COMPLAINT PROCEDURE
FOR ALLEGATIONS OF DISCRIMINATION

Office of Diversity and Affirmative Action
Updated March of 2014

Stony Brook University
Complaint Procedure for Allegations of Discrimination¹

Statement of Principles

Stony Brook University (including Stony Brook Medicine, Long Island State Veterans Home, and all other Stony Brook University facilities and programs), referred to as “Stony Brook” or the “University,” has a longstanding commitment to equal employment and educational opportunity, and environments that foster respect, dignity, fairness, and equity. Stony Brook is committed to creating and maintaining workplace, educational, and recreational environments that are safe and accessible, and free of all forms of discrimination.

In continuing Stony Brook’s effort to seek equity in education and employment, and consistent with Federal and State anti-discrimination legislation, the University has adopted a complaint procedure for the prompt and effective investigation of allegations of discrimination on the basis of race, color, creed, national or ethnic origin, religion, age, sex, sexual orientation, gender identity, disability, military status, genetic information, criminal conviction, domestic violence victim status, and/or marital status. Harassment on the basis of any of the above-protected categories is discriminatory harassment and is a form of discrimination. Stony Brook shall make reasonable efforts to investigate and address instances of discrimination of which it becomes aware, even in the absence of a complaint or complainant cooperation.

Applicability of Procedure

This procedure applies to all complaints alleging discrimination, which include sexual harassment, sexual assault and sexual violence, against employees, students or third parties.² This procedure is intended to balance the rights of those bringing complaints of discrimination (the "Complainant") with those against whom such claims are brought (the "Respondent"). Throughout these procedures, the “parties” shall refer to the Complainant and the Respondent involved in the complaint.

¹ This document is provided for informational purposes only. It is not intended to be interpreted or relied upon as legal advice. Anyone seeking or requiring legal advice should consult an attorney.
² A third party refers to anyone outside the University community, including but not limited to, guests, visitors, vendors, and volunteers.
This procedure may be utilized if the Complainant or Respondent is a Stony Brook student, employee or third party, if the alleged incident(s) took place at a University facility, program, or activity. Employee grievance procedures established through negotiated contracts, academic grievance review committees, student disciplinary grievance boards, and any other procedures defined by contract will continue to operate as before.

**External Agencies**

This procedure does not deprive a Complainant of the right to file a complaint with outside enforcement agencies, such as the New York State Division of Human Rights, the United States Equal Employment Opportunity Commission, the Office for Civil Rights of the United States Department of Education and the Office of Federal Contract Compliance of the United States Department of Labor. A Complainant may file a charge of discrimination with the appropriate state and/or federal enforcement agencies at any point in the process, subject to applicable time limitations. It is important to note that filing an internal complaint pursuant to this procedure does not extend the time limits established by state and federal enforcement agencies. A list of state and federal enforcement agencies are listed in Appendix A.

Upon filing with an external agency, the Stony Brook internal complaint may be referred to the Office of General Counsel for review, defense or, if deemed appropriate, mediation, conciliation, or settlement with the external agency, or such other actions as may be in the interests of the University, including the termination of the internal process.

**Jurisdiction of the Office of Diversity and Affirmative Action is not Exclusive**

The University will investigate alleged acts of discrimination of which it becomes aware. Based on information received by the Office of Diversity and Affirmative Action (referred to as “ODAA”), the ODAA Director or designee may exercise his/her own discretion and initiate an investigation in the absence of a complaint. Depending on the circumstances, allegations of discrimination may also be referred to and/or investigated by ODAA and other University offices, including Employee and Labor Relations (“Labor Relations”) and Student Affairs.

If at any time during the course of investigating a complaint the ODAA Director or designee determines that a complaint is not within the jurisdiction of the office, the complaint and the Complainant shall be referred to the appropriate office and the matter shall be considered concluded by ODAA. The ODAA Director or designee may determine that a specific complaint is of such a serious nature that the matter must be referred immediately to the appropriate University office. The University Police Department may also become involved if criminal conduct is implicated.
The Following Should be Reported to ODAA for Investigation

Discrimination
All alleged violations of Stony Brook policy, which prohibits discrimination on the basis of race, color, creed, national or ethnic origin, religion, age, sex, sexual orientation, gender identity, disability, military status, genetic information, criminal conviction, domestic violence victim status, and/or marital status, should be reported for investigation.

