

***COMPLAINTS OF DISCRIMINATION***

**SECTION (7)**

**Equal Opportunity Officer Responsibilities .....7.1**

**Purpose of this Section:**

The AACS designates Equal Opportunity Officer(s) handle internal discrimination complaints, based in federal or state human rights legislation and civil rights protection. When warranted, employees may file discrimination complaints. Before initiating formal complaints, employees are encouraged to communicate with an Equal Opportunity Officer, who may provide appropriate guidance and assistance or mediation of the complaint.

**Procedure:**

- (1) The Equal Opportunity Officer shall:
  - Attempt to resolve the problem and assist with an equitable solution
  - Not identify the complainant without his/her written authorization
  - Attempt to resolve the complaint informally and within the agency
  - Communicate complaints to the appropriate supervisor, department head, the Executive Director, and the respondent; and direct action toward resolving the discrimination problem
  - Access all needed information regarding the complaint
  - Not withdraw the complaint without written approval from the complainant
  - Be free of undue agency or departmental constraint or interference while performing his/her equal opportunity responsibilities.
  
- (2) If the discrimination complaint is not resolved by the Equal Opportunity Officer, the employee may ask for an agency-level "conciliation panel" to review his/her complaint. Conciliation panel members shall:
  - Not have a conflict of interest
  - Consider complainant and respondent information
  - Render a judgment within a reasonable time limit
  - If the judgment— within the scope and means of agency policy— is agreeable to all parties, incorporate their solution into a conciliation agreement which may be used for future reference of similar matters
  - Provide a copy of the settlement agreement to the complainant, respondent, Equal Opportunity Officer, the Board's Human Rights Committee Chair, and the Executive Director.
  
- (3) Employees choosing to file formal discrimination complaints should address their charges to the Kentucky Human Rights Commission, the federal Equal Employment Opportunity Commission or another human rights agency with legal authority to act on his/her behalf.

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The formal complaint shall include:

- Name and address of the complainant
- Name and address of the respondent
- Pertinent facts confirming the complaint of discrimination

A copy of the Conciliation Panel's recommendations, if any.