

How to File a Discrimination Complaint

Please be aware that there are certain time limits or deadlines to file a complaint, a lawsuit, or take legal action. Most complaint rules have time limits for filing a complaint, so don't wait to file your complaint later. In general, you need to file within 180 calendar days from the day the discrimination took place. Some complaint can be a letter that tells what happened, others have complaint forms. Your complaint may include a copy of any documents that show what happened, such as e-mail communication, notes about the people you talked to, what occurred, and when it happened. If you need help writing or filing your complaint you can contact the agency that handles your kind of complaint (see below) for assistance.

How to File a Discrimination Complaint

Americans with Disabilities Act - Title I - Employment Discrimination by Government, Business and Nonprofit

The Equal Employment Opportunity Commission (EEOC) is responsible for investigating charges of workplace discrimination by businesses (for-profit and non-profit; with one or more employees) and state and local government agencies. If you believe that your employer has discriminated against you on the basis of disability, you may file a complaint with the EEOC. You must first file a complaint with the EEOC, before you can file a lawsuit in court.

After you file a complaint, the EEOC can investigate your case. The EEOC may try to resolve your case informally through mediation. If the EEOC cannot resolve the case through mediation, the EEOC will decide whether to bring a lawsuit on your behalf. If the EEOC decides not to bring a lawsuit or finds that there was no discrimination, you will get letter that permits you to file a lawsuit in court. This is called a "right to sue" letter. After you receive this letter, you have 90 days to file a lawsuit in court.

Filing a Complaint - Employment discrimination may take several forms:

- the employer did not hire you because you are deaf or hard of hearing;
- the employer failed to provide a reasonable accommodation such as a qualified interpreter or CART services;
- you experienced harassment because you are deaf or hard of hearing;
- you are fired because you requested an interpreter

You need to file complaint within 180 calendar days from the day the discrimination took place.

If you're not sure about your complaint, go to <https://egov.eeoc.gov/eas/> This will help you decide if EEOC is the correct agency to assist you.

Washington State EEOC Contact Office - Seattle Field Office

Federal Office Building

909 First Avenue, Suite 400

Seattle, WA 98104-1061

Phone: 1-800-669-4000

Phone: 1-800-669-6820 TTY

Phone: 206-220-6911 Fax

Office Hours: Monday – Friday from 8:00 am – 4:40 pm Please call first to obtain information and/or schedule an appointment.

For more information: <http://www.eeoc.gov/employees/charge.cfm>

Title II - Discrimination by State and Local Government Programs, Services or Activities

The U.S. Department of Justice (US DOJ) is responsible for enforcing the Americans with Disabilities Act (ADA) with respect to state and local governments. This includes courts, schools, social services agencies, hospitals, legislatures, commission and councils, recreational facilities, libraries and state/county/city department and agencies of all kinds. It applies to activities that are administered directly by government agencies, and to activities that are carried out by private subcontractors.

When you encounter discrimination by state and local governments, you may file a complaint under ADA Title II. A form for filing ADA Title II complaints is available online at <http://www.ada.gov/t2cmpfrm.htm>. You must file an ADA Title II complaint within 180 days of the discrimination.

Washington State U.S. DOJ Contact Office

U.S. Department of Justice

United State Attorney's Office
700 Steward Street, Suite 5220

Seattle, WA 98101

Phone: (800) 797-6722 Voice

Phone: (206) 553-7970 Voice

Phone: (206) 553-0882 Fax

For more information: www.ada.gov

Title III - Discrimination by Businesses and Nonprofits

The U.S. Department of Justice (US DOJ) is responsible for enforcing the Americans with Disabilities Act (ADA) with respect to businesses (any size; for-profit and non-profit). Title III covers a wide range of places of public accommodations, including retail stores, hotels, theaters, restaurants, doctors' and lawyers' offices, optometrists, dentists, banks, insurance agencies, museums, parks, libraries, day care centers, recreational programs, social services agencies and private schools.

When you encounter discrimination by businesses or service providers, you can file a complaint under ADA Title III. You can find more information about filing an ADA Title III complaint at <http://www.ada.gov/t3compfrm.htm>. There is no time limit for filing an ADA Title III complaint with the U.S. Department of Justice, but you should file as soon as possible.

