



DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

STATE CONTRACT NONDISCRIMINATION REQUIREMENT COMPLAINT FORM

This form is for filing a complaint that a state contract with an employer who is a contractor with the state for public works or for goods or services does not conform to the requirements of Cal. Government Code section 12990(c), or that the contractor or subcontractor has not complied with that section. Section 12990(c) requires that every state contract and subcontract for public works or for goods or services contain a nondiscrimination clause prohibiting discrimination on the bases enumerated by the Fair Employment and Housing Act. Contractors and subcontractors are also required to give written notice of their obligations under the nondiscrimination clause to labor organizations with which they have a collective bargaining or other agreement. This notice requirement also must be specified within the nondiscrimination clause itself.

If you would like to make a complaint regarding a state contract, or any other form of discrimination, you may use the Department's online system (www.dfeh.ca.gov), contact the Communication Center at 800-884-1684 (voice or via relay operator 711), or 800-700-2320 (TTY), or email contact.center@dfeh.ca.gov to schedule an appointment.

LANGUAGE ASSISTANCE AND REPRESENTATION

Do you need an interpreter during the complaint process?

Yes No Language _____

Are you being assisted by a lawyer or other advocate? Yes No

ADVOCATE/LAWYER'S NAME: _____ TELEPHONE NUMBER: _____

ORGANIZATION OR FIRM: _____

ADDRESS: _____ EMAIL ADDRESS: _____

CITY/STATE/ZIP: _____

YOUR INFORMATION

YOUR NAME: _____ TELEPHONE NUMBER: _____

ADDRESS: _____ EMAIL ADDRESS: _____

CITY/STATE/ZIP: _____

INFORMATION REGARDING THE STATE CONTRACTOR OR SUBCONTRACTOR

NAME OF THE EMPLOYER: _____ TELEPHONE NUMBER: _____

ADDRESS of EMPLOYER: _____

CITY/STATE/ZIP: _____

ADDRESS WHERE YOU WORK (IF DIFFERENT): _____

CITY/STATE/ZIP: _____

TYPE OF BUSINESS: _____

TYPE OF WORK PERFORMED: _____

NUMBER OF EMPLOYEES: _____

INFORMATION REGARDING THE STATE AGENCY WITH WHICH THE CONTRACT WAS MADE

NAME OF THE AGENCY: _____ TELEPHONE NUMBER: _____

ADDRESS of AGENCY: _____

CITY/STATE/ZIP: _____

COMPLAINT

Please describe your complaint about the contract nondiscrimination clause requirement.

Check all that apply:

- State contract or subcontract for public works or for goods or services does not contain nondiscrimination clause or nondiscrimination clause is incomplete.
- Nondiscrimination clause does not require contractor or subcontractor to give written notice of their obligations under the clause to labor organizations with which they have agreements.
- Notice of the contractor or subcontractor’s obligations under the nondiscrimination clause was not provided to a labor organization with which the contractor or subcontractor has an agreement.
- Other _____

WHAT TYPE OF RESOLUTION ARE YOU SEEKING? (please explain)

Have you filed a complaint of harassment, discrimination or retaliation against the employer?

- Yes [_____] No
- date filed, case number

Signature: _____

Date: _____

California Department of Fair Employment & Housing Privacy Policy

The California Department of Fair Employment & Housing (DFEH) has adopted this Privacy Policy, effective January 1, 2017. DFEH values the security and privacy of your personal information and is committed to protecting your privacy rights. The DFEH seeks only to collect relevant personal information that enables us to assist you in investigating and resolving complaints of discrimination as prescribed by California Government Code sections 11135 et seq., 12900 et seq., and California Civil Code sections 51, 51.7, 52.5, and 54 et seq.

All personal information we collect is governed by the State of California Information Practices Act of 1977 (Civ. Code, §§ 1798-1798.78), Government Code sections 11015.5 and 11019.9, and the California Public Records Act (Gov. Code § 6250 et seq.).

Outlined below is our online Privacy Policy and Notice:

- [Legal Authority for Collection and Use of Information](#)
- [Disclosure and Sharing](#)
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- [Cookies](#)
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Legal Authority for Collection and Use of Information

We collect information that may be directly associated with a specific person. We call this "Personal Information," and it includes, names, addresses, telephone numbers and email addresses. We collect this Personal Information through lawful means from individuals who seek to file a complaint with the DFEH, and we use this information to establish jurisdiction and to conduct an investigation of any allegations of Civil Rights violations. If you seek to file a complaint, you are required to provide us with sufficient information in accordance with California Government Code sections 11135 et seq., 12900 et seq., and California Civil Code sections 51, 51.7, 52.5, and 54 et seq.