Discriminatory Harassment
Discriminatory harassment is a form of discrimination, which is prohibited and should be reported. Discriminatory harassment is improper conduct toward a particular individual, individuals, or groups on the basis of one or more of the categories indicated above, which is sufficiently severe or pervasive that it has the purpose and/or effect of:

- Creating an intimidating, hostile, or offensive work or educational environment for individuals and/or groups; or
- Unreasonably interfering with the work, academic performance, living environment, personal security, or participation in any University-sponsored activity of individuals and/or groups.

Sexual Harassment
Sexual harassment is a form of discrimination based on sex, which is prohibited and should be reported. Sexual harassment encompasses unwelcome, gender-based verbal or physical conduct, such as unwelcome sexual advances, unwelcome requests for sexual favors, requests for sexual favors in exchange for some benefit, and/or unwelcome verbal or physical conduct of a sexual nature. Sexual harassment occurs when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of any individual's employment or education; or
- Submission to or rejection of such behavior by an individual is used as the basis for employment or educational decisions affecting the individual; or
- A behavior is sufficiently severe, persistent or pervasive to interfere with an individual’s work or educational performance, or creates an intimidating, hostile, or offensive work or educational environment.

Examples of behaviors that may rise to the level of sexual harassment include, but are not limited to, the following:

- Physical assault;
- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, work references, or letters of recommendation; and
• A pattern of behavior that is unwelcome, and severe or pervasive, resulting in unreasonable interference with the work, educational or recreational environment or the creation of a hostile, intimidating or offensive work, educational or recreational environment, may include, but is not limited to the following:
  o Comments of a sexual nature;
  o Sexually explicit statements, questions, jokes, or anecdotes;
  o Unnecessary or undesirable touching, patting, hugging, kissing, or brushing against an individual's body;
  o Remarks of a sexual nature about an individual's clothing, body, or speculations about sexual experiences;
  o Persistent, unwanted attempts to change a professional relationship to an amorous relationship;
  o Subtle propositions for sexual activity or direct propositions of a sexual nature;
  o Uninvited letters, e-mail messages, text messages, telephone calls, or other correspondence referring to or depicting sexual activities; and/or
  o Any of the above carried out via social media.

**Sexual Assault**
Sexual assault is defined as a physical sexual act or acts committed against a person without their consent. Sexual assault is an extreme form of sexual harassment. Sexual assault includes what is commonly known as “rape,” whether forcible or non-forcible, “date rape” and “acquaintance rape.”

**Sexual Violence**
Sexual violence is defined as any other form of a physical sexual act perpetrated against an individual without their consent or when a person is incapable of giving consent.

**Title IX Complaints**

All individuals reporting acts of sex discrimination, sexual harassment, or sexual violence will be informed by ODAA of their options and resources, consistent with Title IX – a federal statute that prohibits discrimination on the basis of sex. Complainants will be provided a list of available resources, including counseling, local rape crisis center information, medical services, police services, and state and/or federal agencies for the filing of external complaints. Complainants will also be advised of their right to file a complaint with local law enforcement agencies.
Stony Brook will comply with law enforcement requests for cooperation, which may require the ODAA and other University offices to temporarily suspend the fact-finding aspect of a Title IX-related investigation while the law enforcement agency is in the process of gathering evidence. Stony Brook will promptly resume its investigation as soon as notified by the law enforcement agency that it is completed the evidence gathering process. As necessary, Stony Brook will implement appropriate interim steps during the law enforcement agency’s investigation to provide for the safety of the Complainant and the University community, and to avoid retaliation.

ODAA staff may explain the availability of interim measures during its investigation, as appropriate. In the case of an investigation of possible sexual harassment, Complainants may be informed as to where to obtain counseling, psychological, medical and/or psychiatric services. Student Complainants may be informed about interim measures that can be taken if the Respondent lives on campus and/or attends classes with the Complainant. ODAA staff will explain that such measures should not disproportionately affect the Complainant and he/she should be referred to Student Affairs for assistance with making such arrangements.

**Role of the Staff of the Office of Diversity and Affirmative Action**

The ODAA is a neutral fact-finding office. Professional staff members are trained in investigating complaints and are available to assist with filing a complaint. Investigations will be conducted in a prompt and effective manner. Both parties will have the opportunity to offer evidence to be considered. ODAA does not represent either party, but does advocate on behalf of the University’s principles of equal opportunity, nondiscrimination and equity.

