

This brochure is made available by the:

Community Development
Block Grant Program
And the City of Evansville
& Vanderburgh County

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**IF YOU NEED HELP...
CALL CCHRC TODAY!**

(812) 436-4927

hrc@evansvillegov.org



City of Evansville - Vanderburgh County

Lloyd Winnecke, Mayor

Diane Clements-Boyd, Executive Director

209 Civic Center Complex

One NW Martin Luther King Jr. Blvd.

Evansville, IN 47708

Phone: 812-436-4927

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City of Evansville
Vanderburgh County

Human Relations
Commission

SEVEN-STEP GUIDE

FOR COMPLAINANTS & RESPONDENTS

PROCESSING A COMPLAINT FROM INTAKE TO FINAL ACTION

City of Evansville -
Vanderburgh County

Tel: (812)436-4927

COMPLAINANT'S RIGHTS AND RESPONSIBILITIES

YOU HAVE A RIGHT:

- To know the status of your case, and who is working on it;
- To have written notice of any hearing or final action relating to your case;
- To have an attorney of your choosing present at **ANY** stage of the process;
- To file and pursue a charge without being harassed, intimidated, or retaliated against;
- To obtain a full remedy, if discrimination is found; and
- To appeal any final decision.

YOU HAVE A RESPONSIBILITY:

- To supply and explain all relevant information, data or papers upon request;
- To respond to all telephone or mail inquiries from the CCHRC. Your case may be dismissed if you don't. Inquiries will be convenient and as infrequent as possible;
- To attend all meetings, hearings, or fact-finding conferences when requested. Your schedule will be accommodated, if possible;
- To follow your case by keeping in touch, forwarding all new addresses or telephone numbers, and inquiries about undue delays.

RESPONDENT'S RIGHTS AND RESPONSIBILITIES

YOU HAVE A RIGHT:

- To have a clear written statement of the charge;
- To know the status of the case and who is working on it;
- To have a written notice of any hearing or final action;
- To appeal any final decision;
- To have an attorney present at **ANY** state of the process, if you so desire.

YOU HAVE A RESPONSIBILITY:

- To provide a written answer to the complaint within the time required after receiving it;
- To supply and explain all relevant information, data, or papers upon request;
- To respond to all telephone or mail inquiries from the CCHRC. These will be as convenient and as infrequent as possible;
- To attend all meetings, hearings, or fact-finding conferences when requested. Your schedule will be accommodated, if possible.

The Purpose



The City-County Human Relations Commission Law states that it is the public policy of the City of Evansville & Vanderburgh County to provide all of its citizens equal opportunity and that it is unlawful to discriminate in the areas of:

- ⇒ Employment
- ⇒ Real Estate
- ⇒ Education
- ⇒ Public Accommodation, or
- ⇒ Credit

On the basis of:

- ⇒ Race
- ⇒ Religion
- ⇒ Color
- ⇒ Sex
- ⇒ Disability
- ⇒ National Origin
- ⇒ Ancestry, or
- ⇒ Familial Status (Housing)
- ⇒ Sexual Orientation
- ⇒ Gender Identity

The Process

I. Filing A Complaint

WHO - Any person claiming to be aggrieved by a discriminatory practice or act contrary to the provisions of the City-County law may file a complaint with the City-County Human Relations Commission (CCHRC).

WHEN - A complaint must be filed within ninety (90) days from the date of occurrence of the discriminatory act (except in housing cases).

A complaint alleging a discriminatory housing practice must be filed with in one (1) year after the discriminatory act has occurred.

HOW - Complaints may be filed by either personal delivery, mail, or fax. If needed, the CCHRC staff will provide assistance in drafting and filing the complaint. The complaint must be in writing and signed under penalties of perjury.

WHERE - The Human Relations Commission, 1 NW Martin Luther King Jr. Blvd., Room 209, Evansville, IN 47708

Office: (812) 436-4927
Hearing Impaired: (812) 436-4928
Fax: (812) 436-4929

II. Investigation

The CCHRC Investigator's job is to **collect** and **summarize** the evidence. The investigator must collect the *BEST* evidence available for each side. Thus, you may be asked to supply documents which support your position. The investigator will seek information to compare the treatment given the Complainant to treatment given other similarly situated individuals or groups.

There may be an attempt to discuss the issues and settle the case. Your lawyer is welcome to participate in the investigation, but a **LAWYER IS NOT REQUIRED**.

The CCHRC investigator may also request that a test be performed during the investigation. Testing is a controlled method to determine differential treatment in the quality, and content, of information and/or services given in order to discover discriminatory practices.

NOTE: *You may have other rights or causes of action which do not fall under the jurisdiction of the CCHRC. If you feel you do, you should contact an attorney*

III. Executive Director's Determination

If no settlement has been reached, the facts and recommendations are presented to the executive director who reviews the material and makes a determination whether there is probable cause to believe that an illegal act of discrimination occurred. The Complainant has fifteen (15) days to ask for reconsideration of a no probable cause finding.



IV. Conciliation Settlement



If probable cause is found, a formal attempt to resolve the case will be made. If settlement is achieved, a written consent agreement will be issued for signatures by all parties.

The agreement is then submitted to the Commission for consideration. When approved, a consent agreement has the same effect as a Final Order.

V. Public Hearing

If settlement fails, the case is tried at a public hearing. Respondent must hire their own private attorney to represent their claim. The burden of proof is on the Complainant. A Hearing Officer presides at the public hearing.

Proposed findings are issued by the hearing officer and submitted to the CCHRC. Either party has ten (10) days to file objections to the recommended findings. An oral argument on objections may be held before the full Commission.



VI. Final Order

A Final Order by the Commission is binding. Either party may seek judicial review.

VII. Remedies

If the Commission finds discrimination, a final order may include a cease and desist order and require further affirmative action that will eliminate discrimination. This might include reinstatement to a job, monetary relief where evidence showed that there was some resulting loss, making a house or apartment available and/or validating selection devices. Reasonable attorney's fees and costs may be awarded to the prevailing party in housing cases.



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