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U.S. Department of Justice

United State Attorney's Office
700 Steward Street, Suite 5220
Seattle, WA 98101

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Phone: (206) 553-0882 Fax

For more information: www.ada.gov

Title IV – Telecommunication Relay Services (TRS)

Title IV of the ADA of 1990 mandated a nationwide system of telecommunications relay services to make the telephone network accessible to people who are deaf, deaf-blind, hard of hearing and speech disabled. For more information: <http://www.fcc.gov/encyclopedia/title-iv-ada>

Telecommunication Relay Services: TRS uses operators, called communications assistants (CAs), to facilitate telephone calls between people with hearing and speech disabilities and other individuals. A TRS call may be initiated by either a person with a hearing or speech disability, or a person without such disability. When a person with a hearing or speech disability initiates a TRS call, the person uses a teletypewriter (TTY) or other text input device to call the TRS relay center, and gives a CA the number of the party that he or she wants to call. The CA in turn places an outbound traditional voice call to that person. The CA then serves as a link for the call, relaying the text of the calling party in voice to the called party, and converting to text what the called party voices back to the calling party.

For more information: <http://www.fcc.gov/guides/telecommunications-relay-service-trs>

Telecommunication Relay (TRS) Guide – How to File a Complaint:

<http://transition.fcc.gov/cgb/consumerfacts/trs.pdf>

Washington Relay Complaint Form is available on this web link: <http://www.washingtonrelay.com/contact.html>

IP Relay Service: IP Relay allows people who have difficulty hearing or speaking to communicate through the telephone system with hearing persons. IP Relay is accessed using a computer and the Internet, rather than a TTY and a telephone. They simply use the computer to communicate by text. When conversing over IP Relay, people who are deaf, hard of hearing or have difficulty speaking can participate in a conference call or go online while holding a conversation. For more information: <http://www.fcc.gov/guides/internet-protocol-ip-relay-service>

Internet Protocol (IP) Relay Service Guide – How to File a Complaint:

<http://transition.fcc.gov/cgb/consumerfacts/iprelay.pdf>

Federal Communications Commission

445 – 12th Street SW
Washington DC 20554
Phone: 1-888-225-5322
Phone: 1-888-835-5322 TTY
Phone: 1-866-418-0232 FAX
E-mail: dro@fcc.gov

For more information on TRS Rules: <http://transition.fcc.gov/cgb/dro/4regs.html>

Communications Act

The Communications Act of 1934, as amended over time, including amendments made by the Telecommunication Act of 1996, provides several mandates to require accessible telecommunications equipment and services, including television closed captioning. Some of these mandates are summarized below.

- “Twenty-first Century Communications and Video Accessibility Act” - <http://www.nad.org/issues/civil-rights/communications-act/21st-century-act>
- Coalition of Organizations for Accessible Technology (COAT) – www.COATaccess.org
- Communication Access’ following particular provisions for deaf and hard of hearing community
 - Hearing Aid Compatibility
 - Relay Services
 - Access to Internet-Based Services and Equipment
 - Universal Service
 - Emergency Access and Real-Time Text Support
- Video Programming
 - Capability, User Interfaces, and Video Programming Guides and Menus
 - Closed-Captioning Decoder and Video Description Capability
 - Video Description and Closed Captioning
 - User Interfaces
 - Access Video Programming Guides and Menus

When filing a closed captioning complaint, you should include:

- your name, address, and contact information;
- the name of the program you tried to watch;
- the date and time you tried to watch the program;
- the network/channel you were watching; and
- a description of the closed captioning problem.

Tell the distributor (your local station, cable or satellite television provider) that it is violating the Federal Communications Commission’s (FCC) closed captioning rules. Keep a copy of your letters, e-mails, notes of phone calls and other communication with the distributor.

