



# Discrimination Complaint Form

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Title VI of the Civil Rights Act of 1964 states: “No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

Any person who believes that she or he has been the object of unequal treatment or discrimination related to the receipt of benefits and/or services based on his or her race, color, national origin or limited English proficiency has the right to file a written discrimination complaint against Clackamas County via the Civil Rights Coordinator. In addition, complaints alleging disability discrimination also may be filed with the Civil Rights Coordinator. Complaints based on protections afforded under other civil rights statutes, such as religion, sex, sexual orientation, gender identity, age or source of income will be reviewed by the Clackamas County Office of County Counsel.

This is an administrative process that does not provide for compensatory or punitive damages. The process is not exclusive. That is, a person who files a complaint with the County may also file a complaint with other state or federal agencies or the courts. There are time limits that apply to the filing of complaints. Generally, federal agencies require that Title VI complaints be filed within 180 days of the date of the discrimination.

## **Instructions for Filing a Discrimination Complaint:**

If you believe your rights under any non-discrimination law have been violated, please complete the attached Discrimination Complaint Form. Assistance is available upon request to help you complete this form, including translation and/or interpretation services.

After completing the form, please mail, email or deliver it to:

Emmett Wheatfall, Civil Rights Coordinator  
Clackamas County Administration  
2051 Kaen Rd., Suite 450  
Oregon City, OR 97045

County Administration is open from 7 a.m. to 6 p.m., Monday through Thursday, and closed Friday. For more information, contact the Civil Rights Coordinator at 503-655-8291 or [ewheatfall@clackamas.us](mailto:ewheatfall@clackamas.us).

To be accepted, a discrimination complaint must:

- a. Involve discrimination on the basis of race, color, national origin or disability;
- b. Allege that the discrimination was committed by the County, a County employee or a sub-recipient/contractor of the County; and
- c. Be filed within 180 days of the alleged discrimination or within 180 days of when the complainant knew, or should have known, of it.

To allow for a full investigation of a complaint, the following information is required:

- a. The name, address and phone number of the person who experienced the discriminatory action;
- b. The date of the alleged act of discrimination or the date when the complainant(s) became aware of the alleged discrimination;
- c. A brief but specific description of the discriminatory practice or action and any relevant facts; and
- d. Names and contact information of any witnesses, including county employees or contractors.

The complaint form must be signed or acknowledged, and returned to the Civil Right Coordinator either in person, or by mail or email. The Civil Rights Coordinator will acknowledge receipt of the complaint form. Complaint forms received by mail or email will not be processed until the Civil Rights Coordinator has verified the identity of the complainant and the intent to proceed with the complaint.

### **Responding to a Discrimination Complaint:**

Upon receipt of the complaint, the Civil Rights Coordinator will determine:

- a. If the complaint is complete;
- b. If additional information is needed, and
- c. If the complaint is timely.

The Civil Rights Coordinator will notify the complainant in writing within 10 county work days that the complaint is accepted or is not accepted, and include an assigned case number. If the complaint is not accepted, the Civil Rights Coordinator will state why. If the complaint is not accepted because additional information is needed, the complainant will be asked to provide that additional information.

If the complaint is accepted, the Civil Rights Coordinator will investigate the merits of the complaint and will attempt to resolve it at the lowest possible level. Complaints may be forwarded to State and/or Federal oversight agencies as required by agreement. In cases where the complaint is against a contractor performing work for the County, the Civil Rights Coordinator will assume jurisdiction and will investigate the complaint.

### **Dismissal of Complaints:**

The County may dismiss a complaint for any of the following reasons:

- a. The complainant withdraws the complaint.
- b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- c. The complaint is untimely.
- d. The complainant cannot be located.
- e. The complaint is determined to be legally insufficient.

### **Investigating and Tracking Discrimination Complaints:**

When a complaint is accepted, the Civil Rights Coordinator will notify the complainant in writing within 10 county work days, investigate the merits of the complaint and attempt to resolve it at the lowest possible level. Informal mediation may be used at any stage in the process. Complaints may be forwarded to State and/or Federal oversight agencies as required.

- In cases where the complaint is against a contractor performing work for the County, the Civil Rights Coordinator will assume jurisdiction and investigate the complaint.
- In cases in which the complaint is against a County employee(s), the County's Civil Rights Coordinator will work with the involved employee(s) and their superiors to attempt to resolve the complaint.

The Civil Rights Coordinator will provide a written decision on the complaint within 60 county work days of the acceptance of the complaint.

### **Appealing the Civil Rights Coordinator's Written Decision:**

The Civil Rights Coordinator will only re-consider a complaint if new facts come to light. If the complainant is not satisfied with the written decision of the Civil Rights Coordinator, the complainant has 10 county work days from the date of the decision to provide the Civil Rights Coordinator with a written notice of intent to appeal. This appeal shall be to the Clackamas County Administrator or her/his designee. The County Administrator or her/his designee shall issue a decision on the appeal within 30 county work days of the notice of intent to appeal, which shall be the final decision of the County.

## Discrimination Complaint Form

1. Complainant's name \_\_\_\_\_
2. Complainant's street address \_\_\_\_\_
3. City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_
4. Telephone No. (daytime) \_\_\_\_\_ (evening) \_\_\_\_\_
5. Was the person discriminated against someone other than complainant? If so, list their name below.  
Name \_\_\_\_\_  
Street address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Email \_\_\_\_\_
6. What was the discrimination based on? (check all that apply)  
 Race/color     Low income     Disability     Religion  
 National origin     Sex     Limited English proficiency     Sexual orientation  
 Age     Gender identity
7. Date of incident resulting in discrimination \_\_\_\_\_
8. Describe the discrimination. What happened and who was responsible? (For more space, attach additional sheets of paper or use back of the form.)
9. Who were the persons you believe were involved?
10. Where did the incident take place? Please be as specific as possible.

11. Were there witnesses? If so, please provide contact information.

Name \_\_\_\_\_  
Street address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone No. (daytime) \_\_\_\_\_ (evening) \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Street address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone No. (daytime) \_\_\_\_\_ (evening) \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Street address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone No. (daytime) \_\_\_\_\_ (evening) \_\_\_\_\_  
Email \_\_\_\_\_

12. Did you file this complaint with another federal, state or local agency, or with a federal or state court?  
 Yes  No

If answer is yes, check each agency complaint was filed with:

Federal agency  Federal court  State agency  
 State court  Local agency  Other

If answer is yes, provide contact person information for the agency you also filed the complaint with:

Name \_\_\_\_\_  
Street address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Date filed \_\_\_\_\_

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**Please sign the complaint in the space below and attach any documents you believe support your complaint.  
Thank you.**

Complainant's signature

Signature date

***Please return this completed form to:***

Emmett Wheatfall, Civil Rights Coordinator, Clackamas County, County Administration, 2051 Kaen Rd., Suite 450,  
Oregon City, OR 97045 or ewheatfall@clackamas.us.

County Administration is open 7 a.m. to 6 p.m., Monday through Thursday, and closed Friday. The telephone  
number is 503-655-8291, email: ewheatfall@clackamas.us.

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Department of Transportation and Development

Stephen Williams, Civil Rights Coordinator  
Clackamas County Department of Transportation and Development  
150 Beavercreek Rd., Suite #325  
Oregon City, OR 97045

The Department of Transportation and Development is open from 8 a.m. to 4 p.m., Monday through Thursday, and from 8 a.m. to 3 p.m., Friday. For more information, contact the Civil Rights Coordinator at 503-742-4696 or [swilliams@clackamas.us](mailto:swilliams@clackamas.us).