The ODAA and its Director report to the University’s Title IX Coordinator, who is also the Senior Director for Title IX and Risk Management (referred to as the “Title IX Coordinator”), and reports directly to the University President. The Title IX Coordinator may participate in ODAA functions, which are set forth in this procedure. The Title IX Coordinator may be contacted at:

**Office of Diversity and Affirmative Action**
Stony Brook University
201 Administration Building
Stony Brook, NY 11794-0251
Phone: 631-632-6280
Conflict of Interest
The ODAA shall receive any information concerning any factors that could prejudice an objective evaluation of the evidence. In the event that a conflict of interest arises, the University will take necessary measures to ensure that the investigation is thorough and impartial. These measures may include reassignment of the investigation to other investigators with appropriate experience and training. If a staff member of ODAA or the Title IX Coordinator is the Respondent, the matter may be referred to the President or his/her designee. If the President is the Respondent, the ODAA will refer the complaint to the Office of General Counsel.

Confidentiality
The ODAA staff will conduct its investigation in a confidential manner to the extent practicable and/or permitted by law. Note, however, that the ODAA’s fact-finding may also be utilized by other offices, including Labor Relations (as consistent with the collective bargaining agreements). The parties and witnesses are expected to cooperate fully in the investigation, and maintain and preserve the confidentiality of the investigation.

Filing a Complaint
The ODAA staff may receive complaints from students, employees or third parties, and inquiries, reports, and requests for consultation and counseling. A complaint may be filed with either the ODAA or the Title IX Coordinator (see page 12 for contact information). ODAA staff should be consulted to discuss the viability of pursuing a complaint against a third party. This procedure assumes that a written complaint will be submitted. However, complaints may be filed orally.

Time frame
Ordinarily, complaints should be filed within ninety (90) days after the last act of alleged discrimination occurred. In instances involving a student complaint against a faculty member charging discrimination that occurred in the context of a subordinate-supervisor academic relationship (e.g., teaching, advising, thesis or dissertation supervision, coaching, clinical medical supervision), the time period may be extended until ninety (90) days after the student is no longer under the faculty member’s academic or clinical medical supervision.
Supervisory Responsibility
Complaints or concerns that are reported to or act(s)/conduct that is observed by an administrator, manager or supervisor involving an alleged act of discrimination, should be promptly referred to either the ODAA or the Title IX Coordinator for appropriate action. All other employees are also encouraged to make such reports to their supervisor, the ODAA or the Title IX Coordinator.

Retaliation

Retaliation against an employee, student or any witness who participates in an ODAA investigation pursuant to this procedure is prohibited. Retaliation is also prohibited against any individual who files a sex discrimination complaint under Title IX or participates in a complaint investigation in any way. Any substantiated act of retaliation may result in sanctions or other disciplinary action as covered by collective bargaining agreements, and/or applicable University policies.

Procedures for Investigating Complaints

Complaint Consultation & Review
The length of time for the consultation will vary depending on factors such as the complexity of the situation, office workload, or whether the situation involves actual or imminent loss of employment or academic standing, potential physical harm, or an ongoing relationship between the parties. In a telephone conversation or in-person appointment, a staff member will:

- Receive complaints of alleged discrimination;
- Discuss the facts of a situation and help the individual identify the problem(s);
- Assist the Complainant in the use of the Complaint Intake Form;
- Determine if the ODAA is the appropriate University office to address the allegation(s);
- Inform the individual of the ways in which the ODAA approaches its investigative processes;
- Advise an individual of alternate available University resources and external options; and
- Provide the Complainant with information about the various internal and external mechanisms with which the complaint may be filed.
Expectations
The University's review procedures are not designed to replicate an external judicial process. Consequently:

- Complainants and Respondents are expected to meet with ODAA staff as needed and requested;
- During any portion of the procedures, the parties shall be prohibited from using audio or videotaping devices;
- Advocates and representatives of a Complainant or a Respondent may not participate at any meeting convened by ODAA;
- Respondents and Complainants are expected to communicate with ODAA directly, not through legal counsel, other intermediaries, or persons accompanying the parties;
- The ODAA may provide the parties with periodic updates, as deemed appropriate and/or necessary;
- As appropriate, the ODAA will provide the parties with written notice of whether the complaint has been substantiated.

