

API Legal Outreach

Civil Rights Complaints & Grievances Policy

(For Allegations of Discrimination and Retaliation)

1. Purpose

The purpose of this policy is to provide a clear, accessible, and fair process for clients, participants, and beneficiaries to file complaints or grievances alleging discrimination or retaliation in connection with programs, services, or activities of Asian Pacific Islander Legal Outreach ("APILO").

2. Scope

This policy applies to:

- All clients, participants, callers, and beneficiaries of APILO's services and programs
- Applicants for services or employment

It covers complaints that allege discrimination or retaliation by APILO or any of its employees, volunteers, or representatives in connection with APILO's programs or services.

Non-discrimination in services is also described in APILO's Client Non-Discrimination Notice, which is posted at APILO offices and on APILO's website.

3. Non-Discrimination and Protected Classes

APILO does not discriminate in the delivery of services, benefits, or employment practices based on:

race, color, national origin, ancestry, limited English proficiency, religion, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, sexual orientation, age, disability (mental or physical), marital status, medical condition, genetic information, immigration or citizenship status, military or veteran status, political affiliation, or any other status protected by federal, state, or local law.

Retaliation against any person for asserting their rights, filing a complaint, participating in an investigation, or opposing discrimination in good faith is strictly prohibited.

4. Definitions

- **Discrimination:** Unfair or unequal treatment of a person or group based on one or more protected characteristics listed above. (please see Civil Rights Department, *Discrimination at Business Establishments*, <https://civildrights.ca.gov/unruh/>)
- **Retaliation:** Any adverse action taken against a person because they filed or assisted with a complaint, opposed discrimination, or participated in an investigation or hearing related to discrimination.
- **Complainant:** The person who makes a complaint of discrimination or retaliation (on their own behalf or on behalf of someone else).
- **Respondent:** The person, program, or entity alleged to have engaged in discrimination or retaliation.

5. Civil Rights Coordinator

APILO designates the following person to coordinate its compliance with federal and state civil rights and non-discrimination laws and to oversee the complaint process under this policy:

Kenny Song, Deputy Director
Asian Pacific Islander Legal Outreach
1121 Mission Street
San Francisco, CA 94103
Phone: (415) 567-6255
Email: ksong@apilegaloutreach.org

APILO may update the coordinator designation in the future; the identity and contact information of the current coordinator will be posted on APILO's website and client-facing materials.

6. Who May File a Complaint

The following may file a complaint under this policy:

- Employees, volunteers, or interns of APILO
- Clients, participants, and beneficiaries of APILO services
- Applicants for APILO services or employment
- Parents, guardians, or authorized representatives acting on behalf of a minor or another person
- Any person who believes they have been harmed by discrimination or retaliation in connection with APILO's programs or services

Complaints may be filed on one's own behalf or on behalf of another person.

7. How to File a Discrimination or Retaliation Complaint

A complaint can be filed in **any of the following ways**:

- **In writing** (letter, email, APILO grievance form)
- **Orally**, in person or by phone
- **With assistance**, including interpretation or disability accommodation, upon request

a. Internal Filing with APILO

Complaints may be submitted to the Civil Rights Coordinator or any APILO Manager, Managing Attorney, or the Executive Director, who must promptly forward the complaint to the Civil Rights Coordinator.

b. Filing an Anonymous Complaint

Yes, you can file your complaint anonymously (meaning you do not have to disclose your name or identifying information). It is important to know, however, that this might make it difficult or impossible to investigate your complaint.

c. Timeframe

Complaints should be filed as soon as possible after the alleged discrimination or retaliation. In general, APILO encourages filing within 180 days of the alleged incident or when the complainant became aware of it. Complaints filed after this period will still be considered to the extent possible.

8. Contents of a Complaint

A complaint should, where possible, include:

- The complainant's name and contact information (unless anonymous)
- The name(s) of the person(s) or program(s) alleged to have discriminated or retaliated
- A description of what happened (who, what, when, where, how)
- The protected characteristic(s) involved (e.g., race, disability, language, gender identity)
- Any witnesses or documents that may support the complaint
- The relief or outcome sought, if any

If a complainant cannot provide this information in writing, APILO staff will assist in documenting the complaint.

9. Assistance, Language Access, and Disability Accommodation

APILO will provide reasonable accommodations and language assistance free of charge to help individuals file and pursue complaints, including but not limited to:

- Interpreters or bilingual staff

- Translation of complaint forms
- Assistance completing forms or writing statements
- Alternative formats (large print, verbal explanation, etc.)

Requests for assistance can be made to the Civil Rights Coordinator or any APILO staff member.

10. Complaint Review, Investigation, and Timelines

a. Acknowledgment

Within 10 working days of receiving a complaint, the Civil Rights Coordinator (or designee) will acknowledge receipt to the complainant (unless anonymous) and confirm whether the complaint will proceed under this Civil Rights Complaints & Grievances Policy or be referred to another APILO process.

b. Initial Screening

The Coordinator will determine whether the complaint:

1. Alleges discrimination or retaliation based on one or more protected characteristics, and
2. Involves APILO services, activities, or personnel.

