

WHAT REQUIREMENTS MUST I MEET TO FILE A COMPLAINT ?

IDENTIFYING YOUR TYPE OF COMPLAINT

First you need to determine what type of complaint you have. There are five types of complaints that can be filed here—those involving discrimination in Housing, Employment, Credit, Public Accommodations, and City Facilities.

HOUSING

Housing is a residence or place where people live. We take cases that involve selling or renting as well as those concerning mobile homes.

EMPLOYMENT

We accept complaints from all job applicants as well as full-time, part-time, seasonal, and temporary employees. Also we accept cases that involve employment agencies and labor unions. We do not accept cases involving an independent contractor relationship.

CREDIT

The definition of credit includes situations where credit is given to an individual and payment or interest is required. Our definition of credit does not apply to banks, savings & loans, and other institutions that are regulated by the State or Federal Government.

PUBLIC ACCOMMODATIONS

Public accommodations include places and services that are open to the public, and it also includes places where goods and services are either free or available for a cost. For example, places of public accommodations include clinics, malls, movie theaters, barbershops, motels, restaurants, and taverns.

CITY FACILITIES

We take cases involving property that is owned by the City of Madison or services that it provides. We do not accept these complaints if the Wisconsin Equal Rights Division (ERD) can take the case. To learn if you can file a complaint with the EOD call (608) 266-4910 (voice), (866) 704-2314 (TTY/Textnet).

If your complaint falls under one of the five types of complaints that the EOC can handle, you may continue on to the next step.

NEXT YOU MUST SATISFY THE THREE LS

1. LOCATION

The act of discrimination must have occurred within the City of Madison. If you are not sure, call the EOD.

2. LENGTH OF TIME BETWEEN THE INCIDENT AND FILING THE COMPLAINT

For complaints involving housing discrimination:

You must file a complaint *within one year after the discriminatory incident.*

This is true unless the complaint involves discrimination of an ongoing nature (for example, your landlord has been charging you a higher rent than other tenants every month for over a year).

For all other complaints:

You must file the complaint *within 300 days of the incident*, unless the discriminatory act is of an ongoing nature.

3. LEGAL REQUIREMENTS UNDER THE EQUAL OPPORTUNITIES ORDINANCE

You must:

- a) Belong to (or be associated with) at least one of the protected classes identified in the Equal Opportunities Ordinance.

These protected classes are: sex, age, race, color, religion, arrest record, conviction record, marital status, being a student, national origin or ancestry, physical appearance, handicap/disability, sexual orientation, political beliefs, source of income, retaliation, less than honorable discharge from the military, refusal to disclose social security number (housing and public accommodations only), familial status (housing complaints only), and domestic partners (public accommodations only)

AND

b) Show that what you are reporting happened because you are either a member of one or more of the protected classes or because of your association with someone belonging to a protected class.

It is important that you can show that the company, person or organization that you file a complaint against treated you unfairly because of your membership in a protected class and not for another reason.

FOR EXAMPLE

If your employer wrote you up because you came in late, you cannot automatically assume that your employer discriminated against you. It is important to notice whether or not you were singled out. For example, say that you are the only Hispanic cook at a restaurant. You notice that your employer wrote you up when you were 15 minutes late, but did not write up any of the other cooks when they came in 15 minutes late.

These sorts of actions should signal to you that maybe your employer has treated you unfairly because of your membership in a protected class.

ALSO IT IS IMPORTANT TO KNOW THAT WE DO NOT TAKE COMPLAINTS AGAINST DANE COUNTY AGENCIES, MATC, OR THE STATE OF WISCONSIN.

For information on how to file a complaint regarding these groups please feel free to contact the Department of Civil Rights, Equal Opportunities Division, during business hours, Monday-Friday, 8:00 am-4:30 pm at (608) 266-4910.

Please feel free to either download a complaint form from our website at www.cityofmadison.com/dcr, call our office to request a complaint packet, or come and visit one of our intake specialists.

PLEASE NOTE:

If you need materials in alternate formats or other accommodations in order to access this service, please contact the Department of Civil Rights, Equal Opportunities Division.

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CAN I FILE A DISCRIMINATION COMPLAINT?

If you believe that you have been discriminated against, you may be able to file a complaint with the City of Madison Department of Civil Rights, Equal Opportunities Division (EOD), read on to learn whether or not you meet the criteria to file a complaint.

