

WHAT IS NO PROBABLE CAUSE?

A determination by the Investigator of “no probable cause” means that the Investigator has **NOT** found a reason to believe that discrimination happened.

WHAT ARE MY OPTIONS AFTER RECEIVING THIS DETERMINATION?

If you, the Complainant, do nothing, the case will be closed.

OR

If you believe that the determination is not accurate after reading the Investigator’s reasoning, you may appeal. The appeal **MUST** be in writing, and you must appeal within 15 days. If you choose to appeal the case, the Hearing Examiner will review the information collected during the investigation. You and the Respondent may provide additional information for the Hearing Examiner to consider.

The Hearing Examiner does not conduct an independent investigation of your complaint. He/ She will only consider the information already in your case file and information submitted by you and the Respondent. Therefore, it is important that you provide the Hearing Examiner with as much evidence as possible. This evidence must show that you were

treated differently because of your membership in a protected class(es). Also it is important for you to check your case file to make sure that it is correct. You may request to view your case file during business hours (Monday-Friday, 8:00 a.m. - 4:30 p.m.). To do this, either come to the Department of Civil Rights office and speak with our receptionist or request that a copy be mailed to you (there is a 25 cent per page fee for copying that must be paid **BEFORE** the copy of your case file will be made).

The Hearing Examiner may agree with the Investigator’s determination and find “no probable cause,” or the Hearing Examiner may decide that discrimination may have taken place and overturn the decision.

If the Examiner finds “no probable cause,” you may appeal that decision to the Equal Opportunities Commission (EOC) for review. It is important to remember that the EOC cannot consider any new evidence once you appeal. So if you have any information you want to be considered, be sure to submit it to the Hearing Examiner, before he/she makes a decision.

If you do not appeal the Hearing Examiner’s finding of “no probable cause,” the case will be closed.

The EOC may overturn the Hearing Examiner’s decision if it finds “probable cause” to believe that discrimination may have happened. It may also agree with the Examiner and find that there is “no probable cause” to believe that discrimination took place. If this happens and you would like to appeal

the Commission's decision, you may appeal to Dane County Circuit Court.

Your appeal must be filed with the Clerk of Courts for the Circuit Court of Dane County within 30 days after you receive the Commission's decision. Contact the Dane County Clerk of Courts for detailed instructions.

NOTE: In the case that either the Hearing Examiner or the Commission find "probable cause" your case will go to Conciliation. You will be sent information about the process.

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 with any questions that you have.

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.

Paul R. Soglin, Mayor
Lucía Núñez, Director
Department of Civil Rights
Equal Opportunities Division
210 Martin Luther King, Jr. Blvd., Room 523
Madison, WI 53703-3346

(608) 266-4910 (Voice)
(608) 266-6514 (Fax)
www.cityofmadison.com/dcr



WHAT DOES AN INITIAL DETERMINATION OF NO PROBABLE CAUSE MEAN?

