

Internal Discrimination/Harassment Complaint Procedure

Virginia Commonwealth University • Office of Equal Employment Opportunity/Affirmative Action Services
901 W. Franklin St. • Richmond, VA 23284-3022 • (804) 828-1347 • Fax (804) 828-7201 • Voice/TTY (804) 828-1420

The Office of EEO/AA Services will accept complaints of discrimination/harassment on the basis of age, race, color, national origin, gender, religion, sexual orientation, veteran's status, political affiliation or disability. This procedure also may be used by those who believe that they have been subjected to sexual harassment.

Who can file charges of discrimination/harassment?

An applicant, employee or student (current or former) who feels he/she has been discriminated against may file a charge with EEO/AA Services. An individual, group or organization also may file a charge on behalf of another person.

How do I file a charge of discrimination/harassment?

A charge of discrimination/harassment must be filed using the Discrimination/Harassment Complaint Form available through the Office of EEO/AA Services Web site: <http://www.vcu.edu/eoaa>. Forms may also be obtained by calling (804) 828-1347 or by writing to the Office of EEO/AA Services, Virginia Commonwealth University, P.O. Box 843022, Richmond, VA 23284-3022. Completed forms must be submitted within two years of the discriminatory act.

Are charging parties protected against retaliation?

It is unlawful for an employer or other covered entity to retaliate against someone who files a charge of discrimination/harassment, participates in an investigation or opposes discriminatory practices. Individuals who believe they have been retaliated against should contact EEO/AA Services immediately. Even if an individual has filed a charge of discrimination/harassment, he/she can file a new charge on the alleged retaliatory act(s).

How does EEO/AA Services process charges of discrimination/harassment?

- Within 10 calendar days of receiving a charge of discrimination/harassment, EEO/AA Services will acknowledge receipt of the complaint from the complainant and advise the appropriate respondent(s).
- EEO/AA Services begins its investigation by reviewing all information provided by the charging party and requesting information from the respondent(s). Information requested may include specific facts relevant to the issues raised in the charge; the identity of witnesses who can provide evidence about issues in the charge; information about the employment or educational process or environment; and applicable personnel, payroll or student records.
- EEO/AA Services will interview the complainant, respondent(s) and witnesses to ascertain additional information.
- A written determination as to the validity of the complaint and description of the resolution, if any, shall be issued by the director of EEO/AA Services and a copy forwarded to the complainant no later than 45 calendar days after its filing.
- If the investigation finds no cause to believe discrimination/harassment has occurred, EEO/AA Services will take no further action and the file will be closed.
- If the investigation shows there is reasonable cause to believe that discrimination/harassment has occurred, EEO/AA Services will attempt to resolve the issue through conciliation and to obtain full relief for the complainant. If such conciliation fails, the complainant will be notified in writing of his/her right to file a formal complaint with appropriate external agencies.

www.vcu.edu/eoaa

Virginia Commonwealth University is an equal opportunity, affirmative action university providing access to education and employment without regard to age, race, color, national origin, gender, religion, sexual orientation, veteran's status, political affiliation or disability.

The logo for Virginia Commonwealth University, consisting of the letters "VCU" in a large, bold, black, sans-serif font.

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

What happens if the respondent rejects the findings and recommendations of EEO/AA Services?

Should the respondent reject the findings and recommendations of EEO/AA Services, the charge documentation will be forwarded to the senior vice president for Finance and Administration or designee for full resolution. The complainant will be advised of such action in writing.

What happens if the complainant rejects the decision of EEO/AA Services?

If the complainant rejects the decision of EEO/AA Services, he/she may request a reconsideration of the charge. Such a request must be received in writing within 10 calendar days after the determination was received. Requests for reconsideration should be sent to the Senior Vice President for Finance and Administration, Virginia Commonwealth University, P.O. Box 843076, Richmond, VA 23284-2527. The final determination issued by the senior vice president for Finance and Administration or designee shall constitute closure of the complaint under this procedure.

How long does it take to receive a response to an appeal?

All responses to appeals or requests for reconsideration shall be issued within 15 calendar days of their receipt.

What relief or remedies are available to me if discrimination/harassment is found?

The relief or remedies available from EEO/AA Services for discrimination/harassment, whether caused by intentional acts or by practices that have discriminatory effect, may include hiring, reinstatement, promotion, back pay, front pay, reasonable accommodation or other actions that will make an individual whole or in the condition he/she would have been but for the discrimination/harassment. Remedies do not include payment of attorney's fees, witness fees or compensatory or punitive damages.

Will filing a complaint with EEO/AA Services impair my right to file with another state or federal agency?

EEO/AA Services encourages the use of the complaint procedure in an effort to resolve complaints and issues internally. The use of the EEO/AA Services complaint procedure is not a prerequisite to the pursuit of other internal or external remedies. An individual's right to file a discrimination/harassment complaint with another responsible state or federal agency is not impaired by filing a complaint with EEO/AA Services.

How long does it take to resolve a complaint?

Complaints are generally resolved within 45 calendar days after receipt. Complaints which are particularly complex may take longer.

Do complaints filed with EEO/AA Services remain confidential?

To the extent possible, all complaints will remain confidential. Information is only shared on a need-to-know basis.

Does EEO/AA Services assist persons with disabilities in filing a complaint?

EEO/AA Services is required by law to make all its programs, activities and services accessible to and usable by individuals with disabilities. Therefore, EEO/AA Services will provide an interpreter to hearing-impaired individuals when necessary. On-site assistance will be provided in filling out complaint forms for persons with visual or physical disabilities. EEO/AA Services will make other reasonable accommodations on a case-by-case basis.

Persons seeking additional information about the EEO/AA Services complaint procedure should contact the director at (804) 828-1347 or TTY: (804) 828-1420.

Discrimination/Harassment Complaint Form

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To file a complaint, complete and return to EEO/AA Services, 901 W. Franklin St., Room 114, P.O. Box 843022. For more information, call (804) 828-1347.

Name _____

Street address _____

City, State, ZIP code _____

Home telephone no. _____ Business telephone no. _____

Work location _____

Nature of discrimination/harassment: _____ Age _____ National origin _____ Sexual harassment
_____ Color _____ Political affiliation _____ Sexual orientation
_____ Disability _____ Race _____ Veteran's status
_____ Gender _____ Religion _____

Date of alleged discrimination _____

Department/individual whom you believe has discriminated against you _____

May we contact department/individual? _____ Yes _____ No

Describe alleged incident (use additional sheets if necessary) _____

Remedy requested _____

The information provided above is true and correct to the best of my knowledge.

Signature

Date

EEO/AA Services will contact you within 10 days from receipt of this form.

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