaint Form.

1. Under **Complainant Information**, please set forth your legal name; home address; home telephone number; e-mail if you have one; and a daytime phone number where you can be reached. Please note, you may file a complaint anonymously but that doing so may reduce DTSC's ability to accept and/or fully investigate your claim.

Under **Person, Unit, Division, or Company That Discriminated**, please set forth as much information you have concerning the entity or individual that you believe committed the discrimination.

Under **Third Party Discriminated Against**, please set forth the information about the person(s) who was directly subject to the behavior you believed to be discriminatory. This section only needs to be filled out if your complaint is based on actions towards someone other than yourself.

2. Under **What happened**, please provide in succinct detail each incident that you believe showed that:

- a. Someone (you or someone else) was excluded from participation in the federally funded or state program or activity;
 - b. Someone (you or someone else) was denied benefits from the federally funded or state program or activity; or,
 - c. Someone (you or someone else) was subjected to discrimination in a federally funded or state program or activity.
3. Under **Why**, please provide in succinct detail why you believe, or someone else, was excluded, denied benefits, or subjected to discrimination, as prohibited by Title VI of the 1964 Civil Rights Act and/or Government Code section 11135. Those laws prohibit the exclusion, denial of benefits or being subjected to discrimination because of the person's actual or perceived **sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation**. A complaint may also be filed if you feel you or someone else has been discriminated against based on an association with an individual with an actual or perceived protected characteristic. For the OCR to investigate your complaint, you must provide a motivating factor for the alleged treatment. For example, "DTSC did not investigate my contamination complaint because of my **national origin**." In this example, the alleged reason for being denied DTSC's enforcement services is because of the individual's **national origin**.
4. Under **Who**, please set forth the full name, phone number, e-mail of any individual that may have some knowledge regarding your allegations.
5. Under **When**, please set forth the earliest date of these actions and the most recent action of exclusion, denial of services, or discrimination.

CIVIL RIGHTS COMPLAINT FORM

This form should be used by members of the public to file a complaint of discrimination against the California Department of Toxic Substance Control (DTSC), its contractors, grantees, or other funding recipients that an individual believes occurred during the administration of DTSC's programs and services offered to the public. All complaints must be filed with DTSC located at 1001 I Street, Sacramento, CA 95814 –Attention: Civil Rights Complaint, telephone number (916) 324-3095, facsimile number (916) 322-3111.

Please read this form carefully and try to answer all questions that may apply to your situation. Attached to this Complaint Form is a Fact Sheet entitled "How to File a Civil Rights Complaint with DTSC's Office of Civil Rights" that acts as a guide for filling out this Complaint form.

If you have any documents that support your complaint, please attach them to this Complaint Form.

1. COMPLAINANT INFORMATION:

Name	Home Address	Work Telephone Number
E-Mail Address		Daytime Telephone Number (if different)

2. PERSON, UNIT, DIVISION, or COMPANY THAT DISCRIMINATED:

Unit, Division or Company	Address (if known)	Telephone Number (if known)
Individual Names (if known)	E-Mail Address (if known)	

3. INFORMATION ON THIRD PARTY DISCRIMINATED AGAINST (IF APPLICABLE):

Name	Address (if known)	Telephone Number (if known)
Company (if known)	E-Mail Address (if known)	

4. **What** happened? How were you, or someone else, discriminated, harassed, or retaliated against? If you need additional space, please use additional paper.

5. **Why** do you believe you, or someone else, are being discriminated, harassed, or retaliated against? For example, do you believe that what has happened or is happening is because of your, or someone else's, actual or perceived sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation? Or do you believe that what has happened or is happening is because of **something else**? Please use additional paper if you need to fully explain.

6. **Who** other than you witnessed or has knowledge of the alleged act of discrimination, harassment, or retaliation that you are complaining about? Please list the names of any and all witnesses to the discrimination, harassment, or retaliation. Please use additional paper if you need to.
7. **When** did the last act of discrimination, harassment, or retaliation occur? Please be as specific as possible, and indicate the earliest date of the discrimination and the most recent date of the discrimination.

DTSC makes every effort to protect confidentiality in any investigation, but cannot guarantee absolute confidentiality. The right to due process and equitable treatment for all parties involved requires DTSC to interview many individuals in its investigation. Confidentiality will be protected and honored to as great a degree as is legally possible. However, anonymity and complete confidentiality cannot be guaranteed once a complaint is made or unlawful behavior is made known to DTSC. It is important that you keep the proceedings of any interview with you strictly confidential. The complaint files will be maintained in confidence to the fullest extent of the law.

ASSURANCE AND SIGNATURE

I affirm that the above information is true to the best of my knowledge, information, and belief.

Date

Name

Signature