

FILING A COMPLAINT

A person who believes he or she has been illegally discriminated against can file a complaint, at no cost, by calling or visiting a THRC office. Complaint forms are also available on our web site: www.tn.gov/humanrights

CENTRAL OFFICE- NASHVILLE

710 James Robertson Pkwy, Ste. 100
Nashville, TN 37243-1219
Phone: (615) 741-5825
Phone: (800) 251-3589
Fax: (615) 253-1886

CHATTANOOGA

540 McCallie Ave.
4th Floor, West Wing
Chattanooga, TN 37402
Phone: (423) 634-6837
Fax: (423) 634-6986

KNOXVILLE

531 Henley St.
Room 701
Knoxville, TN 37902
Phone: (865) 594-6500
Phone: (800) 325-9664
Fax: (865) 594-6178

MEMPHIS

170 N. Main. St.
State Office Building
2nd Floor
Memphis, TN 38103
Phone: (901) 543-7389
Fax: (901) 543-6042

MEDIATION

Mediation is strongly encouraged by the THRC staff after a complaint has been filed. Mediation is an informal negotiating process for settling disputes. The goal is to assist both parties in reaching a mutually acceptable resolution of the issue(s). It is a free service that is offered by the THRC; most importantly, it is voluntary. If both parties agree, the terms of the mediation can be confidential.

INVESTIGATION

If mediation is not successful or attempted, an investigation will ensue to determine whether there is evidence to support the claim that the law has been violated. If the investigation finds no reasonable cause to that a discriminatory act has occurred, the case is closed upon notification of both parties. If the investigation finds that there reasonable cause, an attempt is made to eliminate the discriminatory practice by persuasion, conciliation or conference prior to instituting legal action.

CONCILIATION

The THRC will attempt (through conference, conciliation and persuasion) to eliminate the discriminatory practice. Conciliation involves negotiating between both parties, the one who has been charged with discrimination and the person(s) who made the complaint. Conciliation talks can lead to a settlement, which can include monetary awards.

LITIGATION/ ADMINISTRATIVE HEARING

After a reasonable cause determination has been rendered, the case moves to the litigation phase. THRC's staff endeavors to eradicate the discriminatory practices through conciliation.

In the event that there is no conciliation agreement, the THRC will conduct a hearing. The complainant is welcome to hire an attorney to represent them in these proceedings or have a THRC present their case at a hearing. Once the evidence is presented at the hearing, the case will either be dismissed or a final order will be issued.

ENFORCEMENT

When the THRC determines that discrimination has occurred, the parties charged may be ordered to cease and desist from any further discrimination and to remedy past discrimination. A remedy can include a monetary award, policy change, employment reinstatement or accommodation in housing.

