



**Department Policy No. HR-208-01**

<b>Title:</b>	Anti-Discrimination
<b>Former Number:</b>	03-201
<b>Authorizing Source:</b>	Titles VI and VII of the Civil Rights Act of 1964, as amended Section 504 of the Rehabilitation Act of 1973, as amended The Age Discrimination Act of 1975, as amended The Age Discrimination Employment Act of 1967, as amended The Americans with Disabilities Act of 1990, as amended Washington State Law Against Discrimination, RCW 49.60, as amended Washington State Executive Orders: 89-01, Sexual Harassment; 96-04, Reasonable Accommodation; and 93-07, Equal Employment Opportunity/Affirmative Action
<b>Information Contact:</b>	Human Resources Director Building # 33 (253) 512-7941
<b>Effective Date:</b>	January 1, 1998
<b>Mandatory Review Date:</b>	February 1, 2017
<b>Revised:</b>	February 1, 2013
<b>Approved By:</b>	 Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

**Purpose**

Maintain a work culture and environment within the Washington Military Department that is free from Discrimination.

## **Scope**

This policy applies to all state employees, applicants for state employment, contractors, and vendors.

## **Policy**

- a. The Washington Military Department prohibits discrimination on the basis of race, color, creed, national origin, sex, marital status, religion, age, sexual preference/orientation, gender identity, or the presence of any sensory, mental, or physical disability in all aspects of service delivery and employment. Accordingly, complaints alleging discrimination will receive prompt and effective treatment.
- b. It is the responsibility of all employees to maintain a work environment free from all forms of discrimination. Employees are prohibited from engaging in any form of discrimination based on protected group status, as noted above, in the course of conducting Department business. Employees who engage in such discriminator behavior may be subject to corrective and/or disciplinary action in accordance with Merit System Rules.
- c. Employees who believe that they have been discriminated against may file a discrimination complaint. No employee will be subject to any form of retaliation as a result of filing a discrimination complaint.

## **Procedure**

Employees that believe they have been subjected to unlawful discrimination should notify the Department as soon as possible, as outlined in the following procedure.

1. Complaints shall be in writing and include a description of the discriminatory act, including the location and date of the action, as well as the name, address, and phone number of complainant. Upon request, alternative means of filing complaints such as personal interview or tape recordings of the complaint will be made available for persons with disabilities.
2. All complaints alleging discrimination should be addressed to:  

Human Resources Director  
Washington Military Department  
State Human Resources Office  
Camp Murray, Building #33  
Tacoma, WA 98430-5006  
(253) 512-7940
3. Complaints alleging sexual harassment should be submitted in accordance with the Department's Sexual Harassment policy.

4. The Human Resources Director will provide written acknowledgment, of all complaints filed in accordance with this procedure, within seven (7) calendar days of their receipt. The acknowledgement will identify a point of contact and provide a reasonable time frame for further response to the complainant. All employees shall cooperate in all phases of the investigative process. The Human Resources Director may determine the need to request the investigation be completed by a neutral, outside party with appropriate investigation skills.
5. Complaints will be investigated, findings shall be addressed expeditiously, and a written response will be provided to the complainant. The response will advise complainants of their right to submit charges to the Washington State Human Rights Commission:

711 South Capitol Way, Suite 402  
Olympia, WA 98504-2490  
Toll Free (800) 233-3247  
TTY: (800) 300-7525

And/or

US Equal Employment Opportunity Commission  
Seattle Field Office  
Federal Office Building  
909 First Avenue, Suite 400  
Seattle, WA 98104-1061  
Toll Free (800) 669-4000  
TTY: (800) 669-6820

6. The investigation of discrimination complaints under this procedure shall be conducted in a confidential manner. Any employee who is a participant in the investigation and violates the confidentiality of the investigation where the integrity of the investigation could be compromised may be subject to corrective and/or disciplinary action in accordance with the Merit System Rules.
7. Employees of the Department who are not satisfied with the Human Resources Director's response to their complaint may request a review by the Adjutant General (Department Director). Requests must be submitted in writing within seven (7) calendar days of the Human Resources Director's written response. The Adjutant General (Department Director) or designee will review the Human Resources Director's response and attempt to seek resolution. The Adjutant General (Department Director) or designee will provide a written response to the employee within twenty-one (21) calendar days from the date of receipt. The response will notify the complainant of their right to seek resolution through appropriate administrative or civil procedure external to the Department. A copy of the response will be forwarded to the Human Resources Director.