

FORT DODGE HUMAN RIGHTS COMMISSION COMPLAINT PROCESS

To: Complainant

A charge of discrimination has been filed. The local Human Rights Commission, acting under City and County ordinances, is empowered to receive and investigate complaints alleging discrimination. The complaint process is as follows:

1. The respondent must submit a position statement within fifteen days from receipt of notice of complaint. A position statement is a response to the allegations made in the complaint and could include documents and/or witness statements to support actions taken.
2. The local commission is a fact-finding agency. Three (3) members of the commission will be assigned to the case to work with the director of the agency. They will be known as the investigating, fact-finding committee. Their role is that of neutral fact-finders. They cannot take sides during the investigation process.
3. You have a right to have an attorney, but it is not mandatory; however, it would be at your own cost.
4. There is no charge to either party for the processing of your complaint.
5. Mediation is sometimes attempted to try to settle the case before the investigation is completed. This is a voluntary process which carries no-fault terms, should a settlement be negotiated.
6. The investigating, fact-finding committee may require the parties to appear at a fact-finding hearing. The purpose of this hearing is to gather as much information as possible through witnesses, both the Complainant and Respondent and from documents which you believe would be pertinent to your case.
7. The complainant is entitled to request a right to sue in District Court after 60 days have elapsed since the filing date if a no probable cause finding has not been issued or a conciliation agreement has not been reached. In addition the complainant has the right to transfer the case to the Iowa Civil Rights Commission upon request. In any of the above instances the case would be closed with the local commission.
8. The investigating, fact-finding committee may recommend to the human rights commission that the complaint be administratively closed if there is no useful purpose that would be served by further action by the human rights commission respecting a complaint.
9. After compiling the needed information the committee will present a summary report to the commission at a regularly scheduled meeting. The committee will make a recommendation for resolving this issue. Once a decision has been rendered by the commission both parties will be notified.
10. In the event of an administrative closure or a no probable cause decision the complainant will be given the opportunity to petition, in writing, for reopening of the case. The respondent will be

given the opportunity to contest a petition to reopen if submitted. The commission will make the decision whether to reopen the case or not based upon the additional evidence. Upon reinvestigation, if probable cause is found, we would then proceed with the procedures in item 11.

11. If there is a finding of probable cause the committee will be appointed to act as a conciliation committee, whose function is to seek agreement between the parties on a remedy. If conciliation is a success the case is closed. If conciliation should fail the next step is consideration for a public hearing.
12. A public hearing is held after conciliation efforts have failed. The case would be held before a hearing officer. The City or County Attorney will present the complainant's case on behalf of the commission. The respondent will have the opportunity to have an attorney of their choice present their case. The complainant or respondent may present documents and/or witnesses to further support your case.
13. The hearing officer will present a written findings of facts and conclusion to the human rights commission. The human rights commission then makes the final decision.

It is important that both parties keep the Human Rights Office notified of any change in address, phone number or change in status.

If you have questions please feel free to contact the Human Rights Office at the Municipal Building, 819 First Avenue South, Fort Dodge, or call (515) 576-2201.