

**UNIVERSITY OF UTAH
OFFICE OF EQUAL OPPORTUNITY & AFFIRMATIVE ACTION
POLICY 1-012, UNIVERSITY NON-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 resolve all claims of discrimination and sexual misconduct.

1. _____

Name of Person Filing Complaint	UID	(If filing on behalf of someone, Complainant's Name/UID)		
Home/Mailing Address		City	State	Zip Code
Primary Email Address*		Primary Telephone	Campus Telephone	

*your primary email address will be used for all OEO Correspondence. If one is not provided, correspondence will be mailed to your Home/mailling address.

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

- | | | | |
|----------------------------|------------------------------|------------------------------|--------------------------|
| Faculty
Patient | Staff
Participant | Applicant
Student | Visitor
Other |
|----------------------------|------------------------------|------------------------------|--------------------------|

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

- | | | |
|-------------------------|----------------------------|---|
| Race | Sex/Gender | Sexual Misconduct (See Policy 1-012 for definitions) |
| National Origin | Sexual Orientation | Sexual Harassment |
| Color | Gender Identity | Nonconsensual Sexual Contact |
| Religion | Gender Expression | Nonconsensual Sexual Penetration |
| Ethnicity | Pregnancy | Sexual Exploitation |
| Age | Genetic Information | Stalking |
| Veteran's Status | Retaliation | Intimate Partner Violence |
| Disability | | |

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

- | | |
|----------------------|-------------------------------|
| Investigation | Alternative Resolution |
|----------------------|-------------------------------|

5. Please provide information you have 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	Status (Student, Faculty, Staff, Other)/Title	Telephone
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Department	Department Address
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Date of last alleged discriminatory or retaliatory act: _____

6. **On a separate sheet of paper**, please provide the following information concerning your complaint: (The OEO/AA may dismiss your complaint for failure to state a claim of discrimination, sexual misconduct or retaliation. Please clearly describe the reasons you believe you were subjected to discriminatory treatment.)

- 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.
- List any internal grievance processes you have initiated or may initiate regarding your complaint.
- Describe the actions you feel are necessary to remedy the situation.
- 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.

Printed Name of Person Filing Complaint	Signature	Date
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UNIVERSITY NONDISCRIMINATION POLICY

DEFINITIONS

Policy 1-012 (<http://regulations.utah.edu/general/1-012.php>) and its attendant rules, R1-012 (<http://regulations.utah.edu/general/rules/R1-012A.php>), R1-012A (<http://regulations.utah.edu/general/rules/R1-012A.php>), and R1-012B (<http://regulations.utah.edu/general/rules/R1-012B.php>) provide the University definitions of prohibited discrimination, including the various types of Sexual Misconduct including sexual harassment, sexual violence, intimate partner violence, sexual exploitation and stalking.

NOTICE OF FILING OPTIONS

I. To file a complaint of discrimination, sexual misconduct (including sexual harassment or violence), or retaliation, under University of Utah Non-Discrimination Policy: 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

Title IX Coordinator & ADA/Section 504 Coordinator

The University has designated the following individual as its Title IX Coordinator, who can be contacted at the address and numbers above:

Director, Office of Equal Opportunity and Affirmative Action

II. To file a complaint regarding discrimination, including sexual harassment, or retaliation with a regulatory state or federal agency, please see the agency information below. For information about the time frames in which complaints must be filed, please contact the relevant agency.

Education: 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, Title II of the Americans with Disabilities Act, Age Discrimination Act of 1975.

United States Department of Education
Office for Civil Rights– Region VIII
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, Colorado 80204-3582
Telephone: 303-844-5695
FAX: 303-844-4303
Online complaint portal: <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>
www2.ed.gov/about/offices/list/ocr/index.html

Employment:

State Agency: 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.

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
www.laborcommission.utah.gov

Federal Agencies:

Complaints regarding: Title VII of the Civil Rights Act of 1964, The Pregnancy Discrimination Act, Age Discrimination in Employment Act of 1967, as amended (ADEA), Equal Pay Act of 1963, Title I of the Americans with Disabilities Act Amendments Act of 2008, Sections 501 and 505 of the Rehabilitation Act of 1973 and Section 102 and 103 of the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act of 2008 (GINA)

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

U.S. Department of Labor
Office of Federal Contract Compliance
Programs (OFCCP)
Denver District Office
1244 Speer Blvd, Suite 540
Denver, CO 80204
Phone 720-264-3200
Fax: 720-264-3211
<https://www.dol.gov/ofccp/index.htm>

Affirmative Action)
Americans with Disability Act Amendments Act, of
2008
Section 503 of the Rehabilitation Act of 1973
38 USC 4212 – The Vietnam Era Veterans'
Readjustment Assistance Act of 1974
Uniformed Service Employment and Re-
employment Rights Act (USERRA)
Online complaint portal:
www.dol.gov/elaws/vets/userra/ee_disc.asp

Veteran's Employment and Training Service
140 East 300 South, Room 209
Salt Lake City, UT 84111
Telephone: 801-526-0950
jobs.utah.gov/jobseeker/veterans/employtrain.html

Executive Order 11246 (Equal Employment and
Housing (Residents of dorms and family student housing))

State Agency: Complaints regarding: Utah Fair Housing Act of 1993, as amended.

Utah Anti-Discrimination and Labor Division (UALD)
160 East 300 South, 3rd floor
Salt Lake City, Utah 84114-6630
Telephone: 801-530-6801
www.laborcommission.utah.gov

Federal Agency: U.S. Department of Housing and Urban Development ("HUD") Complaints regarding: Title VI of the Civil Rights Act of 1964, as amended, 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.

U.S. Department of Housing & Urban Development (HUD)
1670 Broadway, 25th floor
Denver, Colorado 80202-4801
Telephone: (303)672-5440
Fax: (303)672-5004
Online complaint portal: https://portal.hud.gov/hudportal/HUD?src=/topics/housing_discrimination

Health care, human services, and health insurance plans (Patients and Participants): 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 (ADA), and the Community Service Assurance provisions of the Hill-Burton Act

U.S. Department of Health & Human Services
Office for Civil Rights, DHHS – Region VIII
1961 Stout Street Room 08-148
Denver, CO 80294
Customer Response Center 1-800-368-1019
TDD: 1-800-537-7697
Email: Ocrmail@hhs.gov
Online complaint portal: <https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>
Website: www.hhs.gov/ocr

NOTICE OF RETALIATION PROHIBITED

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 a federal or state enforcement agency.

Title IX of the Education Amendments Act of 1972

Prohibits discrimination on the basis of sex in any education program or activity receiving Federal financial assistance. Title IX provides protection from and prohibits retaliation against a person who has filed a complaint or who assists in a discrimination complaint investigation.

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.

Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act Amendments Act of 2008

Protects individuals who exercise their rights under Section 504 of the Rehabilitation Act of 1973 or the ADA 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.

STATEMENT OF UNDERSTANDING

In addition to conducting University policy violation 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. 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 1-012 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 of Person Filing Complaint

Signature

Date