If it’s still unresolved, or you are not satisfied with the response, or no response, you can send your complaint to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, DC 20554

For more information, please review the FCC closed captioning guide: <http://www.fcc.gov/guides/closed-captioning>

Air Carrier Access Act

The Air Carrier Access Act (ACAA) sets out requirements for disability access at airports and on airlines. Generally the ACAA rules:

- prohibit airlines from discriminating against passengers on the basis of disability
- requires airlines to make aircraft, other facilities, and services accessible; and
- require airlines to take steps to accommodate passengers with a disability

Filing an Air Carrier Access Complaint – U.S. Department of Transportation (DOT)

DOT publishes an on-line, easy to use complaint form at

<http://airconsumer.ost.dot.gov/escomplaint/es.cfm>

For more information: <http://www.nad.org/issues/transportation-and-travel/air-travel/aca>

Americans with Disabilities Act – Title III Discrimination in Health Care and Mental Health Services

There are three ways to file complaints against health care providers, such as hospitals and doctors. You may file these complaints at the same time.

1. You may file an ADA complaint with the U.S. Department of Justice.

If the health care provider is a state or local government program or service, such as a public hospital or public health clinic, you can file an ADA Title II complaint. A form for filing ADA Title II complaints is available online at <http://www.ada.gov/t2cmpfrm.htm>. You do not need to use the form, but the form will help you know the kind of information you should include in your complaint. You must file an ADA Title II complaint within 180 days of the discrimination.

If the health care provider is a business or is privately operated, such as a doctor's office, you can file an ADA Title III complaint. You can find more information about filing an ADA Title III complaint at <http://www.ada.gov/t3compfrm.htm>. There is no time limit for filing an ADA Title III complaint with the U.S. Department of Justice, but you should file as soon as possible.

2. You may file a complaint with the U.S. Department of Health and Human Services if the health care provider accepts federal financial assistance (such as Medicare). Health care providers that receive federal financial assistance are covered under Section 504 of the Rehabilitation Act. You can find more information about filing a Section 504 complaint at <http://www.hhs.gov/ocr/civilrights/complaints/index.html>.
Complaint Form: <http://www.hhs.gov/ocr/civilrights/complaints/discrimhowtofile.pdf>
You must file a Section 504 complaint within 180 days of the discrimination.
3. You may also file a complaint (lawsuit) in state or federal court. There are deadlines for filing complaints in court. These deadlines differ in each state.

Washington State U.S. DOJ Contact Office

U.S. Department of Justice

United State Attorney's Office
700 Steward Street, Suite 5220
Seattle, WA 98101
Phone: (800) 797-6722 Voice
Phone: (206) 553-7970 Voice
Phone: (206) 553-0882 Fax

Washington State Civil Rights Contact Office

Office for Civil Rights, U.S. DHHS

2201 Sixth Ave. – Mail Stop RX-11
Seattle, WA 98121
Phone: (800) 368-1019 Voice
Phone: (206) 615-2297 FAX
Phone: (800) 537-7697 TTY

Resource Sheet: Know the Rights that Protect Individuals with Disabilities from Discrimination:

<http://www.hhs.gov/ocr/civilrights/resources/factsheets/504ada.pdf>

For more information: www.ada.gov and <http://www.hhs.gov/ocr/office/index.html>

Washington State Office for Civil Rights

The Office of Civil Rights addresses illegal discrimination in employment, housing, public accommodations, and health care.

Complaint Requirements – Your complaint must:

1. Be filed in writing, either on paper or electronically, by mail, fax, or email;
2. Name the health care or social service provider involved, and describe the acts or omissions, you believed violated the civil rights laws or regulations; and
3. Be filed within 180 days of when you know that the act or omission complained of occurred. OCR may extend the 180-day period if you can show “good cause.”
4. You can download complaint form:

<http://www.hhs.gov/ocr/civilrights/complaints/discrimhowtofile.pdf> - If you need help filing a complaint or have a question about the complaint or consent forms, please email OCR at OCRRMail@hhs.gov or contact OCR regional office (listed below)

Region X – Seattle (Alaska, Idaho, Oregon, Washington)

Linda Yuu Connor, Regional Manager
Office for Civil Rights
U.S. Department of Health and Human Services
2201 Sixth Avenue – M/S: RX-11
Seattle, WA 98121-1831
Phone (800) 368-1019 Voice
Phone: (206) 615-2297 FAX
Phone: (800) 537-7697 TTY

For more information: <http://www.hhs.gov/ocr/civilrights/complaints/index.html>

Education

The Office of Education Ombudsman (OEO) resolves complaints, disputes, and problems between families and Washington State elementary and secondary public schools in all areas that affect student learning.

