

## Davenport Civil Rights Commission Frequently Asked Questions

### What are civil rights?

Civil rights are personal rights guaranteed and protected by the U.S. Constitution and statutes such as the Civil Rights Act of 1964, Iowa Civil Rights Act, and the Davenport Civil Rights Ordinance. Civil Rights include the equal treatment of all people with respect to the enjoyment of life, liberty, and property and freedom from unlawful discrimination in employment, housing, public accommodation, credit and education. The Davenport Civil Rights Commission (DCRC) enforces the Davenport Civil Rights Ordinance which prohibits discrimination against person because of age, creed, marital status, race, sex, sexual orientation, disability, color, religion, national origin or ancestry, gender identity or familial status in the areas of employment, education, public accommodations, credit and housing.

### Is there a timeframe for filing a complaint with DCRC?

Employment, Credit, Public Accommodation and Education complaints must be filed within 300 days from the date of the alleged discriminatory act. Housing complaints must be filed within one (1) year from the date of the alleged discriminatory act.

### What information is needed for one to file a complaint?

Your name, address and telephone number or some means of contacting you; The name of the business, entity, or individual against whom the complaint is to be filed along with the address and telephone number of that business, entity, or individual; The date of the alleged discriminatory incident.

### What happens with my complaint once the DCRC receives it?

See our Complaint page in this web site.

### When does the business, entity, or individual learn that I filed a complaint?

They become aware of your complaint when either one of two actions by you occur:

1. You sign a request and release for mediation;
2. The formal complaint of discrimination is filed at the DCRC. The law forbids the DCRC to release your name or the contents of the complaint to any party that is not involved in or necessary to the investigation of the allegations of unlawful discrimination.

### How does the DCRC conduct an investigation of my complaint?

Once it is clear that DCRC has jurisdiction to handle your complaint, the investigator will gather information by interviewing witnesses, obtaining relevant documentation, and if necessary making on site visits. You may be interviewed again as information is gathered.

## What kind of notification do I receive when DCRC has completed an investigation?

At the conclusion of an investigation, DCRC issues its Findings as to whether there has been a violation of the Davenport Civil Rights Ordinance.

## Am I able to initiate a private court action?

Under the law, a complainant may initiate private court action after filing a complaint with DCRC. In housing, a person can file directly in court within two (2) years of the alleged discriminatory action. If you are interested in doing so, you should consult an attorney as soon as possible to ensure that the action will be timely filed. The right-to-sue request should be directed to the Equal Employment Opportunity Commission.

## What happens if the DCRC cannot help me?

The DCRC will try to identify the appropriate referral for you.

## Do I have to be a minority person in order to have "civil rights"?

A common misconception is that Civil Rights laws only protect racial minorities. Civil Rights laws provide protection to all persons from discrimination on the basis of race, color, creed, national origin, disability, sex, age, marital status, sexual orientation, religion, gender identity and family status. Laws prohibiting discrimination protect ALL persons.

## Can DCRC represent me in my complaint?

No. The DCRC is a neutral investigative agency. Our charge is to ensure that the laws under our jurisdiction are not violated and to eliminate unlawful discrimination within the City of Davenport. You should consult an attorney for legal advice. Delay in doing so may foreclose your rights.

## If DCRC can't represent me, who can?

You need to consult the attorney of your choice. You may contact an Attorney by calling the Iowa referral office at 324-1772.

## What are the federal laws prohibiting job discrimination?

Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex or national origin; \*The Equal Pay Act of 1963 (EPA), which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination; \*The Age Discrimination in Employment Act of 1967 (ADEA), which protects individuals who are 40 years of age or older; \*Title I of the Americans with Disabilities Act of 1990 (ADA), which prohibits employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments; \*Section 501 of the Rehabilitation Act of 1973, which prohibits discrimination against qualified individuals with disabilities who work in the federal government; and \*The Civil Rights Act of 1991, which provides monetary damages in cases of intentional employment discrimination. See the "Related Civil Rights site" for additional information.