

Human Rights - FAQ

WHAT IS DISCRIMINATION?

Discrimination occurs when an individual is treated in a different manner than persons of another group in similar situations. Discrimination results in economic harm to an individual solely because of biases toward the group of which he/she is a member. If your treatment is different from a person of another race, sex, color, religion, etc., in similar circumstances, then discriminatory treatment may have occurred. But beware, unfair treatment does not necessarily mean discrimination has occurred. Personality differences are not discriminatory according to the law.

How can I determine if I am being discriminated against by my employer?

If your treatment is different from a person of another race, sex, color, age, religion, etc., in similar circumstances, then discriminatory treatment may have occurred. Personality differences are not discriminatory according to the law.

What can I do if I have been discriminated against by my employer?

Title VII of the Civil Rights Act of 1964 and Title V of the City of Tulsa Revised Ordinances, prohibit discrimination in employment. When you believe that you have been a victim of discrimination because of your race, color, religion, disability, or medical condition due to pregnancy, you may file a complaint with the following agencies:

Department of Human Rights
(918) 596-7818

Oklahoma Human Rights Commission
(918) 581-2733

Equal Employment Opportunity Commission
(405) 231-4911

Should I file my complaint with each agency?

Each enforcement agency has the same objective; to investigate employment discrimination complaints. Even if you file with each agency, probably only one (1) agency will conduct the preliminary investigation, due to work sharing agreements that often exists between enforcement agencies. However, the choice is strictly up to you.

Why should I file a complaint?

As a U.S. citizen, you are guaranteed the right to equal employment opportunities. When a company attempts to deprive you of these privileges, then it is your right to complain. Remember, the laws were enacted to protect and serve you.

How do I file a complaint?

Upon contacting the appropriate agency, an appointment is made to discuss the complaint. You will be required to complete the necessary forms. You must be able to state why you believe that you have been discriminated against by your employer. All information given at this time remains confidential.

Only upon your signing the official complaint form will the company be notified.

Should I file an internal grievance with the company?

Many companies have internal grievance procedures that allow the employee opportunity to voice his/her concerns to management. If your company has such a procedure, you are encouraged to utilize this option, particularly if you belong to a union. Filing an internal grievance will not prohibit you from filing with an external agency.

What happens after the company is notified?

Once the company acknowledges receipt of your complaint (by certified mail), the investigation begins. An investigation usually includes the following: (1) review of company records; (2) witness interview; and (3) fact-finding meetings.

Can my employer retaliate against me for filing a complaint?

The law prohibits an employer from taking adverse action against anyone who files a complaint or assists in the investigation of a complaint. If this happens, you can file a second charge against the company.

Should I discuss my complaint with my supervisor or co-worker?

NEVER! After you file a complaint, all discussion will be handled by the assigned investigator. Conversations that are not monitored by your investigator may hinder proper resolution of your complaint.

Do I need a Lawyer?

You may obtain an attorney if you desire. It is simply a matter of letting us know, so that we can keep him/her informed of the investigation of your complaint.

What happens after the investigation is completed?

Upon review and analysis of all submitted evidence from both you and the company, one of the following decisions will be rendered:

(A) **Probable Cause:** Evidence supports discrimination occurred. The company is required to provide relief such as back pay, reinstatement, or promotion.

(B) **Negotiated Settlement:** Prior to completion of the investigation, all parties are willing to settle. This option is concluded upon the signing of a legal document by all parties.

(C) **No Probable Cause:** Gathered evidence does not support discrimination. The case is dismissed, but can be further pursued in civil court.

Should I tell future employers that I filed a discrimination complaint?

Prospective employers need not know of your filing a complaint. You merely exercised your citizen rights and the resolution of the complaint is between you, the company, and the enforcement agency.

HOW CAN WE HELP?

The City of Tulsa Department of Human Rights receives, investigates, and resolves complaints of discrimination regarding: race, color, religion, sex, national origin, ancestry, age, disability or medical condition due to pregnancy, in the following areas:

Employment: A City contractor - company or persons who supplies goods or services to the City of Tulsa.

Housing: Housing located within the City of Tulsa.

Public Accommodations: Public place located within the City of Tulsa.