OEO intervene on issues such as:

- bullying/harassment
- cyber bullying
- special education
- enrollment
- discipline
- academic progress

To download a Washington State Office of the Education Ombudsman Request for Ombudsman Services form, go to <http://www.governor.wa.gov/o eo/about/RequestServices.pdf>

To request services, contact

Office of Education Ombudsman (OEO)

Northgate Executive Center 1, Bldg. B
155 NE 100th Street, Suite 210
Seattle, WA 98125-8012
Phone: (866) 297-2597 Voice
E-mail: OEOinfo@gov.wa.gov

For more information: <http://www.governor.wa.gov/o eo/about/request.asp>

Housing

The Federal Fair Housing Act, state and local fair housing laws exempt certain housing from coverage. For questions, contact each agency concerning the law that agency enforces.

The Fair Housing Act prohibits landlords, condominium management companies, and homeowners' association from discrimination. No one may refuse to rent or sell housing, or make housing unavailable, or set different rules or condition for the sale or rental or use of housing, because of disability.

If you have been trying to buy or rent a home or apartment and you believe your civil rights have been violated, you can file your housing discrimination complaint online:

http://portal.hud.gov/hudportal/HUD?src=/topics/housing_discrimination - Federal

If you have questions, contact **HUD Regional Office** – 800-877-0246.

Fair Housing Enforcement Agencies

U.S. Department of Housing and Urban Development

Fair Housing
909 First Avenue, Suite 205
Seattle, WA 98104-1000
206-220-5170
Phone: 800-877-0246
Phone: 206-220-5185 TTY
Website: <http://portal.hud.gov/hudportal/HUD?src=/states/washington>

Washington State Human Rights Commission

711 S. Capitol Way, Suite 402

Olympia, WA 98504-2490

Phone: 360-753-6770

Phone: 800-233-3247

Phone: 800-300-7525

Website: <http://www.hum.wa.gov/>

King County Office of Civil Rights

Chinook Building

401 Fifth Avenue, Suite 215

Seattle, WA 98104-1818

Phone: 206-263-2446 TTY

Website: <http://www.kingcounty.gov/exec/CivilRights.aspx>

Seattle Office for Civil Rights

810 Third Avenue, Suite 750

Seattle, WA 98104-1627

Phone: 206-684-4503

Website: <http://www.seattle.gov/civilrights/>

Tacoma Human Rights

747 Market Street, Room 836

Tacoma, WA 98402-3779

Phone: 253-591-5151

Phone: 253-591-5153 TTY

Website: <http://www.cityoftacoma.org/cms/one.aspx?objectId=5936>

FAIR HOUSING ADVOCACY, TRAINING, EDUCATION & OUTREACH ORGANIZATIONS**In Western Washington:****Fair Housing Center of Washington**

1517 S. Fawcett Avenue, Suite 250

Tacoma, WA 98402

Phone: Toll Free: 888-766-8800

Phone: 253-274-9523

Website: <http://www.fhcwashington.org/>

In Eastern Washington:**Northwest Fair Housing Alliance**

35 West Main Avenue, Suite 250

Spokane, WA 99201

Toll Free: 800-200-3247

Phone: 509-325-2665

Website: <http://www.nwfairhouse.org/>

For more information: <http://portal.hud.gov/hudportal/HUD?src=/states/washington>

Washington State Human Rights Commission

Under the law, the Human Rights Commission can investigate complaints of alleged discrimination in the following areas:

- Employment
- Housing & Real Estate
- Places of Public Accommodations
- Credit and Insurance
- Retaliation

Human Rights Commission offers an on-line Complaint Questionnaire designed to stream-line the filing process: <http://www.hum.wa.gov/CQ/Index.html>

The Complaint Process: <http://www.hum.wa.gov/ComplaintProcess/Index.html>

Washington State Human Rights Commission Contact Offices - Olympia Headquarters Office

711 S. Capitol Way, Suite 402
Olympia, WA 98504
Phone: (360) 753-6770 Voice
Phone: (800) 300-7525 TTY
Phone: (800) 233-3247 Voice

Seattle District Office

Due to state budget reductions, our Seattle office is no longer available for walk-in appointments. To schedule an appointment or to speak to an investigator, please contact our Olympia Office.

