

Morrow County

Non-Discrimination Complaint Procedure

General Overview

Morrow County has adopted a standard process for investigating civil rights complaints (hereinafter "Complaint"). Members of the public may file a written Complaint within one hundred eighty (180) days from the date of alleged discrimination. Morrow County will make all reasonable efforts to resolve Complaints in a prompt and fair manner. Morrow County will attempt to resolve informally at the Department level, including complaints based on the actions of sub recipients or contractors.

Any person who believes they have been the object of unequal treatment or discrimination by the County based on their race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or limited English proficiency, has the right to file a written complaint under non-discrimination regulations. If complaints are initially made to Morrow County staff or representatives, the complainant shall be directed to the Morrow County Non-Discrimination Coordinator, Lindsay Grogan. Morrow County shall make reasonable accommodations as necessary to ensure that the public has a meaningful opportunity to submit a complaint form.

Complaint Process

Any person who believes they has been the object of unequal treatment or discrimination on the grounds of race, color, national origin, age, sex, disability, limited English proficiency or any other protected class identified under applicable civil rights law, may file a complaint with the Morrow County Non-Discrimination Coordinator. This process applies to all complaints arising from any program, service of or activity of Morrow County or its subrecipients.

The Complaint process outlined herein is an administrative process and does not provide for compensatory or punitive damages. The County's process is not exclusive, and the person filing a complaint may have other remedies under applicable laws.

To be accepted, a Discrimination complaint must:

- a. Involve discrimination on the basis of one of the protected classes;
- b. Allege that the discrimination was committed by the County, a County employee, or a subrecipient of the County; and
- c. Be filed within 180 days of the alleged discrimination.

Filing a Discrimination Complaint

Complaints should be filed with the Non-Discrimination Coordinator. Complaints must be in writing, signed by the complainant, and on the form provided herein. If the complainant needs assistance in reducing the complaint to writing or signing it (disability accommodation or language assistance), he or she may request assistance from the Non-Discrimination Coordinator or may have another person write and acknowledge the complaint on his or her behalf.

The original copy may be delivered or emailed to:

Morrow County Human Resource Department
Attention: Non-Discrimination Coordinator, Lindsay Grogan
PO Box 593
110 N Court St
Heppner, OR 97836
Email: lgrogan@co.morrow.or.us
(541)676-5620

Processing a Discrimination Complaint

After receiving a complaint, the Non-Discrimination Coordinator will determine:

- a. If the complaint is complete. In order to determine if a complaint is complete, the Non-Discrimination Coordinator shall determine whether the complaint sets forth facts that, if substantiated in an investigation, would constitute a violation of an individual's rights under Civil Rights;
- b. If additional information is needed; and
- c. If the complaint is timely.

The Non-Discrimination Coordinator will notify the complainant in writing no later than 30 County workdays that the complaint is accepted or if the complaint is not accepted. The Civil Rights Coordinator shall state the reasons for the non-acceptance of any complaint. If additional information is needed, the complainant will be asked to provide that information.

If the complaint is accepted, the County will investigate the merits of the complaint and attempt to resolve it in a way that is prompt and fair. The County will also assume the jurisdiction to investigate complaints against subrecipients.

Any complaint may be dismissed for the following reasons:

- a. Withdrawal of complaint;
- b. The complaint was untimely filed;
- c. The complainant cannot be located or is unresponsive; or
- d. The Complaint is determined to be legally insufficient.

Investigation of Discrimination Complaints:

If the complaint is accepted under the section above, the Non-Discrimination Coordinator, or designee, shall investigate and determine the disposition of the complaint. The investigation of the complaint will include, but is not limited to:

- a. Date, time, location and specific circumstances of the alleged incident;
- b. Interviews with witnesses, if any; and
- c. Interviews with the person against whom the complaint was made, as applicable.

Within sixty (60) days of the written acceptance of a complaint, the Non-Discrimination Coordinator shall report a summary of findings and resolution of the complaint in writing, including the proposed disposition of the matter, and will provide a copy to the complainant. The investigation shall be prompt and fair and the preponderance of the evidence standard will be applied during the analysis of the complaint. If possible, the Non-Discrimination Coordinator shall attempt to resolve the complaint informally through written agreement or compromise.

The resolution of complaints not settled through written agreement shall be as follows:

Exonerated - The investigation revealed sufficient evidence to prove by a preponderance of the evidence that the allegations were untrue.

Unsubstantiated - The investigation did not present sufficient evidence to clearly prove or disprove the allegations.

Sustained - The investigation does disclose sufficient evidence to prove the allegations by a preponderance of the evidence.

Any Complaint found to be "Sustained" shall be acted upon directly by the Non-Discrimination Coordinator, using available County resources to resolve the incident in a manner consistent with the severity of the Discrimination violation sustained. This may include mandatory training, disciplinary action, or appropriate contraction remedies with subrecipients and contractors.

Appeals of the Non-Discrimination Coordinator's Determination

If the complainant is not satisfied with the written decision of the Non-Discrimination Coordinator, the complainant has 7 days from the date of the written decision to provide a notice of appeal in writing. Discrimination complaints receiving a final determination by the Non-Discrimination Coordinator may be appealed to the Morrow County Board of Commissioners. The Board of Commissioners, or designee shall issue a written decision on the appeal within 30 days of receipt of the notice of appeal, which shall be the final decision of the County.

Retaliation and intimidation in response to a complaint or investigation is strictly prohibited