

**NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY
FEDERAL CIVIL RIGHTS COMPLIANCE
POLICY FOR ADDRESSING DISCRIMINATION COMPLAINTS**

The New Jersey Department of Law and Public Safety (“Department”) worked with the Department of Justice (DOJ), Office of Justice Programs (OJP), Office for Civil Rights (OCR) to develop a written policy and procedure to address discrimination complaints from employees and beneficiaries of its subrecipients. The following policy is adopted by the Department as its written policy for handling discrimination complaints.

I. GENERAL POLICY

All individuals have the right to participate in programs and activities operated by the Department and its subrecipients, regardless of race, color, national origin, sex, religion, disability, or age. All complaints of discrimination, regardless of where reported or from whom, are taken seriously. Additionally, the Department will ensure that its subrecipients comply with all applicable federal laws regarding employment discrimination.

II. PROCEDURE FOR RESPONDING TO DISCRIMINATION COMPLAINTS

- a. The Department will designate a coordinator responsible for overseeing the complaint process in the following way:
 - i. Complaints From Employees of the Department
Regarding discrimination complaints from employees of the Department, the Department adheres to the New Jersey State Policy Prohibiting Discrimination in the Workplace, N.J.A.C. 4A:7-3.1 (“EEO Policy”). The EEO Policy designates an Equal Employment Opportunity and Affirmative Action (EEO/AA) Officer as the receiver for complaints alleged under the policy. Accordingly, the Department will designate the EEO/AA Officer as the Complaint Coordinator responsible for overseeing the complaint process regarding discrimination complaints from employees of the Department.
 - ii. Complaints From Clients, Customers, or Program Participants of the Department and Employees, Clients, Customers, or Program Participants of a Subrecipient
Regarding discrimination complaints from clients, customers, and program participants of the Department, as well as employees, clients, customers, or program participants of a subrecipient implementing funding from the DOJ, the Department will designate the Director of the Legal Affairs and Employee Relations Section (LAER), Office of the Attorney General (OAG) as the Complaint Coordinator responsible for overseeing the complaint process. Additionally, in accordance with N.J.A.C. 13:1C-1.1 et seq., the Department has established a designated coordinator known as the ADA Coordinator to ensure Departmental compliance with requirements under the Americans with

Disabilities Act (ADA). Complaints received regarding the denial of services in the context of the ADA will be referred to the Department's ADA Coordinator. Complaints received alleging denial of reasonable accommodations will be referred to the Department's ADA Coordinator.

- b. The Department will notify employees and subrecipients of prohibited discrimination in the Department's programs and activities and the Department's policy and procedures for handling discrimination complaints in the following way:
 - i. For Employees of the Department
The Department will notify its employees of prohibited discrimination in the Department's programs and activities by distributing and making available the EEO Policy. The Department will notify its employees of the policy and procedures for handling discrimination complaints by distributing and making available the New Jersey State Procedures for Internal Complaints Alleging Discrimination in the Workplace ("State Complaint Procedure").
 - ii. For Employees of Subrecipients
The Department will notify subrecipients of prohibited discrimination in the Department's programs and activities by incorporating into its subgrant agreements all required federal general assurances and special conditions on federal civil rights requirements. A copy of the Department's policies regarding prohibited discrimination in the Department's programs and activities will be made available to all subrecipients. Subrecipients will be required to agree to abide by the policy as a condition of the grant award.
- c. The Department will establish the following written procedures for receiving discrimination complaints from employees and clients, customers, or program participants:
 - i. For Employees of the Department
An employee of the Department may report allegations of discrimination to the EEO/AA Officer. The complaint procedure will follow the procedure established by the State Complaint Procedure.
 - ii. For Clients, Customers, or Program Participants of the Department and Employees, Clients, Customers, or Program Participants of a Subrecipient
A client, customer, or program participant of the Department as well as an employee, client, customer, or program participant of a subrecipient implementing funding from the DOJ may report allegations of discriminations to the Director of the LAER. The Director may then designate an appropriate person to conduct an internal investigation of the complaint or refer it to the appropriate agency for investigation. An employee of the Department that receives a discrimination complaint from a client, customer, or program participant of the Department, or an employee, client, customer, or program participant of a subrecipient implementing funding form the DOJ will forward

the complaint to the Director. The Department employee will then notify the complainant that the complaint has been forwarded to the Director for further action.

