

DISCRIMINATION COMPLAINT INFORMATION

(OAR Division 006 may be reviewed in its entirety in your legal library)

291-006-0050 - Discrimination Complaint and Appeal Timelines

- (1) Discrimination complaints must be received by the discrimination complaint coordinator within 14 calendar days of the incident giving rise to the discrimination complaint unless the AIC can satisfactorily demonstrate why the discrimination could not be timely filed. Untimely discrimination complaints will be denied and returned to the AIC with a statement of the rule.
- (2) A discrimination complaint response by the functional unit manager or designee will be sent to the AIC within 70 calendar days from the date the complaint was accepted by the discrimination complaint coordinator, unless further investigation is necessary.
- (6) Discrimination complaints, discrimination complaint appeals, or responses may be consolidated by the department.

291-006-0055 - Discrimination Complaint and Appeal Submission Limits

- (1) An AIC shall have no more than four active complaints (discrimination complaints, grievances, or appeals from either) at any time. Any discrimination complaint or appeal submitted that exceeds that limit will be found to be an improper use of the grievance and discrimination complaint review systems and returned to the AIC with a statement of the rule.
- (2) An AIC may submit no more than a combined total of four initial discrimination complaints and AIC grievances in any calendar month.

291-006-0060 - Discrimination Complaint and Appeal Submission Requirements

- (1) An AIC who believes they have been subjected to unlawful discrimination by the department or by an employee, contractor, or volunteer of the department or the Oregon Corrections Enterprises on the basis of race, color, national origin, religion, gender, sex, sexual orientation, marital status, age, disability, or familial status may seek resolution of their complaint or issue through the department's internal discrimination complaint process by completing the department's approved discrimination complaint form and submitting it to the designated discrimination complaint coordinator.
- (4) A discrimination complaint must include a complete description of the incident, action, or application of rule that directly impacted the submitting AIC and how the AIC believes it has subjected them to discrimination on the basis of race, color, national origin, religion, gender, sex, sexual orientation, marital status, age, disability, or familial status.
- (7) If an AIC cannot complete the discrimination complaint form due to physical or mental impairments or language barriers, the AIC may contact the legal library for assistance. An AIC may also contact the discrimination complaint coordinator or institution ADA coordinator to request accommodation.
- (14) An AIC cannot file a discrimination complaint regarding the following:
 - (a) Actions or decisions outside the jurisdiction of the department (for example, actions by the Board of Parole and Post-Prison Supervision);
 - (b) Any matter that may be reviewed through a separate review process under the Department's rules. Examples include, but are not limited to, the review processes set out in the following Department rules: (See rule 006 for details)
 - (c) Conduct orders, investigations leading to a conduct order, or any conduct order sanction, except where a pattern of bias can be articulated;
 - (d) Misconduct reports, investigations leading to or arising from misconduct reports, or disciplinary hearings, findings, and sanctions, except where a pattern of bias can be articulated;
 - (e) Any matter that does not directly and personally affect the AIC.
 - (f) Any matters in which the AIC lacks personal knowledge of the incident or issue;
 - (g) Claims or issues the AIC has pursued or is pursuing in pending litigation in state or federal courts.
 - (h) The processing of or response to discrimination complaints, discrimination complaint appeals, grievances, grievance appeals or other separate review processes.