

Office of Human Resources

***1503 Unlawful Discrimination Complaint
Procedure***

2025-06-18

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**Georgia Department of Human Services
Human Resources Policy #1503**

Unlawful Discrimination Complaint Procedure

Release Date: April 1, 2005

Revised Date: February 20, 2020

Next Review Date:

References: Title VII of the Civil Rights Act of 1964, 42 USC 2000e, as amended by the Civil Rights Act of 1991
Rules of the State Personnel Board — 478-1-03 Antidiscrimination Statewide Sexual Harassment Prevention Policy
Executive Order 01.14.19.02 — Preventing Sexual Harassment in the Executive Branch of Government

The Department of Human Services (DHS) will comply fully with all federal and state anti-discrimination laws. DHS is committed to providing equal employment opportunity for all individuals regardless of race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, sex, pregnancy, childbirth or related conditions, military or veteran status, or other status protected by federal or state law or regulation.

The Office of Human Resources (OHR) manages all employment-related unlawful discrimination issues involving applicants and DHS employees. OHR will provide direction, coordination, and technical assistance to DHS leadership for equal opportunity and unlawful discrimination issues.

Section A: Employee Right to File a Complaint

1. Employees alleging unlawful discrimination on the basis of race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, sex, pregnancy, childbirth or related conditions, military or veteran status, sexual harassment, or other status protected by federal or state law or regulation may file formal complaints in accordance with this procedure.
2. It is a violation of DHS policy to retaliate against employees due to filing complaints of unlawful discrimination, sexual harassment, or for cooperating in a complaint investigation.
3. Sexual harassment complaints will be processed as outlined in Executive Order 01.14.19.02 — Preventing Sexual Harassment in the Executive Branch of Government, as well as DHS Human Resources Policy 102 — Sexual Harassment.
4. Employees cannot concurrently file a complaint under this procedure and with any external enforcement agency, such as the Georgia Commission on Equal Opportunity.

Section B: Filing of Non-Sexual Harassment Complaints

1. Prior to filing a formal complaint, employees are strongly encouraged to discuss and seek complaint resolution with their supervisor.
2. If resolution is not reached and a formal complaint will be filed, the complaint is to be filed with the Office of Human Resource (OHR) using the Unlawful Discrimination Complaint Form (See Attachment #1).
3. Complaints must be received by OHR **within ten (10) workdays** of the alleged discriminatory or harassing act or within ten (10) workdays of the date the employee learns of the alleged discriminatory or harassing act, whichever is later. Any evidence available to the employee, which supports the allegation, is to be submitted with the Unlawful Discrimination Complaint Form.
4. Complaints must be delivered, mailed, emailed or faxed to your assigned Human Resources Representative.

Section C: Initial Complaint Review

1. Within ten (10) workdays of receiving a complaint alleging unlawful discrimination or harassment, OHR will:
 - a. Acknowledge complaint receipt to the complainant and indicate the name, location and telephone number of the person assigned to conduct the complaint investigation.
 - b. Notify the appropriate management official(s) of the status of the complaint.
 - c. Forward a copy of the complaint with related materials to the assigned investigator.

Section D: Investigation

1. Within forty-five (45) workdays of receiving the complaint, the assigned investigator will do the following:
 - a. Contact the complainant and appropriate management official(s) to arrange for the investigation,
 - b. Conduct the investigation, and,
 - c. Submit a report of the findings and recommendations to the OHR Director.
2. Investigations may include, but are not limited to, the following:
 - a. Interviews with the complainant and the person(s) alleged to be involved with the unlawful discrimination,
 - b. Interviews with witnesses, and,
 - c. Review of documentation and supplemental information.
3. OHR may authorize an extension of up to thirty (30) calendar days to complete the investigation, if determined appropriate.

Section E: Complaint Determination

1. Within ten (10) workdays of receiving the investigator's report, the OHR Director will issue a letter of final determination to the complainant and appropriate management official(s).
2. If unlawful discrimination has been substantiated, the final determination will include corrective or disciplinary action, up to and including separation from employment.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

1503 A1 Unlawful Discrimination Complaint Form