

Colorado Civil Rights Division

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COLORADO

Department of
Regulatory Agencies

Colorado Civil Rights Division

Visit our website for more information, to obtain an intake packet and to learn more about laws, trainings and events:

DENVER OFFICE

1560 Broadway, Suite 1050
Denver, CO 80202

Please contact the Division if you need an accommodation for a disability in order to file a complaint.

10/2016



Colorado Civil Rights Division



The Colorado Civil Rights Division promotes and protects civil rights in the State of Colorado through education and enforcement of anti-discrimination laws in the areas of employment, housing and places of public accommodation.



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Enforcement, Mediation, Education

The Colorado Civil Rights Division is Charged with **investigating** claims of alleged discrimination in the areas of employment, housing and places of public accommodation. Discrimination is defined as adverse treatment based upon a person's protected group status.

Our **Alternative Dispute Resolution** (ADR) Unit provides neutral mediators who assist parties in attempting to resolve their dispute through mediation.

Outreach and Education is provided by the Division to those interested in Colorado anti-discrimination laws and issues. The Division works with public and private organizations in conducting educational programs .

Colorado Civil Rights Division Training

For no charge, the **Civil Rights Division** provides trainings that may be specialized to your needs. The Division offers trainings throughout Colorado. **Please enroll on our website or call the Division main number for more information.**



COLORADO CIVIL RIGHTS

Colorado law prohibits discrimination in these areas:

► Employment

Race, color, religion, creed, national origin, ancestry, sex, pregnancy, age, sexual orientation (incl. transgender status), physical or mental disability, marriage to a co-worker and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in an employment discrimination proceeding)

► Housing

Race, color, religion, creed, national origin, ancestry, sex, sexual orientation (incl. transgender status), physical or mental disability, marital status, families with children under the age of 18, and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in a housing discrimination proceeding)

► Public Accommodation

Race, color, religion, creed, national origin, ancestry, sex, physical or mental disability, sexual orientation (incl. transgender status), marital status, and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in a public accommodations discrimination proceeding)



When the following are based upon the protected class, examples of prohibited discriminatory practices are:

- unequal terms and conditions ;
- discriminatory advertising;
- denial of or unequal service;
- retaliation;
- harassment/sexual harassment;
- eviction;
- refusal to rent/loan/sell housing;
- failure to promote;
- termination;
- constructive discharge;
- compensation; and,
- failure to hire.

Filing Complaints and Mediation

The Civil Rights Division's complaint process starts when a Complainant submits an Intake Packet (visit our website for an Intake Packet or contact us to request one). The Division reviews each Intake Packet, gathers information and verifies that jurisdiction is sufficient to draft a Charge of Discrimination. By law, a Charge of Discrimination must be filed within a specific period of time from the date of the alleged discriminatory act:

- With **Employment** cases, the filing deadline is **six (6) months**;
- With **Housing** cases, the filing deadline is **one (1) year**; and,
- With **Public Accommodations** cases, the deadline is **sixty (60) days**.

After a Charge is filed, the parties may agree to **Mediate**. Mediation provides the parties with an opportunity to resolve a claim prior to the proc-



ess of Investigation by the Civil Rights Division. The Division ADR Unit provides neutral mediators to assist parties who mutually agree to attempt to resolve their differences through mediation. Mediation can provide a monetary and/or non-monetary resolution that benefits and reduces costs to all parties.

If a settlement is not reached, the case will be assigned to an Investigator who develops evidence conducts interviews and requests information as needed. When the Respondent submits a response to the request for information, the Charging Party may submit a rebuttal.

Civil Rights Division Investigation Process

After the investigation is complete, the Division Director, or designee, issues a Letter of Determination of the findings. If the Director finds No Probable Cause of discrimination, the case is dismissed, but may be appealed to the Civil Rights Commission. If Probable Cause of discrimination is found, the Division will hold a mandatory mediation (known as "conciliation"). If the case is not settled, the Commission decides whether to take the case to a public hearing, except in Housing cases, which are automatically set for hearing.

Issue to consider: Predatory Lending

Predatory lending may involve a loan designed to strip equity from the home or owner of the housing,

The **Civil Rights Division** investigates hundreds of cases per year. The Division is a neutral, third-party, state agency that does not represent any party in legal action. Parties may or may not retain an attorney; however, legal counsel is not necessary to proceed with a charge of discrimination.

an unaffordable mortgage that is meant to force the owner into repeated refinancing, or foreclosure. Individuals are sometimes targeted for illegal practices based on protected class status.

Issue to consider: Additional Remedies in Employment Discrimination Matters—

Legislative changes to the civil rights laws, which were effective January 1, 2015, provide additional remedies to a prevailing employment complainant in civil lawsuits including punitive and compensatory damages as well as attorneys' fees. Check with your legal counsel or advisor in order to study these remedies further.