



The College of New Jersey
Procedures for Internal Complaints Alleging Discrimination in the Workplace/Educational Environment

I. Complaint Reporting: All employees and students have the right and are encouraged to immediately report suspected violations of this Policy. Employees and students should make every effort to report complaints promptly. Delays in reporting may not only hinder a proper investigation, but may also unnecessarily subject the individual to continued prohibited conduct.

1. Employees can report incidents of discrimination to either the EEO/AA Office, Brower Student Center, Room 202, 609-771-3139, eeo@tcnj.edu, or to the Office of Human Resources or to any supervisor designated by the employee's department head to receive workplace discrimination complaints at The College of New Jersey. Students may report such incidents to the EEO/AA Office, Brower Student Center, Room 202, 609-771-3139, eeo@tcnj.edu, or to a Dean or the Provost of the College.
2. Supervisory employees should immediately report all alleged violations of the Policy, whether reported by an employee or observed directly, to the EEO/AA Office, Brower Student Center, Room 202, 609-771-3139, eeo@tcnj.edu.
3. If reporting a complaint to any of the persons set forth above presents a conflict of interest, the complaint may be filed directly to the New Jersey Department of Personnel, Division of EEO/AA, P.O. Box 315, Trenton, NJ 08625. An example of such a conflict would be where the individual against whom the complaint is made is involved in the intake, investigative or decision making process.
4. While not mandatory, in order to facilitate a prompt, thorough and impartial investigation, all complainants should fill out a Discrimination Complaint Processing Form (DPF-481).

II. Investigation Process

1. During the initial intake of a complaint, the EEO/AA Officer or authorized designee will obtain information regarding the workplace discrimination, harassment or hostile environment complaint, and determine if intermediate protective measures are necessary to prevent continued violations of the Policy.
2. At the EEO/AA Officer's direction, when necessary, a prompt, thorough, and impartial investigation into the alleged harassment or discrimination will take place. All investigations of discrimination/harassment claims shall be conducted in a way that respects, to the extent possible, the privacy of all the persons involved.
3. An investigatory report will be prepared by the EEO/AA Officer or his or her designee when the investigation is completed. The report will include: (a) a summary of the complaint; (b) a summary of the facts developed through the investigation and (c) an

analysis of the allegations and the facts. The investigatory report will be submitted to the President or his or her designee who will issue a final determination.

4. Where a violation of this Policy is found to have occurred, the College shall take prompt and appropriate remedial action to stop the behavior and deter its reoccurrence. The College shall also have the authority to take prompt and appropriate remedial action, such as moving two employees apart, before a final determination has been made regarding whether a violation of this policy has occurred. The remedial action taken may include counseling, training, intervention, mediation, and/or the initiation of disciplinary action up to and including termination of employment.

III. Complaint Resolution

1. The President or authorized designee will review the investigatory report issued by the EEO/AA Officer or authorized designee, and make a determination as to whether the allegation of a violation of the Policy has been substantiated. If a violation has occurred, the President or authorized designee will determine the appropriate corrective measures necessary to immediately remedy the violation.
2. The President or authorized designee will issue a final letter of determination to all parties, containing the results of the investigation and setting forth the complainant's right of appeal to the Merit System Board. The Division of EEO/AA, Department of Personnel shall be furnished with a copy of the final letter of determination.
 - a. The investigation of a complaint shall be completed and a final letter of determination shall be issued no later than 120 days after the initial intake of the complaint referred to in II.(1) above.
 - b. The time for completing the investigation and issuance of a final letter of determination may be extended by the President or authorized designee for up to 60 additional days in cases involving exceptional circumstances. The President or authorized designee shall provide the Division of EEO/AA and all parties with written notice of any extension and shall include in the notice an explanation of the exceptional circumstances supporting the extension.

IV. Appeal Process: If the complainant disagrees with the determination of The College of New Jersey, depending on the complainant's status as a career, unclassified, or senior executive service employee or applicant for employment, he or she may have the right to submit a written appeal, within twenty days of the receipt of the letter of determination from the College to the Merit System Board, P.O. Box 312, Trenton, NJ 08625. The appeal should contain a concise explanation of the disagreement. Regulations governing the appeal process are set forth at N.J.A.C. 4A: 7-3.2.

V. Filing with External Agencies: Any employee can file a complaint directly with external agencies that investigate discrimination/harassment charges in addition to utilizing this internal procedure. The time frames for filing complaints with external agencies indicated below are provided for informational purposes only. You should contact the specific agency to obtain exact time frames. The deadlines run from the last date of unlawful harassment or discrimination, not from the date that the internal workplace discrimination/harassment complaint to the employer is resolved.

Employees may file complaints with the following agencies:

**Division on Civil Rights
N.J. Department of Law and Public Safety
180 days for violation of State Law**

Trenton Regional Office
140 East Front Street
6th Floor – P.O. Box 089
Trenton, NJ 08625-0089
(609) 292-4605

Newark Regional Office¹
31 Clinton Street
P.O. Box 46001
Newark, NJ 07102
(973) 648-2700

Camden Regional Office
One Port Center
2 Riverside Drive, Suite 402
Camden, NJ 08103
(856) 614-2550

Atlantic City Satellite Office
26 Pennsylvania Avenue
Atlantic City, NJ 08401
(609) 441-3100

**United States Equal Employment
Opportunity Commission (EEOC)
300 days**

Philadelphia District Office²
801 Market Street, Suite 1300,
Philadelphia, PA
19107-3127
(215) 440-2600

Newark District Office
1 Newark Center
21st Floor
Newark, NJ 07102-5233
(973) 645-6385

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See N.J.A.C. 4A:7-3.2

¹ Newark Regional Office has jurisdiction over the State of New Jersey Counties of Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union and Warren.

² Philadelphia District Office has jurisdiction over the State of New Jersey counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean and Salem.