



Oklahoma City Human Rights Commission

Complaint Process

11/2023

If you believe you have been aggrieved by an act of discrimination or a discriminatory practice related to **employment, housing or public accommodations** in Oklahoma City, you may begin a process to address your complaint through the Oklahoma Human Rights Commission (HRC) **within 90 days** of the alleged discrimination. In this process, you will be referred to as the **Complainant**, and the person, business or organization you allege discriminated against you will be referred to as the **Respondent**. The following is an explanation of how complaints are generally processed.

1 Initial Intake Submission

The Complainant submits an Initial Intake form to the HRC Compliance Officer, either electronically or by mail or hand delivery, within 90 days of alleged discrimination.

2 Initial Intake Form Review

Once received, the Initial Intake form is reviewed by the HRC Compliance Officer, designated Municipal Counselor, and the HRC Chair (or designee) within 1-2 business days. This initial review determines if the HRC has jurisdiction of the complaint and if the form is complete.

- **Incomplete/illegible form:** The HRC Compliance Officer will request more information from the Complainant.
- **Complete & within HRC's jurisdiction:** The HRC Compliance Officer will interview the Complainant and discuss the next steps, which may include investigation and submission of a formal Sworn Complaint by the Complainant.
- **Complaint not within HRC jurisdiction:** The HRC Compliance Officer will notify the Complainant and, if applicable, make a referral to a federal, state, county, city, or private agency or organization. No further action will be taken by the HRC.

3 Complainant Decides Whether to Proceed With the Investigation and Sworn Complaint

- **Wants to proceed and try to resolve complaint through mediation or conciliation:** The Complainant will sign a Sworn Complaint form (provided by HRC Compliance Officer) under oath and return it to the Compliance Officer within 10 days of receipt.
- **Declines to proceed with investigation & Sworn Complaint:** The HRC Compliance Officer dismisses the complaint and notifies the HRC Chair and designated Municipal Counselor.

The HRC is NOT allowed to consider complaints if:

- They are filed more than 90 days after the alleged discriminatory act.
- The complaint is against another City department, including the Police Department.
- The complaint involved any federal, state, county, or public school official/employee acting in their capacity as a federal, state, county, or public school official.
- The alleged discriminatory act took place outside of OKC.
- The person filing the complaint is also seeking remedy from another public body or entity.

