



Administrative Policy No. 18.69

Title: Delegation of Authority for Civil Rights Complaint Investigations

Authorizing Sources: Federal Civil Rights Laws and Executive Orders
[28 CFR 42.102](#) & [103](#) and [42.410](#)
[45 CFR](#) Department of Health & Human Services
RCW [49.60](#)
State Executive Orders [89-01](#), [93-03](#), and [93-07](#)

Information Contact: DSHS Human Resources

Effective Date: July 1, 2005

Revised: October 1, 2010

Approved By: original signed by Glen G. Christopherson
Senior Director, DSHS Human Resources

Purpose:

This policy recognizes the authority of the Department of Social and Health Services (DSHS) Human Resources to receive, investigate, make determinations, and/or resolve discrimination complaints.

Scope:

This policy applies to all DSHS programs and activities, and to services provided or made available by the department and its sub-recipients. This policy extends to employees, volunteers, and to all applicants for employment or benefits of DSHS and its subrecipients.

Definitions:

Sub-recipient: Any provider of services receiving federal financial assistance directly or indirectly from or through DSHS. This includes contractors, grantees, licensees, certified entities, and their sub-recipients of that assistance as designated in [28 CFR 42.102](#) and [103](#); [28 CFR 42.410](#) and [45 CFR 91.32](#). Excluded are Medical Assistance Administration sub-recipient service providers so designated in [45 CFR Parts 80](#) and [84](#), subparagraphs 80.2 and 84.3(h) and [Part B of Title XVIII](#) of the Social Security Act (Medicare).

Program: Any distinct service unit of DSHS, usually designated as a division, which designs, schedules, or plans services to be provided to DSHS employees or clients.

- A. The Senior Director, DSHS Human Resources has the authority to develop and carry out internal discrimination complaint procedures.
- B. DSHS Human Resources is authorized to:
 1. Investigate complaints alleging discrimination in services or employment because of race, color, national origin, creed, religion, sex, age (40 or over), sexual orientation, presence of any sensory, mental or physical disability, or the use of a trained guide dog or service animal by a person with a disability.
 - a. In employment only: Investigate complaints on the basis of marital status, disabled veteran status, Vietnam Era veteran status.
 - b. In Basic Food Program only: Based on political affiliation.
 2. Investigate complaints alleging retaliation because a person filed a complaint or assisted in the investigation of a complaint.
 3. Determine appropriate remedial or corrective action and make agreements for settlements in investigations where a violation of policy is found.
- C. All employees and offices will cooperate with the Senior Director, DSHS Human Resources in carrying out this policy.
- D. The complainant has a right to have access to his or her records as provided by the Public Records Act, [RCW 42.56](#).