

## Frequently Asked Questions

### **What is employment discrimination?**

To treat an employee differently or less favorably because of race, color, creed, national origin, sex, sexual orientation, gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, military status, or domestic violence victim status.

### **What is workplace harassment?**

Workplace harassment occurs whenever unwelcome conduct on the basis of race, gender or other legally protected status affects a person's ability to do their job.

### **How do I file a discrimination complaint?**

Any City officer, employee or volunteer can report an incident of suspected discrimination to a department head, the Discrimination/Harassment Committee or the EEO Officer. Forms are available at <http://www.niagarafallsusa.org/EEOC.cfm> or may be obtained from the EEO Office, HR, or the Human Rights Commission. Employees may also contact the EEO Office by email at [eeo.niagarafallsny.gov](mailto:eeo.niagarafallsny.gov) or by telephone at (716) 286-4327.

### **What information do I need to file a discrimination complaint?**

Any written complaint must contain information about the alleged discrimination or harassment based on one or more protected categories, the name, address, phone number of complainant, identification of respondent(s), name and contact information of any witnesses, date and description of the incident(s), and actions taken to address the alleged incident(s), and the relief you are seeking. In addition, you may provide documents that may support your claim and the names of employees in the same or similar position who were treated differently.

### **Is there a time limit for filing complaints?**

Yes. According to City policy, complaints must be filed within 180 days of the alleged discriminatory incident(s).

### **Can I report an incident without filing a formal complaint?**

Yes. An employee may discuss an allegation of discrimination or harassment with a department head or EEO Officer in an attempt to resolve the matter informally. However, be aware that all allegations reported to any City official, whether verbal or written, formal or informal, will be reported to the City's EEO Officer.

### **Do I have to give my name to report an incident?**

No. Anonymous complaints will be accepted and investigated to the extent possible, given the restraints of anonymity. Employees, however, must be aware that the City's ability to conduct a thorough investigation may be limited.

### **Will my complaint be kept confidential?**

To the extent possible, all complaints are kept confidential. Information obtained from a complainant will not be discussed with other personnel except as necessary to investigate and resolve a complaint. In no event will information concerning a complaint be released by the City to any third party or to anyone within City government who is not directly involved with or in the investigation. Confidentiality will be maintained throughout the investigatory process. All complainants, respondents and witnesses in an investigation shall be informed of this confidentiality policy.

### **Can I change my mind once a complaint has been filed?**

Yes. Complaints may be withdrawn at any time by filing a "Withdrawal of Discrimination or Harassment Complaint" notice in writing.