

3. Why do you believe the unfair treatment was discrimination? (If others were treated better than you, give names, addresses and examples.) _____

4. List the names, addresses, job titles and telephone numbers (if possible) of witnesses, co-workers, or others you feel could provide evidence. Explain what you think each witness will be able to tell us.

Name and Address	Title/Relationship	Telephone Numbers	
		Home	Work

Can provide information regarding: _____

Name and Address	Title/Relationship	Telephone Numbers	
		Home	Work

Can provide information regarding: _____

(Use extra sheets of paper for additional witnesses, if necessary.)

5. EMPLOYMENT DATA: (Complete as many items as you can.)

- A. Date hired or applied for job: _____
- B. Job title/salary at time of discrimination: _____
- C. Name and title of immediate supervisor or interviewer: _____
- D. If your employment was terminated, who replaced you? _____
- E. If your employment was terminated or if you were refused a job, have you since been employed? Yes _____ No _____
 Date of hire: _____ Salary: _____ Job Title: _____
- F. If not hired:
 - < How did you know about the job and/or salary? _____
 - < Did you apply by written application or verbally? _____
 - < To whom did you submit the application? _____ Date _____
 - < How did you find out you had been refused? _____ Date _____
 - < Who got the job, salary, etc. (if known)? _____

6. Are you interested in participating in the Department's Pilot Mediation Program? Yes _____ No _____

7. Have you filed a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) before coming to DFEH? Yes _____ No _____ Date _____

8. Have you talked to an attorney concerning this problem? Yes _____ No _____

NAME _____ TELEPHONE (____) _____
Area Code

ADDRESS _____

9. PERSONAL DATA:

RACE/ETHNICITY (Check box that best describes) <input type="checkbox"/> Native American <input type="checkbox"/> Asian/Pacific Islander (specify) _____ <input type="checkbox"/> African-American <input type="checkbox"/> African - Other <input type="checkbox"/> Caucasian (non-Hispanic) <input type="checkbox"/> Hispanic (specify) _____		PRIMARY LANGUAGE _____
---	--	---------------------------

SOCIAL SECURITY NUMBER: _____ <small>(The Federal Privacy Act of 1974 prohibits a state government agency from requiring disclosure of an individual's Social Security Number. Disclosure of your Social Security Number is voluntary.)</small>	DATE OF BIRTH ____/____/____	SEX: <input type="checkbox"/> Male <input type="checkbox"/> Female
--	---------------------------------	---

DO NOT WRITE IN THIS AREA
INTERVIEWER'S NOTES

Complainant's assertions:

What does Complainant say the employer's position will be?

Comparative data/relevant information:

What does Complainant want as a remedy?

Complaint taken for investigation: Yes ___ No ___
If taken for filing purposes only, explain why:

If **NO**, was "b" offered? Yes ___ No ___

If not taken, rationale:

Complainant advised of Pilot Mediation Program? Yes ___ No ___

Complainant advised of statute of limitations? Yes ___ No ___

Date statute runs: _____

Complainant advised of other agencies? Yes ___ No ___

FOR OFFICIAL USE ONLY

DFEH CODE: LAW ___ BASIS ___ ACT ___ REJECT ___ PUBLIC ___



Welcome

Department of Fair Employment and Housing

News

Complaint Process

[About DFEH](#)

The Department of Fair Employment and Housing maintains the authority to investigate complaints of discrimination in the areas of employment, housing, public accommodations and hate violence. In Fiscal Year 2001/02, the Department filed 19,709 complaints.

[Statutes, Laws & FEHC Decisions](#)

[Complaint Process](#)

The following description of the complaint process is intended to help you understand our procedures and assist you through our system.

[Questions and Answers](#)

Our office hours are 8:00 am - 5:00 pm, Monday through Friday.

[Publications](#)

Persons with employment, public accommodation, hate violence or housing complaints may obtain the [DFEH Contact Information](#) and call the appropriate telephone number listed.

