

***UNDERSTANDING THE
TENNESSEE HUMAN RIGHTS COMMISSION:
RESPONSIBILITIES AND AUTHORITIES***

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TN HUMAN RIGHTS COMMISSION***



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OBJECTIVES

- ❖ History
- ❖ Laws
- ❖ Jurisdiction & Complaint Process
- ❖ Questions



HISTORY

Created in 1963 by Executive Order by Gov. Frank Clement as the TN Human Relations Commission and as an advisory body.

In 1978 the TN Human Rights Act (THRA) was passed which transformed THRC from an advisory to an enforcement agency and the name was changed to TN Human Rights Commission.

In 2009, the THRA was expanded to coordinate the state of TN compliance with Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color or national origin.

TENNESSEE HUMAN RIGHTS COMMISSION



- THRC is an independent state agency charged with enforcing the Tennessee Human Rights Act (THRA).
- The THRA prohibits discrimination in employment, housing and public accommodations and coordinates state wide compliance with Title VI of the Civil Rights act of 1964.
- The THRA prohibits discrimination in employment, housing and public accommodations based on race, color, creed, religion, sex, national origin, age (employment only), familial status (housing only), and disability(employment and housing only).

FUNCTIONS/OPERATIONS



- **Enforcement**

- Receives, Mediates, Investigates & Ligates Discrimination Complaints
 - Compliance Reviews

- **Mediation**

- **Education & Outreach**

- Presentations

- Webinars

- Seminars

- Reports

- Collaborations



LAWS ENFORCED BY THRC

- Tennessee Human Rights Act & TN Disability Act- Prohibits discrimination based on race, color, national origin, gender, age (40 and over), creed, religion, disability, familial status(Housing) and retaliation in employment, housing and public accommodation. This act does not cover religious or disability accommodations.
- Title VI of the Civil Rights Act of 1964- Prohibits discrimination by the state of Tennessee and its sub-recipients based on race, color and national origin.
- Pregnancy & Maternity Leave Act-Prohibits discrimination based on leave for adoption, pregnancy, childbirth and nursing an infant.



OTHER LAWS

- Through agreements with the US Equal Employment Opportunity Commission(EEOC) and the US Department of Housing(HUD) the THRC duals files and investigates claims of discrimination in employment and housing based on the following federal laws:
- Title VII of the Civil Rights Act of 1964
- Pregnancy Discrimination Act of 1978
- Americans with Disabilities Act Amendments Act of 2008-
- The Affordable Care Act of 2010 FLSA Nursing Breaks Amendment
- Family and Medical Leave Act of 1993
- Fair Housing Act of 1968



WHO IS COVERED

Anyone who believes they have been discriminated against in employment, housing and public accommodation or state agencies receiving federal funds have a right to file a charge of discrimination.

- **Employment**

8 or more employees/ 15 or more if filed with EEOC

At least 1 employee for retaliation claims

- **Housing**

Covers individual landlords, corporations, associations (i.e. condo associations), property or housing managers, lenders, real estate agents, brokerage services, and anyone advertising or publishing discriminatory housing statements.

THRC covers 2 or more units and HUD covers 4 or more units

No exemptions exist for discriminatory advertisement or acts of interference, coercion, intimidation/harassment or retaliation.

- **Public Accommodation**

Covers any provider of public accommodations and makes it illegal to refuse and deny goods, facilities, and accommodations.

Makes it illegal to publish circulate or display materials that communicates that any person is unwelcome.

- **Title VI of the Civil Rights Act of 1964**

Covers state agencies and sub recipients receiving federal financial assistance and prohibits discrimination based on race, color or national origin.

JURISDICTION



- 180 days of the last discriminatory act unless it is a continuing violation.
- If it is filed with THRC outside of 180 days but within EEOC's (300 day time frame) or HUD's(365 day time frame) the charge will be automatically transferred to the appropriate federal agency.



COMPLAINT PROCESS

Intake Process

Mediation

Investigation

Settlement

Legal Review

Final Determination

Appeal Options



THRC

•STATS & EXAMPLES OF PROHIBITED ACTIVITIES



QUESTIONS OR COMMENTS?

CONTACT



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