Phone: 360-753-6770
Phone: 360-586-2282 FAX
Phone: Toll Free: 1-800-233-3247
Phone: 1-800-300-7525 TTY

Vancouver District Office

312 SE Stone Mill Drive, Bldg. 120
Vancouver, WA 98684

To schedule an appointment or to speak to an investigator, please contact our Olympia Office.

Phone: 360-753-6770
Phone: 360-586-2282 FAX
Phone: Toll Free: 1-800-233-3247
Phone: 1-800-300-7525 TTY

Spokane District Office

1330 N. Washington St., Suite 2460
Spokane, WA 99201

Phone: 509-568-3196
Phone: 509-568-3197 FAX

Yakima District Office

15 West Yakima Avenue, Suite 100
Yakima, WA 98902

Phone: 509-494-0347

To schedule an appointment or to speak to an investigator, please contact our Olympia Office.

Phone: TEL: 360-753-6770
Phone: 360-586-2282 FAX
Phone: Toll Free: 1-800-233-3247
Phone: 1-800-300-7525 TTY

For more information: <http://www.hum.wa.gov>

REHABILITATION ACT**WASHINGTON STATE DIVISION OF VOCATIONAL REHABILITATION**

The purpose of Division of Vocational Rehabilitation is to provide services and resources to people with disabilities to achieve a better quality of life by getting a job to help live independently.

If you disagree with a decision, it is the responsibility of the VR counselor to provide you with information, both verbally and in writing, describing your appeal rights, including:

- Discussing the decision with a VR supervisor or Area Manager;
- Contacting the Client Assistance Program;
- Requesting mediation; and/or
- Requesting a formal hearing.

You may use any one or a combination of the options above to resolve the disagreement. For example, you may request mediation and a fair hearing. If mediation resolves the issue, then the fair hearing is canceled, or you may request mediation, and still ask to speak to a VR supervisor prior to the scheduled mediation. If the issue is resolved, the mediation is canceled.

If you're trying to decide whether to select assistance from the Client Assistance Program (CAP) or mediation, VR counselor should explain that either option is available. You should be made aware however, that CAP representatives are familiar with the Rehabilitation Act and the VR process. Although dispute resolution centers and mediators have an understanding of conflict resolution, they may not be knowledgeable about the Rehab Act or the VR process. For this reason, you may want to give preference to requesting assistance from CAP rather than, or in addition to, mediation.

You can request a VR supervisor, Area Manager or Field Services Administrator to review your VR counselor's decision. The VR supervisor, Area Manager or Field Services Administrator may review the case file, talk to the VR supervisor, VR counselor, you, or others involved in the case to gather information, if necessary.

The supervisor/Area Manager/Field Services Administrator discusses his or her findings and reviews relevant WACs with you and your VR counselor. The supervisor/ Area Manager or Field Services Administrator gives both you and your VR counselor an opportunity to discuss the issues and present relevant information.

If the issue is not resolved, the supervisor/Area Manager or Field Services Administrator ensures that the customer's appeal rights have been fully explained.

If you need assistant to contact Client Assistant Program (CAP) information below, your VR counselor or other DVR staff can provide assistance to make initial contact with a CAP representative.

Client Assistant Program (CAP)

The Washington State Client Assistance Program (CAP) is a private non-profit organization funded by the federal Government under the 1973 Rehabilitation Act as amended.

The CAP is an advocacy program with the following services:

- Provides information about Division of Vocational Rehabilitation (DVR), the Department of Services for the Blind (DSB), Projects with Industry (PWI), and Independent Program (ILP's).
- Cap staff will explain your rights and responsibilities as an applicant or client of these rehabilitation agencies.
- Cap stall will work to solve problems through mediation and negotiation.
- CAP offers information about The Americans with Disability Act (ADA).
- Offers individualized advocacy services including assistance with administrative proceedings.

“What Rights Do I have as a Vocational Rehabilitation Client?”

You have the right to:

- Apply or reapply for vocational rehabilitation services. This includes the right to an evaluation to find out if you are eligible for services.
- Be involved in planning your own rehabilitation program including making choices about service providers and vocational goals.
- Appeal decisions made by your counselor with which you do not agree.