Intake Interview
The ODAA staff will ask a Complainant to participate in an initial intake interview, in which the Complainant will be:

- Asked to complete a Complaint Intake Form (the Complainant may be asked to have this completed prior to the intake interview) (see Appendix B);
- Interviewed so that the allegations may be clearly stated;
- Asked to provide information about witnesses and other possibly aggrieved persons;
- Advised of ODAA's investigative procedures;
- Referred to another University office if the complaint does not fall within ODAA’s jurisdiction;
- Advised of the University’s policy against retaliation;
- Advised of the extent to which ODAA can maintain confidentiality in the investigative process; and
- Advised of the option to file a complaint with external federal and/or state investigative agencies at any time.
After the Intake Interview
The ODAA staff will determine whether a complaint merits further review. If it is determined that an investigation is necessary, the ODAA will commence the investigation in a prompt and effective manner, pursuant to the jurisdiction requirements outlined above. An investigation is started once the ODAA staff has determined that a complaint merits further investigation, or if the allegation involves sexual harassment, sexual assault or any form of sexual violence. During this investigation, the ODAA staff will:

- Reasonably inform the Respondent of the Complainant’s allegation(s);
- Review all University records that concern the complaint;
- Interview witnesses;
- Review statements provided by the Complainant and the Respondent;
- Review other relevant evidence; and
- Take all reasonable steps necessary to complete the investigation within 90 calendar days after receipt of the complaint. ODAA may extend this deadline for a reasonable period of time, as needed. ODAA will inform the parties if an extension is needed.

Evidence Standard
The evidentiary standard applied in all ODAA investigations is the “preponderance of the evidence.” In other words, the question that must be posed and answered is whether it is “more likely than not” that any alleged event(s) occurred. If the answer is yes, the complaint has been substantiated. In reaching its findings, the ODAA staff shall evaluate all facts and evidence, and consider the severity and frequency of the alleged act(s).

Respondent’s Refusal to Cooperate
If the Respondent is an employee who refuses to cooperate and/or respond in a timely manner, ODAA may forego completion of an investigation and refer the matter to Labor Relations, as appropriate, or the office may take any other action it deems necessary and appropriate to address the situation. If the Respondent is a student who refuses to cooperate and/or respond in a timely manner, ODAA may forego completion of an investigation and refer the matter to the University Community Standards Office and/or Student Affairs, as appropriate.

Complainant’s Inaction or Decision Not to Cooperate
During an investigation, if a Complainant declines to cooperate with ODAA or if the office determines that the Complainant no longer wishes to pursue a complaint, ODAA may consider the matter closed and may take no further action, with appropriate notification to the parties. ODAA also reserves the right to continue its investigation, regardless of Complainant cooperation or involvement.
Complaint’s Withdrawal of Complaint
If a Complainant withdraws a complaint, such a decision should be communicated in writing to the ODAA staff. The University may, nevertheless, chose to investigate the allegation(s).

At the Conclusion of the Investigation
The ODAA staff issues a written statement indicating whether the complaint was substantiated. If the complaint was substantiated:

(i)  For Students – the ODAA may refer the matter to the University Community Standards Office for appropriate action (if any) under the applicable Student Conduct Code.

(ii) For Employees (including student employees) not in a Collective Bargaining Unit – in consultation with Labor Relations and the Office of General Counsel, appropriate administrative action may be taken.

(iii) For Employees in Collective Bargaining Units – the ODAA may refer the matter to Labor Relations for investigation under the applicable collective bargaining agreement.

Upon concluding its investigation, ODAA will assure that steps will be taken to prevent discrimination and harassment, to prevent the reoccurrence of discrimination and harassment, and to remedy the discriminatory effects on the Complainant(s) and others, if appropriate.

