



**PROCEDURES FOR RESPONDING TO DISCRIMINATION COMPLAINTS
FROM CLIENTS, CUSTOMERS, OR PROGRAM PARTICIPANTS
(BENEFICIARIES) OF THE JUDICIAL BRANCH AND THE JUDICIAL
BRANCH'S SUBRECIPIENTS IMPLEMENTING FUNDING FROM THE
U.S. DEPARTMENT OF JUSTICE (DOJ)**

I. Policy

It is the policy of the Judicial Branch that all individuals have the right to participate in programs and activities operated by the Judicial Branch and its subrecipients regardless of actual or perceived race, color, national origin, sex, religion, physical or mental disability, age, gender identity, and sexual orientation.¹ The Judicial Branch shall make reasonable efforts to ensure that the Branch and its subrecipients comply with applicable federal laws and regulations prohibiting discrimination in the delivery of services or benefits.

The applicable federal statutes and regulations include, but are not limited to, the following:

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin in the delivery of services (42 U.S.C. § 2000d), and the U.S. Department of Justice (DOJ) implementing regulations at 28 C.F.R. pt. 42, subpt. C;
- Applicable program statutes, including section 809 (c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, and sex in the delivery of services and employment practices (34 U.S.C. § 10228 (c)), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. D; the grant condition set out at section 40002 (b) (13) in the Violence Against Women Act of 1994, as amended, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, and disability in the delivery of services and employment practices (34 U.S.C. § 12291 (b) (13)); the Victims of Crime Act of 1984, as amended, which prohibits discrimination on the

¹ Federal law prohibits discrimination on the grounds of gender identity and sexual orientation only where the subrecipient receives funding from the Office on Violence Against Women, or as authorized by the Violence Against Women Act.

Connecticut state law prohibits discrimination on the grounds of gender identity and sexual orientation, as well as marital status, ancestry, and status as a veteran. See, e.g., General Statutes §§ 4a-60, 4a-60a, and 46a-60. These latter classes, and the classes of gender identity and sexual orientation, where the subrecipient does *not* receive funding from the Office on Violence Against Women, or as authorized by the Violence Against Women Act, are only protected at the state level and, thus, can only be adjudicated by a state agency.

basis of race, color, national origin, religion, sex, and handicap in the delivery of services and employment practices (34 U.S.C. § 20110 (e)); and section 299A (b) of the Juvenile Justice and Delinquency Prevention Act of 2002, which prohibits discrimination on the basis of race, color, national origin, religion, and sex in the delivery of services and employment practices (34 U.S.C. § 11182 (b));

- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. pt. 35;
- Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. pt. 54;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. I; and
- The DOJ regulations on Partnerships with Faith-Based and Other Neighborhood Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on explicitly religious activities (28 C.F.R. pt. 38).

These laws also prohibit agencies from retaliating against an individual for taking action or participating in action to secure rights protected by these laws.

II. Purpose

The purpose of this policy is to establish written procedures for Judicial Branch employees to follow when a complaint is received alleging discrimination in the delivery of services or benefits from a beneficiary of the Judicial Branch or from a beneficiary of a Judicial Branch subrecipient implementing funding from the DOJ.

III. Definitions

“Beneficiary” refers to a client, customer, or program participant.

“Complainant” refers to the person or persons who initiate a complaint.

“Subrecipient” refers to an agency which receives a DOJ grant award that is administered by the Judicial Branch.

IV. Complaint Procedures

- A. Beneficiaries who wish to file a complaint of discrimination may file a complaint, as applicable, directly with the subrecipient; with the Judicial Branch; with the Commission on Human Rights and Opportunities (CHRO) at 450 Columbus Boulevard, Suite 2, Hartford, CT 06103, 860-541-3400; or with the Office for Civil Rights (OCR), Office of Justice Programs (OJP), at 810 7th Street N.W., Washington, D.C. 20531.

A discrimination complaint must be filed within either 180 days or within one year of the alleged discrimination, depending on the relevant statute.

If a beneficiary provides a Judicial Branch employee with a written complaint of discrimination, the Judicial Branch employee shall accept and forward the written complaint to the Judicial Branch Director of the Human Resource Management Unit (HRMU), 90 Washington Street, Hartford, CT 06106, 860-706-5280, Human.Resources@jud.ct.gov.

- B. If the complaint is filed with the Judicial Branch, it must be done in writing using the JD-ES-284 Rev. 12-18, Discrimination Complaint/Federal Grants form (www.jud.ct.gov/webforms/forms/es284.pdf).²
- C. The Judicial Branch Director of the HRMU or his designee shall provide the complainant with written notice acknowledging receipt of the complaint and notifying the complainant of other filing options, including filing a complaint directly with the OCR, OJP. The Judicial Branch Director of the HRMU or his designee shall be responsible for coordinating the series of actions described below.
- D. The Judicial Branch Director of the HRMU or his designee shall determine whether the matter should be investigated internally or referred to an appropriate external agency for investigation and resolution, such as the CHRO or the OCR, OJP. All complaints shall be reviewed in an objective and impartial manner.

If the complaint is referred to an appropriate external agency for investigation, the Judicial Branch HRMU shall notify the complainant and the OCR, OJP in writing.

If the Judicial Branch HRMU determines that an internal investigation is appropriate, it shall notify the complainant and the OCR, OJP of the investigation in writing. The complainant shall be notified of how correspondence will be administered throughout the investigation and shall be provided with an explanation of how the complaint will be investigated and resolved. Upon completion of the investigation, the Judicial Branch HRMU shall notify the complainant and the OCR, OJP of the outcome in writing.

² This form may be filed by mail with the Director, Human Resource Management Unit, 90 Washington Street, Hartford, CT 06106 or by e-mail to Human.Resources@jud.ct.gov.

- E. Judicial Branch program monitors shall ensure that subrecipients have written policies or procedures in place for responding to complaints of discrimination regarding the delivery of services or benefits that are filed directly with the subrecipient. Program monitors shall notate compliance with this general grant condition in executing the compliance checklist.
- F. Each subrecipient will receive subgrant terms and conditions, which will include standard assurances notifying them of their civil rights obligations.

V. Training and Policy Dissemination

The Judicial Branch shall post these procedures on the Judicial Branch website to notify Judicial Branch subrecipients and their employees of prohibited discrimination and the procedures for filing a complaint of services or benefits discrimination. The policy shall be included in new employee orientation materials and Judicial Branch employees shall be trained on complaint procedures, including the employee's responsibility to refer services or benefits discrimination complaints to the Judicial Branch Director of the HRMU.

Non-discrimination and non-retaliation clauses will continue to be incorporated into all subrecipient contracts and agreements.