

Alaska Department of Public Safety Procedures for Responding to Discrimination Complaints against Subrecipients

Subject: Procedures for responding to employment and services discrimination complaints from clients, customers, program participants, employees, applicants, or consumers of an Alaska Department of Public Safety subrecipient receiving federal financial assistance from the U.S. Department of Justice.

Policy Number: 2011-01

Effective: October 2011; Updated: October 2013; Updated: November 2019

I. Purpose

As a recipient of federal financial assistance from the U.S. Department of Justice (DOJ), the Alaska Department of Public Safety (DPS) is committed to, as a matter of principle, and in conformance with applicable federal laws, to prohibiting discrimination and behaviors which could constitute discrimination. Accordingly, this document establishes written procedures for individuals and DPS employees to follow in filing an employment or services discrimination complaint with DPS alleging discrimination by a DPS subrecipient receiving federal financial assistance from DOJ.

Complaints alleging discrimination by the DPS itself are processed in accordance with the State Ethics Act (AS 39.52 and 9AAC 52) and the Office of Professional Standards' Operating Procedures Manual, Chapter 101 (Standards of Conduct) and Chapter 111 (Department Investigations/Disciplinary Procedures) located on the DPS intranet at <http://dpsportal/Comm/OPM/Forms/AllItems.aspx>

II. Policy

DPS directs that all transactions, and the operation of the all DOJ-funded subrecipient programs, activities, and services, will not discriminate or retaliate on the basis of race, color, religion, national origin, sex, race, age, or disability. Additionally, subrecipients of funds under the Violence Against Women Act are additionally prohibited from discriminating on the basis of sexual orientation and gender identity. This policy applies to all employees of DPS and its DOJ-funded subrecipients to comply with the following federal nondiscrimination statutes and provisions.

- Section 601 of Title VI of the Civil Rights Acts of 1964; prohibiting discrimination in federally assisted programs based on race, color, and national origin in the delivery of service or benefits.
- Section 504 of the Rehabilitation Act of 1973; prohibiting discrimination in federally assisted programs based on disability both in employment and in the delivery of services or benefits.
- Section 901 of Title IX of the Education Amendments of 1972; prohibiting discrimination in federally assisted education programs based on sex both in employment and in the delivery of services or benefits.
- Section 303 of the Age Discrimination Act of 1975; prohibiting discrimination in federally assisted programs based on age in the delivery of services or benefits.
- Section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968; Subpart D, prohibiting discrimination in programs funded under the statute, both in

employment and in the delivery of services or benefits, based on race, color, national origin, sex, and religion and Subpart E, requiring certain DOJ-funded programs subject to the administrative provision of the statute to prepare, maintain, and submit an Equal Employment Opportunity Plan (EEOP).

- Section 1407(e) of the Victims of Crime Act of 1984; prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, religion, and disability.
- Section 40002(b)(13) of the Violence Against Women Act of 1994; prohibiting discrimination in programs either funded under the statute or administered by the Office on Violence Against Women, both in employment and in the delivery of services or benefits, based on actual or perceived race, color, national origin, sex, religion, disability, sexual orientation, and gender identity (referring to the Safe Streets Act for enforcement).
- 28 CFR Part 38 of the Regulations on Partnerships with Faith-based and Other Neighborhood Organizations.

III. Procedures

A. Filing a Complaint

A person who believes they have been harassed or subject to discriminatory treatment by a DOJ-funded subrecipient because of race, color, national origin, sex, sexual orientation, gender identity, age, disability, or has been retaliated against for engaging in protected activity, is urged to file a complaint through the Department of Public Safety, Grants Office, Attn: Grants Manager, 5700 East Tudor Road, Anchorage, AK 99507. Formal complaints can be filed within 180 days or one year, depending on the relevant statute, from the date of the alleged act of discrimination. The complaint should at a minimum include the following: name, address, and telephone number for the person filing the complaint, person who discriminated against you, and agency or organization involved in your complaint; nature of the discrimination involved; dates of the most recent discrimination; and explanation in detail what happened and how you were discriminated against. The complaint may be filed in a letter, by email at dps.grants@alaska.gov, in person, or over the phone. An individual may contact the Grants Office at 907-269-5082 to obtain policy clarification, advice, current email address, or assistance in filing a complaint. DPS will refer complaints to an external agency and will provide a letter to the complainant acknowledging the complaint has been received and how the complaint will be handled and that they can submit their complaint directly to the Office for Civil Rights if they so choose.

B. External Agencies

While DPS encourages individuals to file any employment or services discrimination complaint with the DPS, the agency's policies and procedures are not intended to impair or limit the rights of anyone to seek a remedy available under state or federal law. The aggrieved parties have the right to know they can file complaints of discrimination directly with the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, NW, Washington, DC 20531; for additional information and forms: <https://opj.gov/ocr/complaint.htm>

C. Policy Dissemination

These Procedures for Responding to Discrimination Complaints against Subrecipients will be made available to all employees, clients, customers, program participants, applicants, DOJ-funded subrecipients, and consumers. This policy will be included with information materials given to all new employees and to DOJ-funded subrecipients, posted in common areas of the agency's building, and

available on the DPS website. Non-discrimination clauses will also be incorporated in all agreements and award packets with DOJ-funded subrecipients.

IV. Training

DPS will provide training for agency employees who manage DOJ grant awards on the Procedures for Responding to Discrimination Complaints against Subrecipients once each grant cycle. The training will include an overview of complaint policies and procedures and online Civil Rights training offered by the Office of Civil Rights at <https://ojp.gov/about/ocr/ocr-training-videos/video-ocr-training.htm>