Appeal
There is no right of appeal from the findings of an investigation conducted by ODAA.
To file a complaint pursuant to this procedure, request assistance or for additional information, please contact:

**Marjolie Leonard**  
Title IX Coordinator  
Interim Director for Title IX and Risk Management  
Office of Diversity and Affirmative Action  
201 Administration Building  
Stony Brook, NY 11794-0251  
Email: Marjolie.Leonard@stonybrook.edu  
TitleIX@stonybrook.edu  
Phone: 631-632-6280

**Office of Diversity and Affirmative Action (ODAA)**  
West Campus Office  
201 Administration Building  
Stony Brook, NY 11794-0251  
Email: ODAA@stonybrook.edu  
Phone: 631-632-6280  
Fax: 631-632-9428

**Office of Diversity and Affirmative Action (ODAA)**  
University Hospital Satellite Office – by appointment only  
Level 5, Room 624  
Phone: 631-632-6280  
Fax: 631-632-9428

For additional information, visit the ODAA website at:  
www.stonybrook.edu/diversity
Appendix A

External Enforcement Agencies

New York State Division of Human Rights
State Headquarters
New York State Division of Human Rights
One Fordham Plaza
4th Floor
Bronx, New York 10458
Tel: (718) 741-8400
Email: InfoBronx@dhr.ny.gov

Long Island District
New York State Division of Human Rights
175 Fulton Avenue, Suite 404
Hempstead, New York 11550
Tel: (516) 538-1360
Email: InfoLongIsland@hdr.ny.gov

New York State Division of Human Rights
State Office Building
Veterans Memorial Building
250 Veterans Memorial Highway
Suite 2B-49
Hauppauge, New York 11788
Tel: (631) 952-6434
Email: InfoLongIsland@hdr.ny.gov

Office of Sexual Harassment
New York State Division of Human Rights
Office of Sexual Harassment
55 Hanson Place, Room 900
Brooklyn, New York 11217
Tel: (718) 722-2060

Office of Federal Contract Compliance Programs
New York District Office
26 Federal Plaza, Room 36-116
New York, New York 10278-0002
Tel: (212) 264-7742
Fax: (212) 264-8166

Equal Employment Opportunity Commission
New York District Office
33 Whitehall Street, 5th Floor
New York, New York 10004
Tel: (800) 669-4000
Fax: (212) 336-3790

Office of Civil Rights - National Headquarters
Lyndon Baines Johnson (LBJ)
U.S. Department of Education Building
400 Maryland Ave, SW
Washington, DC 20202
Tel: (202) 401-0418
Fax: (202) 260-7465

Office of Civil Rights – New York
U.S. Department of Education
Financial Square
32 Old Slip, 25th Floor
New York, New York 10005
Tel: (646) 428-3906
Fax: (646) 428-390
Appendix B
Complaint Intake Form
CASE # _______________________

STONY BROOK UNIVERSITY, OFFICE OF DIVERSITY & AFFIRMATIVE ACTION
Complaint Intake & Information Sheet

Name: ___________________________ Date: __________________

Address: ____________________________

Day Telephone #: ___________ Evening Telephone #: _______________ Cell #: ___________

May we contact you at work? ☐ Yes ☐ No
☐ State Employee
 ☐ Student (undergraduate) ☐ Student (graduate)

1. Please indicate your:

Date of Birth: ________________  Sex: ________________

Religious Affiliation: ________________________________

Race/Ethnicity: ________________  Marital Status: ________________________________

Job title: __________________________  Date of Hire: __________________________

Highest level of education completed: ________________________________

Department in which you work: ________________________________

Supervisor’s name and Job title: ________________________________

2. Name and title of the person that allegedly discriminated against you:

__________________________________________  Their status: ☐ Student ☐ GA/TA ☐ Faculty ☐ Staff

3. What was done to you that you feel was unfair? (check all that apply):

☐ Denied Fair Grade    ☐ Denied Access to Program    ☐ Denied Accommodation
☐ Denied Equal Pay    ☐ Denied Equal Treatment    ☐ Failed to Hire
☐ Denied Training    ☐ Denied Promotion    ☐ Laid You Off
☐ Terminated You    ☐ Forced Your Retirement/Resignation
☐ Subjected you to a hostile work environment
☐ Other: ____________________________________________
4. Were you given a reason(s) for what was done to you? If so, what reason(s)?

________________________________________________________________________

________________________________________________________________________

5. What do you think is the real reason(s)? Discrimination* because of …..

☐ Creed/Religious Belief  ☐ Gender  ☐ Age
☐ National Origin/Ancestry  ☐ Race/Color  ☐ Physical/Mental Condition/Disability
☐ Pregnancy  ☐ Marital Status  ☐ Sexual Orientation
☐ Opposed Discrimination  ☐ Sexual Harassment
☐ Other (explain): ________________________________________________________

*Note: If you don’t believe the reason was discrimination, please inform the Affirmative Action/EEO Specialist.