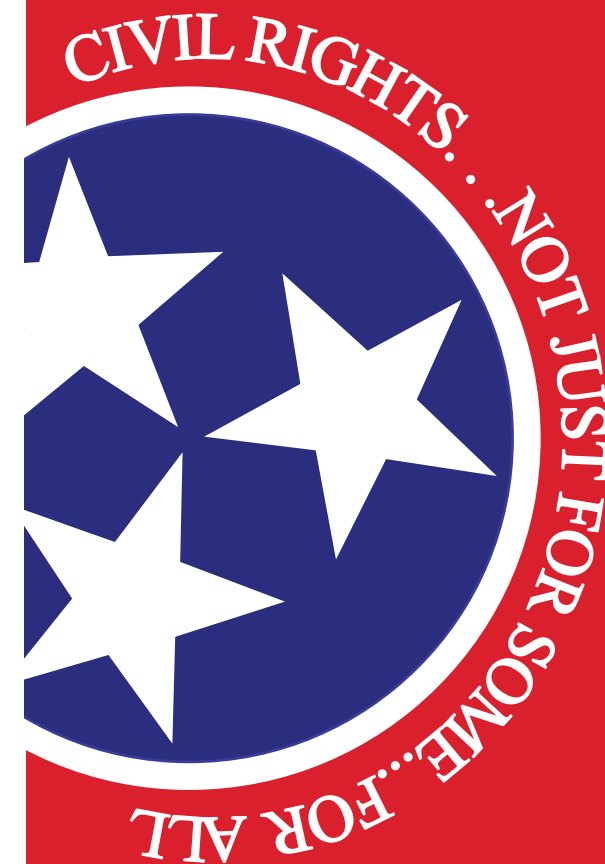
TITLE VI DISCLAIMER

Title VI of the Civil Rights Act of 1964 (42 United States Code § 2000d) and Tennessee Code Annotated § 4-21-904 provide that any entity receiving Federal financial assistance may not discriminate against their program beneficiaries or participants based on their race, color, or national origin. The Tennessee Human Rights Commission does not discriminate against any person based on race, color, national origin, gender, religion, disability, age, creed, familial status, or on any other basis legally prohibited by or protected by Federal or State law. Parties who wish to file a complaint against the Tennessee Human Rights Commission for violation of Title VI of the Civil Rights Act of 1964 under 42 U.S.C. § 2000d or under T.C.A. § 4-21-904 should direct such complaints to either the Tennessee Title VI Compliance Commission, the United States Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity, or the United States Equal Employment Opportunity Commission.

TENNESSEE

HUMAN RIGHTS

COMMISSION



Andrew Johnson Tower
710 James Robertson Pkway, Suite 100
Nashville, TN 37243-1219
(615) 741-5825
(800) 251-3589
(866) 856-1252 (Para Hablar Español)

www.tn.gov/humanrights

HOUSING

It is illegal to discriminate in the sale, rental, or financing of housing based on race, color, religion, national origin, sex, disability or familial status.

The law covers unlawful discrimination in the sale or rental of residential or commercial property. This applies to an owner or any other person engaging in a real estate transaction. The law applies to financial institutions, real estate brokers, builders, operators, developers, insurance agents, owners or managers of rental units, and individual owners who place their property on the real estate market by advertising or displaying a notice.

Tennessee's housing laws prohibit:

- Refusing to engage in a real estate transaction;
- Altering the terms, conditions or privileges of the transaction services;
- Refusing to receive or transmit a bona fide offer to engage in a transaction;
- Refusing to negotiate;
- Misrepresenting that property is not available for inspection, rental or sale when it is;
- Blockbusting, racial steering, and using restrictive covenants;
- Refusing to permit disabled persons to reasonably modify existing properties;
- Failing to design multi-family dwellings to accommodate the disabled;
- Offering, soliciting, accepting, using or retaining a listing knowing unlawful discrimination is intended;
- Failing to disclose property listings;
- Expressing orally or in writing an intent to directly or indirectly engage in unlawful discrimination;
- Discriminating against families with children under the age of 18;



- Refusing to rent or sell or discriminating in terms, conditions or privileges or rental or sale to blind, hearing impaired or physically disabled persons who use support animals; and
- Discriminating in mortgage or lending practices on the basis of unlawful discrimination.

PUBLIC ACCOMMODATIONS

It is illegal for a public accommodations provider to refuse or deny the full and equal enjoyment of goods, facilities and accommodations based on an individual's race, creed, color, religion, sex, age or national origin.

This law applies to any business, accommodation, refreshment, entertainment, recreation or transportation facility, licensed or not, whose goods, services, facilities and privileges are extended, offered, sold or otherwise made available to the public.

Tennessee's public accommodations laws prohibit:

- Denying or refusing the full and equal enjoyment of an accommodation; and
- Publishing, circulating or displaying any material which would communicate that any person is unwelcome on the basis of unlawful discrimination.

EMPLOYMENT

It is illegal for employers to discriminate based on race, color, religion, national origin, sex, *disability or age (over 40).

The law applies to any Tennessee employer with eight or more employees.

Tennessee's employment laws prohibit:

- Prospective employers, employment agencies and labor organizations from refusing to hire, classify or accept applications or limiting employment or training opportunities;
- Any employer, employee, agent of an employer, employment agency or labor organization from engaging in sexually harassing practices;
- Any employer from depriving any individual of employment opportunities or training;
- Any employer from discharging any individual from employment; and
- Any employer from discriminating against an individual in regard to the terms, conditions, compensation or privileges of employment on the basis of unlawful discrimination.

If you feel that you have been discriminated against, it is important to know your rights under the law. Please contact the THRC to obtain a complaint form and talk to a representative who can help you.

* Tennessee Disability Act (TCA 8-50-103) prohibits discrimination solely on the basis of disability. Individuals can file a complaint with the THRC. Courts have assumed a private right to action for enforcement. The number of employees required is not defined, presumably one or more.