

## **DEPARTMENT OF NATURAL RESOURCES NON-EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE**

The Department of Natural Resources (herein referred to as DNR or the Department) prohibits discrimination, intimidation and/or retaliatory conduct on the basis of race; color; national origin, including limited English proficiency; sex; age; or disability in the administration of its programs or activities, as required by applicable laws and regulations. Such regulations include Title VI of the Civil Service Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act, as amended (ADAAA); and other applicable federal non-discrimination laws, including Section 13 of the Federal Water Pollution Control Act Amendments of 1972 and 40 C.F.R. Parts 5 and 7.

DNR's Equal Access Coordinator (EAC) shall be responsible for coordination and implementation of the complaint procedures outlined herein. The EAC will receive and review complaints, communicate with complainants, investigate complaints or arrange for the investigation of complaints, issue letters and notices, and perform other actions necessary to fulfill DNR's obligations under non-discrimination statutes.

The non-employee complaint procedure is as follows:

- A. A complaint regarding discrimination in or language access to DNR's services, programs and activities should be submitted by the complainant (non-employee) or his/her designee as soon as possible but no later than one-hundred eighty (180) calendar days of the last alleged incident to:

James Devitt, Equal Access Coordinator  
Department of Natural Resources  
617 N. 3<sup>rd</sup> Street, Room 1228  
Baton Rouge, Louisiana 70802  
(225) 342-2614  
[James.Devitt@la.gov](mailto:James.Devitt@la.gov)

- B. The complaint must include the following information:

1. Name, address, and telephone number of the complainant;
2. The basis of the alleged discrimination (i.e., race, color, national origin, sex, age or disability);
3. The date(s) on which the alleged discriminatory event(s) occurred;
4. Description of the alleged incident(s), including what led complainant to feel discrimination was a factor;
5. Names, addresses, and telephone numbers of persons who may have knowledge of the event(s);

6. If a complaint has been filed with another agency or court, the agency or court where it was filed and contact name;
  7. Complainant's signature and date.
- C. If the complainant is unable to submit a written complaint, DNR's EAC should be contacted in order to request reasonable accommodations to this procedure. Such accommodations may include, but are not limited to, using a relay service to communicate with a complainant who has a hearing impairment or arrange for interpretive services for those with limited English proficiency. DNR will work to ensure that individuals have full access to the complaint filing and investigative process.
- D. Upon receipt of a complaint, the EAC shall review the complaint to determine whether DNR has jurisdiction to investigate the issues presented and shall issue a written response as follows:
1. If DNR does not have jurisdiction, a no jurisdiction letter will be issued within five (5) business days of said determination.
  2. If DNR has jurisdiction, a letter of acceptance will be issued within five (5) business days of said determination.
- E. Once a letter of acceptance has been issued, the EAC shall:
1. Notify the Office/Division that is the subject of the complaint and request a response to the complaint.
  2. Conduct an appropriate, prompt and impartial investigation of the allegations, which may include interviews of complainant, DNR employees, and witnesses to the alleged discrimination, as well as review of any physical or written evidence. A preponderance of the evidence standard will be applied during the analysis of the complaint.
  3. Attempt, if possible, to conciliate and resolve the complaint through a mutually agreeable solution.
  4. Issue a written response to the complainant at the conclusion of the investigation as follows:
    - A closure letter summarizing the allegations and stating that the case will be closed, given that no violation was determined;
    - A letter of resolution summarizing the allegations and describing the informal resolution mutually agreed to by the complainant and the Department; or,
    - A letter of finding summarizing the allegations, as well as the investigative process, and explaining any remedial actions to be taken by the Department to address the findings.

- F. The EAC shall maintain copies of complaints and documentation related to the investigation/resolution thereof for a period of not less than two (2) years.

The above procedures do not limit or deny the right of the complainant to file a complaint with state or federal agencies, or to seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.