



COMPLAINT PROCESS

A quick reference guide

Do you feel you have been discriminated against in any of these?

- Employment
- Apprenticeship and training
- Housing/ commercial space
- A credit transaction
- A place of public accommodation
- A non-sectarian, tax-exempt educational institution

AND

Do you feel you it was based on any of these?

- Race/ color
- Creed
- National origin
- Sexual orientation
- Military status
- Sex or gender
- Marital or familial status
- Domestic violence victim status
- Pregnancy-related condition
- Prior arrest or conviction record
- Predisposing genetic characteristics
- Disability
- Age

Free!



FILE A COMPLAINT

1 yr. from last incident

<https://dhr.ny.gov/complaint#file>

1-888-392-3644
1-718-741-8332 TTY

One Fordham Plaza, Fourth Floor
Bronx, NY 10458 *or another of our 12 regional offices*
Make sure complaint form is complete to avoid delays

INVESTIGATION BY REGIONAL OFFICE



The investigation will conclude with a case determination of:

No Probable Cause: There was not enough evidence to support the claim. Complainant has 60 days to appeal.

Probable Cause: Reasonable grounds to move the case forward

Most cases reach a determination within 180 days from filing

HEARINGS/ TRIAL



- Pre-Hearing
- Trial Hearing
- Administrative judge will present a **Recommended Order**

COMMISSIONER REVIEW



Recommended order may be approved as is, amended, dismissed or rejected for further hearing.

Commissioner will issue a **Final Order** which all parties must follow. Interested parties have the right to appeal within 60 days.

Most cases reach Final Order within 465 days from filing

COMPLIANCE



At this stage, the Division will evaluate if remedies were carried out as ordered.

A complainant may also reach out to inform of any delays or other complications pertaining to the case.

In rare cases, compliance hearings may be held.

Remember! The law protects you from retaliation



SUPPORTING YOUR CASE

A quick reference guide

What you must demonstrate:

That you are a member of a protective class, disparate treatment, negative impact, and that your status as a member of the protective class was the reason for the disparate treatment

HOW

WRITE THINGS DOWN

- Dates
- Who was there
- What was said and/or done
- How it affected you

LET YOUR EMPLOYER KNOW

Report the issue to your supervisor, their supervisor, boss or human resources department

GATHER EVIDENCE

- Records, letters, notes, phone messages, texts
 - Policy and procedures
- Employment contract, personnel file, paystubs/checks
 - Witness testimonies

DO YOUR JOB

Do not give your employer a valid reason to fire you

SEEK LEGAL ADVICE IN A TIMELY MANNER

Statute of limitations is 1 year to file with DHR;
3 years to file directly with State Court

Remember! The law protects you from retaliation