6. Disability cases: What is the nature of your disability? _____________________________

7. Did you ask for an accommodation? ☐ Yes ☐ No  If so, to whom? _____________________________

What was the accommodation sought? ___________________________________________

8. Original (first) date of discrimination: _____________________________

9. Most recent date of discrimination: _____________________________

10. Have you filed a complaint with any other agency, court, or dept. regarding this matter? ☐ Yes ☐ No

If so, where? ____________________________________________

11. Describe everything that happened to you that you feel was discriminatory. Include each event, the date(s), names and titles of everyone involved. Attach additional pages if necessary.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

12. Did you complain? ☐ Yes ☐ No  If so, to whom? _____________________________

13. When did you complain? _____________________________

14. Was anyone else treated the same way that you were?

<table>
<thead>
<tr>
<th>Name</th>
<th>Job Title</th>
<th>Race/Ethnicity</th>
<th>Age</th>
<th>Gender</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
15. Did anyone witness the treatment that you were subjected to?

<table>
<thead>
<tr>
<th>Name</th>
<th>Job Title</th>
<th>Telephone No.</th>
<th>What did they witness?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

16. Are you a union member? □ Yes □ No  If so, did you file a grievance with your union? ________

□ CSEA    □ PEF    □ UUP    □ Council #82    □ GSEU    □ NYSCOBA

17. What is your current salary? ____________________________

18. Are there any documents that can support your case? If so, what are they, and do you have them?

19. What have you lost as a result of what happened to you? (salary, benefits, etc.) ________________________

20. What reasonable remedy are you looking for? ____________________________

I affirm that I have read the above allegation(s) and that it is (they are) true to the best of my knowledge. The Office of Diversity and Affirmative Action and the Complainant shall agree to keep all information gathered relative to allegations of discrimination in confidence to the extent practicable or allowable by law. However, with the consent of the Complainant, the Office of Diversity and Affirmative Action may provide relevant information to the appropriate University staff when necessary.

I have been advised that it is a violation of State and Federal statutes to retaliate against an individual because they have filed a discrimination complaint. If I am subjected to any adverse action that I feel may be retaliatory, I will promptly report such to the Office of Diversity and Affirmative Action.

I have been further advised that the filing of an internal complaint with the Office of Diversity and Affirmative Action is not a waiver of my right to file a formal complaint of unlawful discrimination with the New York State Division of Human Rights, the Equal Employment Opportunity Commission (EEOC), the Federal courts, or the State courts.

In addition, I am advised that the filing of an internal complaint does not stop the statute of limitations for filing external complaints with EEOC, the NYS Division of Human Rights, litigation, or any other agency hearing such complaints. I am aware that should I choose to file a verified complaint with an outside agency, such a complaint must be filed with EEOC within 180 days of the alleged incident, and with the State Division of Human Rights within 365 days of the alleged incident.²

Date ____________________________  Complainant’s Signature ____________________________

Revised 1/04  For Office Use: ____________________________

² Please note that this policy and the information contained in it does not constitute legal advice. If you require legal advice, consult an attorney.
Forma De Reclamo

Numero de caso ____________

La Universidad de Stony Brook, La oficina de Diversidad y Acción Afirmativa

Nombre: __________________________ Fecha: __________________________

Dirección: __________________________

Numero de teléfono (día): ______________ Numero de teléfono (noche): ______________

¿Podemos contactarlo en el trabajo?  ☐ Sí  ☐ No

☐ Empleado del estado  ☐ Estudiante (no graduado)  ☐ Estudiante (graduado)

1. Por favor indique su:

Fecha de nacimiento: ______________  Sexo: ______________

Religión: __________________________

Raza/Etnica: ______________  Estado civil: __________________________

Título de trabajo: ______________ Fecha que fue empleado: __________________________

Grado de educación completado: __________________________

Departamento en que trabaja: __________________________

Nombre de supervisor y el título:

______________________________

2. Nombre(s) y título de la persona(s) que presuntamente a discriminado contra usted.

______________________________

Ellos son:  ☐ Estudiante  ☐ Asistente graduado/asistente de profesor  ☐ Facultad

3. ¿Que le hicieron que usted cree fue injusto? (marque todo que aplique):

☐ Negado grado justo  ☐ Negado acceso a programas  ☐ Negado comodidad
☐ Negado pago justo  ☐ Negado tratamiento justo  ☐ Negado empleo
☐ Negado entrenamiento  ☐ Negado Promoción  ☐ Lo han despedido
☐ Han terminado su empleo  ☐ Forzado su reginación/jubilación
☐ Lo han sometido a un ambiente de trabajo hostil
☐ Otra razón: __________________________

4. ¿Le a dado usted razón para justificar lo que le han hecho? ¿Cuál fue la razón?