- d. The Department will establish the following procedures for investigating discrimination complaints from employees and clients, customers, or program participants:
 - i. For Employees of the Department
The Department will follow the procedures established by the State Complaint Procedure for investigation of discrimination complaints from employees of the Department.
 - ii. For Clients, Customers, or Program Participants of the Department
The Director shall, within fourteen business days of receiving the complaint, send the complainant a letter acknowledging receipt of the complaint. The Director shall then, within 120 days of receipt of the complaint, have an internal investigation of the complaint conducted and determine whether any corrective action is necessary.
 - iii. For Employees, Clients, Customers, or Program Participants of a Subrecipient
The Director shall, within fourteen business days of receiving the complaint, review the complaint and refer it for investigation to the Department's Division on Civil Rights (DCR), the DOJ Office for Civil Rights (OCR), the U.S. Equal Employment Opportunity Commission (EEOC), or another appropriate agency. The Director shall send the complainant a letter informing the complainant that the complaint has been referred to the appropriate agency for investigation.
 - iv. Policy When Forwarding Complaints to External Agencies
If a complaint from a client, customer, or program participant of the Department is forwarded to an external agency, the Director shall notify the OCR in writing of such referral. If a complaint from an employee, client, customer, or program participant of a subrecipient is forwarded to the DCR, EEOC, or other local fair employment practices agency, the Director shall notify the OCR in writing of such referral.
- e. During the investigation of the complaint, the appropriate Complaint Coordinator shall inform a complainant that they may also file a complaint with the OCR at the following address:

Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice
810 Seventh Street N.W.
Washington, DC 20531

- f. The Department will provide a power point based training via the internet or intranet to Department employees on their responsibility to refer discrimination complaints, or potential discrimination issues, to the appropriate Complaint Coordinator for processing as soon as the alleged discrimination comes to their attention.
- g. The Department will notify employees and clients, customers, and program participants of prohibited discrimination by making available the Department's policy prohibiting discrimination on the Department's public or intranet websites. This policy will contain the procedures for filing a complaint of discrimination.
- h. The Department will require that as part of the subgrant award package, subrecipients have procedures in place for responding to discrimination complaints that employees and clients, customers, and program participants file directly with the subrecipient.

III. NOTIFYING SUBRECIPIENTS OF CIVIL RIGHTS REQUIREMENTS

The Department will notify subrecipients about applicable federal civil rights laws, nondiscrimination provisions, and the DOJ implementing regulations through subaward agreements, subgrant application documents, and other guidance. The subgrant award agreements incorporate all required federal general assurances and special conditions on federal civil rights requirements, nondiscrimination provisions, and DOJ implementing regulations.

IV. MONITORING FOR COMPLIANCE WITH CIVIL RIGHTS REQUIREMENTS

The Department has adopted a Civil Rights Compliance Checklist that is incorporated into the Department's subrecipient monitoring plan. This checklist addresses whether subrecipients are complying with the applicable civil rights laws, nondiscrimination provisions, and the DOJ implementing regulations.

V. TRAINING SUBRECIPIENTS ON CIVIL RIGHTS REQUIREMENTS

The Department will provide a power point based training and make these training materials available via the internet to DOJ funded subrecipients on their obligations to comply with the applicable civil rights laws, nondiscrimination provisions, and the DOJ implementing regulations. Subrecipients will be required to complete the training at least once per grant award. Afterward, subrecipients will be required to certify that they have completed the training. The training will include instruction about the responsibility of subrecipients to refer discrimination complaints to the appropriate Complaint Coordinator.