Disclosure and Sharing

January 1, 2017

We do not sell your personal information. Government Code section 11015.5, subdivision (6), prohibits DFEH and all state agencies from distributing or selling any electronically collected personal information about users to any third party without the permission of the user. Any distribution of electronically collected personal information will be solely for the purposes for which it was provided to us, as described below.

We also may share your personal information under the following circumstances:

1. You give us permission.

2. We receive a request from a party with legal authority to obtain the information, such as a subpoena.
3. As authorized by law, it is transferred to / shared with the U.S. Equal Employment Opportunity Commission, the National Labor Relations Board, the U.S. Department of Labor, the U.S. Department of Housing and Urban Development, the U.S. Department of Health and Human Services, the U.S. Department of Education, the U.S. Department of Justice, or any branch of the California State Government, or any other local or Federal agency with similar jurisdiction.
4. Non personal information, including the allegations in the complaint document itself, may be disclosed to the public under the California Public Records Act.

What happens to information you submit to us?

The Personal Information we obtain from you will be used for the purposes for which it was provided: to further the DFEH's efforts to investigate and attempt to resolve the allegations of unlawful discrimination, harassment and/or retaliation that you filed. Electronically collected Personal Information we gather about visits to our website is used to help us improve the user experience and for basic web metrics of our website.

Links

Our website may contain links to other websites on the Internet that are owned and operated by third parties. DFEH does not control the privacy policies or practices of these websites. You are advised to review the privacy policies of the third party offering the website before providing any personal information to these websites. DFEH is not responsible for the content or practices of any linked third party website and such third party websites are provided solely for the convenience and information to our visitors.

Cookies

We do not collect information such as names, addresses, and emails from individuals browsing DFEH's website. However, when you visit our website, a "cookie" may be saved on your computer. A cookie is a tiny piece of data stored by your browser that helps us recognize your unique computer and your preferences when using our website. The information DFEH automatically collects may include the type of browser used, date and time you visited the site, and web pages you visited. This information is collected to improve the user experience and for basic web metrics. The information is deleted after 30 days. This type of electronic information collection is permitted by law and is exempt from requests made under the Public Records Act.

You can refuse the cookie or delete the cookie file from your computer after you visit our website. You can find instructions for managing cookie controls on websites for particular browsers. For example:

- [Microsoft Internet Explorer browsers](#)
- [Macintosh Safari browsers](#)
- [Mozilla Firefox browsers](#)

Public Disclosure

In the State of California, laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by state government. At the same time, there are exceptions to the public's right to access public records.

These exceptions serve various needs including maintaining the privacy of individuals. Both state and federal laws provide exceptions. All information collected at this site becomes a public record that may be subject to

inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Privacy Notice and the Public Records Act, the Information Practices Act and/or other law governing the disclosure of records, the Public Records Act, the Information Practices Act and/or other applicable law will control.

Minors

We recognize the importance of protecting privacy where minors (a person under 18 years of age) are involved. We are committed to protecting the privacy of minors and do not knowingly collect personal information from minors or create profiles of minors through our website. Users are cautioned, however, that the collection of personal information submitted online or in an e-mail will be treated as though it was submitted by an adult. DFEH strongly encourages parents, guardians and adults to be involved in the internet activities of their children or other minors they are responsible for and to provide guidance whenever minors are asked to provide personal information online. If you believe a minor has provided us with personal information, we ask that a parent or guardian contact us at 1-800-884-1684.

Security

DFEH has put security measures in place to safeguard and protect your information from unauthorized access, disclosure, and loss. Our policy limits access to personal information to employees who have an established business need for the Personal Information including those directly involved in the filing, investigation, resolution and/or litigation of your complaint. Information that is physically located within the DFEH is protected by various security measures, which may include the use of encryption software to protect the security of an individuals' personal information during transmission and storage. Personal Information is destroyed according to the DFEH's records retention policy, and we only retain these records for as long as necessary to fulfill our business need. We train our employees on procedures and management of personal information we collect as well as on taking precautions and complying with limitations on the release of personal information.

Access and Corrections to your Personal Information

You have the right to review any Personal Information we collect about you. If you request all or a portion of the Personal Information collected about you by the DFEH, we will provide you with the Personal Information requested and explain how we use the information. You may request changes to your Personal Information you believe is incorrect by submitting a written request that credibly shows the error. If you believe that your Personal Information is being used for a purpose other than what you intended when you submitted it, you may contact us to so we can rectify the misuse. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.

How to contact us if you have any questions regarding this policy

If you have any questions or concerns about the information presented in this Privacy Notice, you may contact:

DFEH Privacy Officer
2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
1-800-884-1684

Changes to our Privacy Policy

We may update and revise our Privacy Policy. We will post any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice.

Effective date

January 1, 2017