If you have questions or concerns about vocational rehabilitation services, contact Client Assistant Program.

Client Assistant Program (CAP)

2531 Rainer Avenue South

Seattle, WA 98144

Phone: (206) 721-5999 Voice

Phone: (800) 544-2121 Voice

Phone: (206) 721-6072 TTY

Phone: (888) 721-6072 TTY

E-mail: info@washingtoncap.org

For more information: www.washingtoncap.org

RESOURCES

Northwest ADA Center

Northwest ADA Center provides information and ADA assistance for business, state & local government and consumers. Their website has Frequently Asked Questions to provide quick answers to questions most asked by the general public on topics that are most requested. If your questions are not answered, you can call 1-800-949-4232 from 8:30 – 4:30 Monday through Friday except for holidays.

Northwest ADA Center

Northwest Americans with Disabilities Act (ADA) Center

6912 220th St S.W., Suite 105

Mountlake Terrace, WA 98043

Toll Free: (800) 949-4232 Voice/TTY

Phone: (425) 248-2480 Voice

Videophone: (425) 233-8913 VP

E-mail: nwadactr@uw.edu

For more information: www.nwadacenter.org

Disability Rights Washington

Disability Rights Washington (DRW) is a private, non-profit organization that protects the rights of people with disabilities statewide. It provides general information as a public service only and is not a legal advice. If you need legal advice, you should contact an attorney.

Contact DRW for:

- Disability rights information and referrals
- Problem solving strategies for disability issues
- Community education and training
- Legal services for disability discrimination or violation of rights

DRW work for change in policies, laws and systems that promote:

- Freedom from abuse and neglect
- Legal rights and responsibilities
- Adequately funded supports and services
- Communities that involve everyone

If you have questions about disability rights, contact Disability Rights Washington.

Disability Rights Washington

315 – 5th Avenue South, Suite 850

Seattle, WA 98104

Phone: (206) 324-1521 Voice

Phone: (800) 562-2702 Voice

Phone: (206) 957-0728 TTY

Phone: (800) 905-0209 TTY

Phone: (206) 957-0729 FAX

E-mail: info@dr-wa.org

For more information: www.disabilityrightswa.org

Northwest Justice Project

Northwest Justice Project (NJP), Washington's publicly funded legal aid program.

- Provides critical civil legal assistance in cases affecting basic human needs such as:
 - ~ lack of income
 - ~ problems with education
 - ~ employment or loss of employment
 - ~ discrimination
 - ~ family safety, security, housing preservation
 - ~ access to health care
- Represents low-income people
- They are establishing a new project – “Clear* ASL” - CLEAR is Washington's centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems. For more information: <http://nwjustice.org/get-legal-help>

If you have questions or want to learn more about their ASL project, contact Northwest Justice Project.

Northwest Justice Project

401 Second Avenue, Suite 407

Seattle, WA 98118

Phone: (206) 464-1519 Voice/FAX

Phone: (888) 201-1014 Voice

Phone: (888) 201-9736 FAX

For more information: <http://nwjustice.org/>

Federal Communications Commission (FCC) Captioning

The FCC addresses access to closed captioning. The FCC also provides expert advice and assistance to consumers. The FCC initiates rulemakings for the development of disability policy, conforming with existing disability laws and policies and supporting the goal of increasing accessibility of communications services and technologies.

Closed Captioning:

<http://www.fcc.gov/guides/closed-captioning>

Closed Captioning Guide - How to file a complaint:

<http://transition.fcc.gov/cgb/consumerfacts/closedcaption.pdf>

Captioning of Internet Protocol-Delivered Video Programming:

<http://www.fcc.gov/guides/captioning-internet-video-programming>

Captioning of Internet Video Programming Guide – How to file a complaint:

<http://transition.fcc.gov/cgb/consumerfacts/captionsinternet.pdf>

Federal Communications Commission

445 – 12th Street SW

Washington DC 20554

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Phone: 1-888-835-5322 TTY

Phone: 1-866-418-0232 FAX

E-mail: dro@fcc.gov

For more information: <http://www.fcc.gov/>