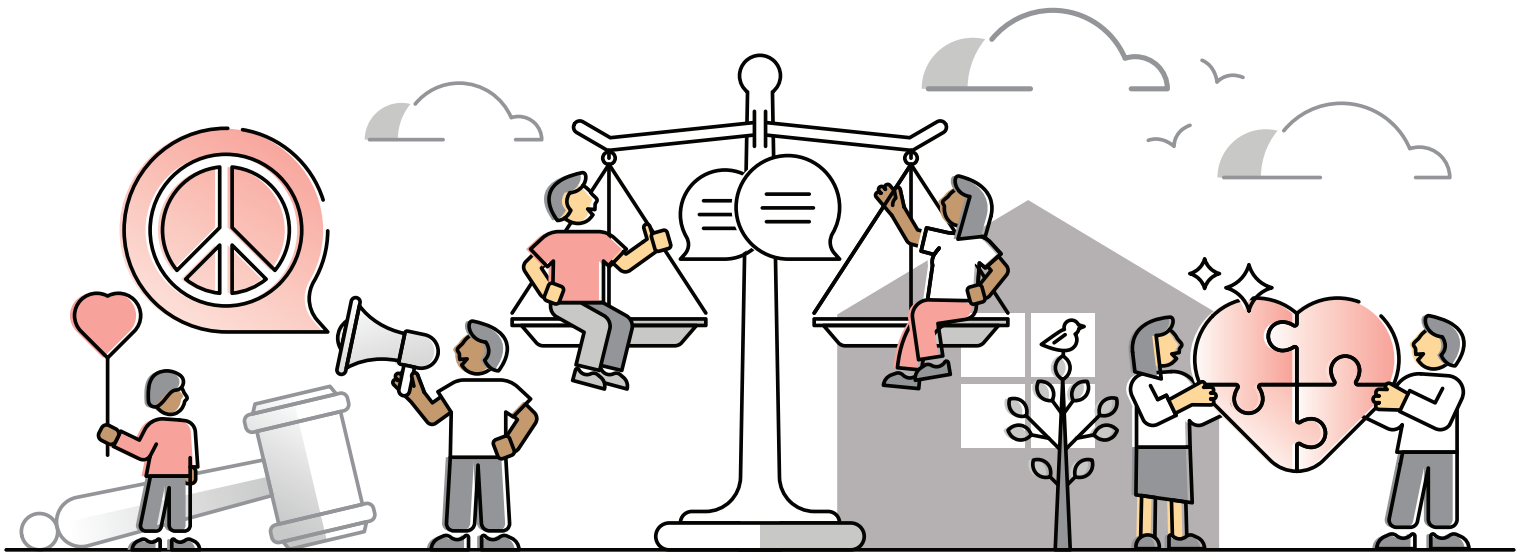
4 Sworn Complaint Received

Upon timely receipt of a Sworn Complaint, the HRC Compliance Officer will notify the Respondent and provide a copy of the Sworn Complaint. The Compliance Officer may discuss the complaint process with the Respondent and conduct further investigation at the officer's discretion.

5 Respondent's Response

The Respondent may submit a written response to the Sworn Complaint within 10 days of receipt. Respondent may also agree to discuss the complaint with the HRC Compliance Officer and learn about the mediation or conciliation process available through the HRC.

- **Respondent declines to participate in the mediation/conciliation process:** The HRC Compliance Officer will consult with a Municipal Counselor and decide whether to refer the Complainant to an outside agency or organization. The referral will be made in consultation with the Complainant. Once referred to another agency, the HRC Compliance Officer will take no further action other than to maintain relevant records. Generally, a referral will be made if there is a reasonable basis for believing an unlawful discrimination occurred.
- **Respondent agrees to participate in the mediation/conciliation process:** The Respondent submits any written response or additional information requested by the Compliance Officer in an effort to advance the resolution of the complaint. The Compliance Officer will provide Complainant with a copy of the Response and consult with both the Complainant and the Respondent to schedule a meeting to resolve the complaint.



HRC Complaint Process Continued

6 Mediation/Conciliation

The Respondent and Complainant will meet with the Compliance Officer or other designated mediator to discuss the case and try to reach a voluntary settlement. The date, time and place of mediation, guidelines and requirements, will be determined by the Compliance Officer, in consultation with the Complainant and the Respondent.

- **Successful mediation/conciliation:** The Compliance Officer will prepare a Conciliation Order reflecting terms of the agreement to resolve the complaint. Both the Complainant and Respondent will sign it, reflecting the terms of their voluntary resolution. A copy of the Conciliation Order will be maintained in the HRC records.
- **Unsuccessful mediation:** The Compliance Officer will make a record of the parties' decision not to resolve the complaint. In consultation with a Municipal Counselor, the Compliance Officer will decide whether to refer the Complainant to an outside agency with jurisdiction over the subject matter of the Complaint. The referral will only be made with the Complainant's consent. Upon referral, the Compliance Officer will take no further action other than to maintain relevant records.
- **Violation of Conciliation Order:** If either party notifies the Compliance Officer that the terms of the Conciliation Order have been violated or are no longer achievable, the Compliance Officer will consult with the designated Municipal Counselor about additional steps, including referral to an appropriate agency.

7 Closing

Upon a final resolution or referral to another agency, the Compliance Officer will generally take no further action other than to maintain relevant records. The Compliance Officer provides notice to the HRC Commissioners of the nature of the complaint and the basis for resolution or referral. Records relating to the matter may be subject to the Oklahoma Open Records Act.