[Department Statistics](#)

[Director's Biography](#)

- [Employment Complaint Process](#)
- [Housing Complaint Process](#)
- [Public Accommodations Complaint Process](#)
- [Right to Sue Notice](#)

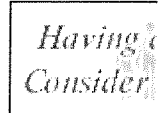
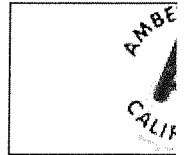
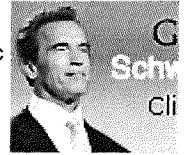
[Contact Us](#)

[Employment Opportunities](#)
(Updated 5/16/05)

- [Department of Fair Employment and Housing Intake Video \(English\)](#)
- [Department of Fair Employment and Housing Intake Video \(Spanish\)](#)

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Questions?

Please call, fax, or mail us your questions.

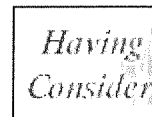
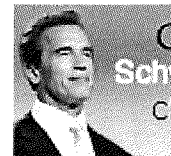
Telephone:

- Employment/Public Accommodations:
 - 1-800-884-1684 (Within California)
 - 1-916-227-0551 (Outside California)
- Housing:
 - 1-800-233-3212 (Within California)
 - 1-510-622-2945 (Outside California)
- Hate Violence:
 - 1-800-884-1684 (Outside Sacramento, CA)
 - 1-916-227-0551 (Inside Sacramento, CA)
- TTY:
 - 1-800-700-2320 (Within California)

Fax:

- Employment/Public Accommodations:
 - 1-916-227-2859
- Housing:
 - 1-510-622-2956

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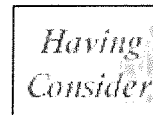
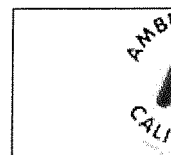
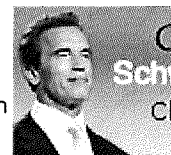
DFEH Contracting Opportunities



Employment Complaint Process

1. **Intake**
 1. Complainants are first interviewed to collect facts about possible discrimination. Every person wishing to file a complaint will be given a date, time and place where the interview will be held. Prior to the interview, a Pre-Complaint Questionnaire, (DFEH-600-03) English or (DFEH-600-03s) Spanish, should be obtained and filled out. You can obtain a copy of this questionnaire by contacting DFEH or by viewing the Publications page. This form should be brought to your scheduled interview.
2. **Filing**
 1. The interviewing Consultant drafts a formal complaint on the DFEH's standard form. It is signed and served on the Respondent.
 2. If accepted for investigation, the complaint is also filed with the United States Equal Employment Opportunity Commission (EEOC) if the matter falls within the jurisdiction of that agency. As a substantially equivalent agency, DFEH's findings are usually accepted by EEOC.
 3. The Respondent is required to answer the complaint and is given the opportunity to voluntarily resolve it. A no-fault resolution can be negotiated at any time during the complaint process.
 4. Complaints can be filed by individuals, the Director of DFEH, or a community organization.
3. **Investigation**
 1. DFEH investigates every case in a standard, timely manner.
 2. DFEH has the authority to issue subpoenas and interrogatories and to take depositions. The California courts enforce DFEH's discovery efforts.
 3. If the investigation does not show a violation of the law, DFEH will close the case.
4. **Conciliation**
 1. Formal conciliation conferences are scheduled by the District Administrator when the investigative findings show a violation of the law.
 2. During the conciliation conference, the Department presents information supporting its belief that there has been a violation and explores options to resolve the complaint.
 3. If formal conciliation fails, the District Administrator may recommend litigation.
5. **Litigation**
 1. After DFEH issues an accusation, DFEH legal staff may litigate the case in a public hearing before the Fair Employment and Housing Commission (FEHC). If emotional distress damages or administrative fines are sought, the Respondent may elect to have the case moved to a civil court. If the case is moved to court, the DFEH prosecutes, but the Complainant is the Real Party in Interest.
6. **Remedies**
 1. The FEHC may award or order reinstatement, back pay, out-of-pocket losses, affirmative relief, training, policy changes and emotional distress damages and administrative fines. Emotional distress damages and administrative fines are limited to a total of \$150,000 per Respondent. However, an additional award of up to \$25,000 may be ordered for violations of Civil Code section 51.7 (Hate Violence). In the event the matter is removed to Superior Court, remedies are identical, with three exceptions:
 - There is no limit on emotional distress damages.
 - Instead of administrative fines, unlimited punitive damages

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may be awarded.

- The prevailing party may recover their reasonable attorney's fees, expert witness fees and costs.

[Click here to view the "Employment Complaint Flow Chart"](#)

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