



November, 2021

**Tuesday's Children**  
**Department of Homeland Security, Civil Rights Evaluation Tool**

Response to questions 4 & 5: provide a copy of the Tuesday's Children nondiscrimination/civil rights policy and the complaints process.

**Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

You can also file a civil rights complaint with the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL):

**E-mail:** [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov) (fastest method to submit your complaint)

**Fax:** 202-401-4708

**U.S. Mail:**

U.S. Department of Homeland Security  
Office for Civil Rights and Civil Liberties  
Compliance Branch  
245 Murray Lane, SW  
Building 410, Mail Stop #0190  
Washington, D.C. 20528

## **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

## **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

- Incidents of harassment or treatment in an unlawful, discriminatory manner, whether personally experienced or observed, may be reported, in confidence, to the immediate supervisor. Employees are also encouraged to discuss the issue at the source, dealing directly with individuals who may be involved, but are under no obligation to do so.
- If it is believed that it would be inappropriate to discuss the matter with the immediate supervisor, the incident should be reported directly to the Chief Operations Officer who will undertake an investigation within 2 months of receipt of the complaint. A complaint must be filed no later than 180 days after the date of the alleged discrimination. A complaint can be made in person, on the phone, or via email. Acknowledgement of a complaint will be made via email. Tuesday's Children will track any and all complaints on a spreadsheet located in a file folder on the server accessible only by the Chief Financial Officer, Chief Operations Officer and the Executive Director.
- If it is believed that it would be inappropriate to discuss the matter with the Chief Operations Officer, the incident should be reported to the Executive Director. If a complaint is against the Executive Director or President, notification should be made directly to the Chair of the Board of Directors who will undertake an investigation.
- Information regarding a complaint will be held in confidence to the extent possible and will be disclosed only on a need-to-know basis in order to effectively investigate and resolve the matter.
- Supervisors are required to report all complaints brought to their attention as soon as possible to the Chief Operations Officer and Executive Director, or if the complaint involves the Executive Director or President, it should be reported to the Chair of the Board of Directors.
- Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure no later than 180 days after the date of the alleged discrimination. An employee's failure to do so could affect the employee's rights in pursuing legal action established under Title VII or local laws or ordinances.
- If Tuesday's Children's investigation determines that an employee or third party is guilty of harassing an employee, appropriate action will be taken against the offending

individual.

Tuesday's Children prohibits any form of retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation.