

Civil Rights Policy

Purpose and Intent of Policy

The State of New Hampshire, Department of Health and Human Services (DHHS) does not discriminate because of race, creed, color, sex, age, political affiliation or belief, religion, national origin, sexual orientation, or handicap. There will be no unlawful discrimination in accepting or providing services or employment in any of the Department's programs or activities, and the Department will back this policy with appropriate sanctions, including disciplinary action as outlined in the Administrative Rules of the Division of Personnel.

General Policy Statement

Sexual harassment is a form of unlawful sex discrimination, and it is against Department policy for any employee to sexually harass another employee or beneficiary of services by:

- ❖ Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment; or a condition of an applicant/beneficiary's receipt of services; or
- ❖ Making submission to or rejection of such conduct the basis for employment decisions affecting the employee; or decisions affecting a person's eligibility for services; or
- ❖ Creating an intimidating, hostile, or offensive working environment.

The NH Department of Health and Human Services has adopted an internal complaint procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the US Department of Health and Human Services regulations (45 C.F.R. Parts 80, 84, 86, and 91) implementing Title IIV of the Civil Rights Act of 1964 (42 U.S.C. §2000d et. seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681), and the Age Discrimination Act of 1975 (42 U.S.C. §6101 et. seq.), or prohibited by the non-discrimination provisions of the applicable Federal block grant statutes (42 U.S.C. §§300w-7, 300c57, and 708).

Civil Rights Policy and Complaint Procedure

In order to avail themselves of the complaint procedure under this policy, any person who believes they have been the victim of unlawful discrimination must report the alleged act(s) to the Department of Health and Human Services' Civil Rights Officer or Human Resources as soon as possible.

- ❖ A complaint should identify the name, worksite, phone number and extension of the person filing it, and briefly describe the alleged action prohibited by policy, statute, and/or regulation in question.
- ❖ The Civil Rights Officer or designee will conduct and investigation of a complaint according to policy.
- ❖ A written decision determining the validity of the complaint will be issued, as soon as possible. Upon the substantiation of a complaint against an employee, disciplinary action may be taken in accordance with the Rules of the Division of Personnel.
- ❖ Retaliation of any kind against anyone who is involved in an allegation brought to the attention of the Department under this policy is strictly prohibited and may result in disciplinary action in accordance with the Rules of the Division of Personnel.

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- ❖ Supervisors who receive reports of inappropriate behavior are urged to contact Human Resources for directional information to determine whether or not to utilize an informational process to change behaviors prior to the behaviors rising to the level of a complaint.
- ❖ Complainants and others who witness acts of unlawful discrimination are strongly encouraged to promptly report such incidents to their supervisor, Human Resources, or Civil Rights Officer.
- ❖ The Department of Health and Human Services will provide education and information to all departmental employees about unlawful discrimination in the workplace, its cost and consequences, and the Department's policy and complaint procedure.

For More Information or to File a Complaint

Contact the Office of the Ombudsman, which has been designated to coordinate the efforts of NH DHHS's civil rights compliance:

Office of the Ombudsman

NH Dept. of Health & Human Services

129 Pleasant Street

Concord, NH 03301

Phone: (603) 271-6941; Toll-free: (800) 852-3345 ext. 6941

Fax: (603) 271-4632

TDD Access: Relay NH (800) 735-2964

Email: Ombudsman@dhhs.nh.gov