If the complaint does not allege discrimination or retaliation, it may be handled under APILO's general grievance or HR policies. The complainant will be informed of this decision in writing within 60 days of when the complaint was received.

c. Assignment of Investigator

If the complaint proceeds under this policy, APILO will assign a neutral investigator who:

- Has not been involved in the alleged incident
- Does not supervise any individual accused of discrimination or retaliation
- Does not have a conflict of interest

The investigator may be the Civil Rights Coordinator or another designated staff member, or an external investigator if appropriate.

d. Investigation Process

The investigator will:

- Interview the complainant (if identifiable and willing)
- Interview the person(s) alleged to have engaged in discrimination or retaliation
- Interview relevant witnesses
- Review relevant documents and evidence
- Consider accommodations needed for participants during the process

Both complainant and respondent will have a reasonable opportunity to present information and respond to allegations.

After the Investigation, the investigator writes an investigation report. The investigation report must address all issues raised in the complaint and determine whether discrimination occurred. The investigation report is then sent to APILO management for review, to ensure that the investigation was completed based on APILO regulations, and that the report outcomes comply with civil rights laws and regulations. APILO management must approve the investigation report before the case can be closed.

Once the investigation report is approved by APILO management, the complainant will receive a letter explaining the evidence the investigator reviewed, the outcome of the investigation, whether discrimination happened, and if so, what APILO plans to do to correct the issues.

APILO does not represent anyone in the discrimination complaint process. APILO is also unable to appoint a representative for the complainant. The complainant must find their own representation or counsel.

e. Timeline for Resolution

APILO will strive to complete the investigation and issue a written determination within 60 calendar days of receiving the complaint. If more time is needed due to complexity or other good cause, APILO will notify the complainant in writing with an updated time estimate. You are protected from retaliation for filing a discrimination complaint. *See Section (4) above, Retaliation.*

11. Determination and Corrective Action

At the conclusion of the investigation, APILO will issue a written decision that includes:

- A summary of the allegations
- A summary of the evidence considered
- A finding as to whether discrimination or retaliation occurred
- Any corrective actions or remedies APILO will implement, which may include, but not limited to the following (as appropriate):
 - Training or coaching
 - Policy or practice changes
 - Enhanced language access or disability accommodations
 - Limitations on staff participation in certain activities
 - Other steps reasonably calculated to prevent recurrence

The written decision will be provided to the complainant (if identifiable) and, to the extent appropriate, the respondent, consistent with privacy and confidentiality laws.

12. Appeal or Request for Reconsideration

If the complainant disagrees with the outcome, they may submit a written request for reconsideration to APILO's Executive Director within 30 calendar days of the date of the decision.

The Executive Director (or designee) will review:

- The complaint
- The investigative record
- The reasons for requesting reconsideration

The Executive Director may uphold, modify, or overturn the decision, or order further investigation. A written response to the appeal will be provided within 60 calendar days, where feasible.

This internal appeal does not limit the complainant's right to file externally with state or federal civil rights agencies.

13. Confidentiality and Records

APILO will handle complaints as confidentially as reasonably possible, sharing information only with those who need it to investigate and resolve the matter or as required by law.

APILO will maintain records of:

- Complaints received
- Investigations conducted
- Findings and decisions
- Corrective actions taken

for at least the period required by funders and applicable law.

14. Non-Retaliation

APILO strictly prohibits retaliation against any person who:

- Files a complaint of discrimination or retaliation
- Participates in an investigation, hearing, or proceeding
- Opposes practices they reasonably believe are discriminatory

Any alleged retaliation may be reported and will be handled as a separate complaint under this policy.

15. External Complaint Options

Using APILO's internal complaint procedure is optional. Individuals may also file complaints directly with one or more of the following agencies:

California Governor's Office of Emergency Services (Cal OES)

Civil Rights & Equal Opportunity Office
3650 Schriever Avenue
Mather, CA 95655 [Cal OES](#)
Email: eeo@caloes.ca.gov

U.S. Department of Justice – Office for Civil Rights (OCR)

Office for Civil Rights, Office of Justice Programs
U.S. Department of Justice
810 7th Street NW
Washington, DC 20531
Email: AskOCR@usdoj.gov

California Civil Rights Department (CRD)

651 Bannan Street, Suite 200
Sacramento, CA 95811
Phone: (800) 884-1684
Email: contact.center@calcivilrights.ca.gov

COMPLAINT OF DISCRIMINATION

Name	Program Type
Street Address	Case Number
City, State, Zip Code	Phone Number

I believe I have been discriminated against on the basis of:

- | | | |
|--|---|---|
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Sex | <input type="checkbox"/> Medical Condition |
| <input type="checkbox"/> Color | <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Race | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Political Affiliation |
| <input type="checkbox"/> Ethnic Group | <input type="checkbox"/> Marital Status | <input type="checkbox"/> Disability |
| <input type="checkbox"/> Age | <input type="checkbox"/> Domestic Partnership | <input type="checkbox"/> Any Other Applicable Basis _____ |

Name Of Person Who Discriminated	Title	Date Of Occurrence	Place Of Occurrence Agency

Describe in your own words what action(s) have happened to lead you to believe you have been discriminated against.

Indicate what resolution you are seeking.

I understand the above information is true and complete to the best of my knowledge and belief.

- ☐ I do not give my consent for the release of my name or other personally identifying information. I understand that this complaint may not be investigated as a result of my refusal to give my consent for the release of information.
- ☐ By signing this complaint, I am authorizing the Asian Pacific Islander Legal Outreach to reveal my identity and other personal information to persons at the organization or institution under investigation and to other Federal and State agencies in accordance with applicable federal and state laws and regulations. I hereby authorize CRB to receive material and information including, but not limited to applications, case files, personal records, and medical records. The material and information shall be used for authorized civil rights compliance and enforcement activities. I understand that I am not required to authorize this release and I do so voluntarily.

Complainant's Signature	Date
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