

What to Expect during the Complaint Process

NOTE - The parties may settle the matter at any time during the complaint process.

INTAKE	Intake staff are available to assist with filing a complaint of discrimination or referring to another agency if MCHR lacks jurisdiction over the matter.
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COMPLAINT IS FILED	After a complaint is filed, MCHR serves the complaint to the named respondents and invites the parties to mediate or settle the complaint. The complainant may ask for a Right to Sue Letter which would end MCHR's investigation. The complainant then has 90 days to file suit against the respondent.
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INVESTIGATION	The investigator acts as a neutral fact-finder and does not represent either party. The investigator gathers information and writes an investigative summary.
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DETERMINATION	Probable Cause: When discrimination is found, then conciliation is attempted. If the case is not settled, the chairperson of MCHR may dismiss the case or set it for a public hearing. No Probable Cause: When no discrimination is found MCHR closes its case and notifies the complainant of his or her right to sue. The complainant then has 90 days to file suit against the respondent.
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PUBLIC HEARING	At the public hearing, MCHR's case is generally presented by an assistant attorney general in front of a hearing examiner from the Administrative Hearing Commission. The hearing examiner conducts the hearing and recommends findings of fact and conclusions of law and order to a panel of three commissioners.
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FINAL DECISION AND ORDER	The Commission issues a Final Decision and Order. If no discrimination is found, then the case is dismissed. If discrimination is found, then remedies are ordered. Remedies may include re-instatement or promotion, back pay, and damages for pain, suffering, humiliation, and deprivation of rights. Both parties have the right to appeal the decision to state circuit court.

Education and Outreach

We want everyone to understand his or her rights and responsibilities under the law. We provide training sessions, presentations, and written materials on numerous topics. Please contact us for more information or visit our website at

www.labor.mo.gov/mohumanrights.

Contact Information

Missouri Commission on
Human Rights
P.O. Box 1129
Jefferson City, MO 65102-1129
E-mail: mchr@labor.mo.gov

To File a Discrimination Complaint, Contact:

The Missouri Commission on
Human Rights
Jefferson City Office: 573-751-3325
Toll Free: 877-781-4236
www.labor.mo.gov/mohumanrights

Relay Missouri:

If calling by home phone or cell phone, dial 711. All other callers should dial 800-735-2966.

**MISSOURI
DEPARTMENT OF LABOR
& INDUSTRIAL RELATIONS**

MCHR-42 (11-12) AI

Fighting Discrimination

A Guide for Taking Action



Learn about laws that protect you from discrimination in the workplace, in a place of public accommodation, or while buying or renting a house or apartment.

**MISSOURI
COMMISSION ON
HUMAN RIGHTS**

How the Commission Can Assist You

The Missouri Commission on Human Rights (MCHR) enforces the Missouri Human Rights Act to ensure employers, landlords and lenders, and places of public accommodations do not discriminate against people on the basis of age, race, color, religion, national origin, ancestry, sex, disability, or familial status.

MCHR provides equitable and timely resolutions by investigating and litigating complaints of discrimination. The Commission also works to prevent discrimination by providing training on non-discriminatory practices.

Areas of Discrimination

Employment Discrimination:

The law prohibits discriminatory employment practices by private employers with at least six employees, state and local governments, employment agencies, labor organizations, and apprenticeship or other training programs. Examples of employment discrimination include:

- During a job interview, asking the applicant if he or she has the energy or endurance to do the job because of his or her age
- Refusing to hire someone because the applicant has an accent
- Paying females less than males who do the same work
- Failing to reasonably accommodate an employee who needs time off for a religious holiday
- Demoting or firing an employee

who filed a discrimination complaint

- Allowing employees to display sexually suggestive calendars and tell sexually offensive jokes. (Sexual harassment is a form of sex discrimination.)

Housing Discrimination:

The law prohibits discrimination in the terms and conditions of the sale or rental of housing and in the advertising and financing of housing. Falsely representing that a house or apartment is not available for sale or rent also is prohibited under the law. Examples of housing discrimination include:

- Refusing to allow renters who use wheelchairs to install ramps and widen doorways
- Refusing to rent above-the-ground-floor apartments to families with children
- Charging an individual higher interest rates on housing loans based on the borrower's race.

Public Accommodations Discrimination:

The law prohibits discrimination by businesses that provide goods or services to the general public in Missouri. This includes hotels, restaurants, bars, sporting arenas, theaters, and retail stores. Examples of public accommodations discrimination include:

- Giving poor service to diners in a restaurant because of their race
- Refusing to serve a customer with a service animal in a restaurant, store or other public facility.

Coverage under the Missouri Human Rights Act

The Missouri Human Rights Act at a Glance			
The law protects individuals from discrimination based on:	Employment	Housing	Public Accommodations
Race	√	√	√
Sex	√	√	√
National Origin	√	√	√
Ancestry	√	√	√
Color	√	√	√
Religion	√	√	√
Disability	√	√	√
Retaliation	√	√	√
Age (40-69)	√		
Familial Status (Family with minor children)		√	

Filing a Complaint under the Act

Individuals who feel they have been discriminated against in violation of the Missouri Human Rights Act may file a complaint with MCHR. All complaints must be filed with MCHR within 180 days of the alleged discrimination. (For claims made under federal statutes, complaints of employment discrimination must be made within 300 days, and complaints of housing discrimination must be made within

365 days, of the alleged discrimination.)

MCHR investigators are professional and unbiased, and MCHR encourages the parties to resolve complaints by negotiating settlements through MCHR's alternative dispute resolution process. If discrimination is found, MCHR will seek fair remedies. All complaints submitted to MCHR are confidential. (To file a discrimination complaint, see the back for contact information.)

Retaliation

Missouri law protects the complainant during the complaint process. It is illegal for anyone to take action against a person because he or she filed a complaint with MCHR or assisted in an investigation.

How MCHR Can Assist You

Federal rights are also protected because MCHR has work sharing agreements with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development whereby complaints filed with MCHR are also automatically filed with EEOC or HUD.

Representation Rights

All parties to a complaint have the right to hire an attorney, but that is not a requirement at any stage of an MCHR investigation. If the *Complainant* or *Respondent* hires an attorney, then MCHR must receive a letter confirming representation before MCHR will work with the attorney.