___________________________________________________________________________

___________________________________________________________________________

5. ¿Cuál cree usted que es la razón verdadera? Discriminación a causa de …… ……
Su creencia religiosa/credo       Género       Edad
Nación de origen/ascendencia   Raza/Color   Condición física/mental/discapacidad
Embarazo                     Estado civil   Orientación sexual
Discriminación Opuesta       Acoso sexual
Otra razón (explique):

*Nota: Si usted no cree que la razón es discriminación, por favor informe al especialista de acción afirmativa.

6. Caso de impedimentos: ¿Qué es su impedimento?

7. ¿Pidio usted ajustes razonables? □ Sí □ No ¿ Cual fue la ajuste razonable?

8. La fecha del primer incidente de discriminación:

9. La fecha del incidente de discriminación más reciente:

10. ¿Ha llenado otro reclamacion con otra agencia, corte, o departamento en referencia de este mismo caso?

11. Describa todo lo que ocurrió que usted siente fue discriminación. Incluya todo evento, fecha, nombres y títulos de todos los participantes:

12. ¿Puso una reclamacion? _________ A quien? ________________________________

13. ¿Cuando puso la reclamacion? ________________________________

14. ¿Alguien mas fue tratado de la misma manera que usted fue tratado?

Nombre       Título       Raza/ Étnica       Edad       Género

15. ¿Alguien fue testigo de este tratamiento al que usted fue sujeto?

Nombre       Título       Numbero de Telefono       De que fueron testigo?

16. ¿Es miembro de una unión? □ Sí □ No Lleno un reclamo con la unión? □ Sí □ No

□ CSEA □ PEF □ UUP □ Council 82 □ GSEU □ NYCBOA

17. ¿Cuál es su salario?

18. ¿Tiene documentos que apoye su caso? □ Sí □ No ¿ Que son y los tiene usted?
19. ¿Qué a perdido como resultado de lo que le a pasado? (salario, beneficios, etc.)

20. ¿Qué remedio razonable busca?

Yo afirmo que a leído los alegatos arriba y que a mi mejor conocimiento todo es cierto. La Oficina de Diversidad y Acción Afirmativa y el reclamante están de acuerdo que todo la información reunida es relativa a los alegatos de discriminación y es en confianza. Sin embargo, con el consentimiento del reclamante la Oficina de Diversidad y Acción Afirmativa, puede dar información relativa al reclamo al personal de la Universidad cuando sea necesario.

Estoy aconsejado que es una infracción Estatal y Federal tomar represalias contra un individuo por la razón que ellos han llenado una reclamo de discriminación. Si yo soy subjetado a una acción (medidas) adversa que yo siento es represalia, yo le informare a la Oficina de Diversidad y Acción Afirmativa.

Me han aconsejado que al llenar una reclamación interna con la Oficina de Diversidad y Acción Afirmativa no renuncio mi derecho a llenar un reclamo formal de discriminación ilegal con la Division de Derechos Humanos del el Estado de Nueva York, La Comision de Igualdad de Oportunidades de Empleo, corte federal, o corte de estado.

Además, me han aconsejado que llenando un reclamo interno no afecta el estatutes de limitacion exponido dentro de la ley federal y del estado. Estoy enterado que si lleno una reclamo verificada con una agencia externa, tengo 180 días dentro la ocurencia del presunto incidente para llenar un reclamo con el EEOC y tengo 365 días del presunto incident para llenar un reclamo con La Division de los Derechos Humanos en el Estado de Nueva York.

__________________________
Fecha

__________________________
Firma de el reclamante

Para uso de la oficina:

* Observe por favor que esta póliza y la información contenida no constitute asesoramiento legal. Si usted requiere asesoramiento legal, consulte a un abogado.

Revisado 3/04
Appendix C
Complaint Process at A Glance

Intake Process

Mediation/Resolution

Investigation

Review Records
Fact Finding Meetings
Interview Witnesses

Determination

Unsubstantiated
No Probable Cause
Substantiated
Probable Cause