

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 website:

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
Phone: (800) 251-3589

KNOXVILLE

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

MEMPHIS

170 N. Main Street
State Office Building
2nd Floor
Memphis, TN 38103
Phone: (800) 251-3589

MEDIATION

Mediation is strongly encouraged by 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 commission finds no reasonable cause to that a discriminatory act has occurred, the case is closed upon notification of both parties. If the commission finds that there is reasonable cause, an attempt is made to eliminate the discriminatory practice by persuasion, conciliation or conference prior to instituting legal action.

CONCILIATION

After a reasonable cause determination has been rendered, 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

If conciliation fails, the case moves to the litigation phase, THRC will conduct a hearing. Complainants are welcome to hire an attorney to represent them in these proceedings or have the 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 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 NOTICE

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 Human Rights 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 Parkway, 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. It applies to an owner or any other person engaging in a real estate transaction including procedures dealing with acquisition of property due to disasters and other catastrophic events. 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 fair 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;
- Refusing to permit disabled person to reasonable modify existing properties;
- Failing to design multi-family dwellings to accommodate the disabled;
- Failing to disclose property listings;
- Discriminating against families with children under the age of 18; and
- 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

PUBLIC ACCOMMODATIONS

It is illegal for a place of public accommodations 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. In cases alleging disability or retaliation, the number of employees required is not defined, presumably one or more.

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;
- An employer, employee, agent of an employer, employment agency or labor organization from

engaging in harassing practices;

- An employer from depriving any individual of employment opportunities or training;
- An employer from discharging any individual from employment; and
- An employer from discriminating against an individual in regard to the terms, conditions, compensation or privileges of employment on the basis of unlawful discrimination.

TITLE VI

It is illegal for a recipient of Federal financial assistance to discriminate on the basis of race, color or national origin under any program or activity.

This law applies to any state department or agency (primary recipients) as well as any subrecipient, such as a county or local government or other non-governmental entity that receives Federal assistance from a state department or agency to carry out a program or activity.

Tennessee's Title VI law prohibits:

- Denying an individual any service, financial aid, or benefits;
- Providing a different service, aid or benefit, or providing them in a manner different than they are provided to others; or
- Segregating or treating individuals separately in any manner related to receiving program services or benefits.

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.