

Employment

Rights of

Individuals with

Disabilities



EMPLOYMENT RIGHTS OF INDIVIDUALS WITH DISABILITIES

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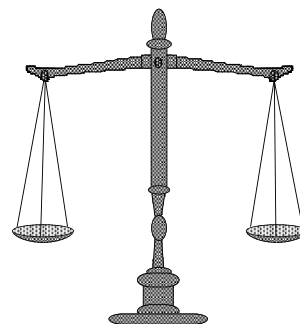
The Advocacy Center is a private, non-profit corporation designated by the Governor as Louisiana's protection and advocacy agency for persons with developmental disabilities, severe disabilities, and mental illness; and as the Client Assistance Program for clients of the Louisiana Division of Rehabilitation Services. The Advocacy Center provides legal services to persons aged sixty and older in several parishes in Louisiana. Under a contract with the Governor's Office of Elderly Affairs, the Advocacy Center also provides ombudsman and legal services to nursing home residents. Also, under a contract with the state Office of the Attorney General, Civil Division, the Advocacy Center provides ombudsman services to residents of privately run ICF/MR facilities for individuals with developmental disabilities.

This booklet provides an overview of the rights of individuals with disabilities in the area of employment. While this publication deals with legal issues, it is not a substitute for legal advice. If you feel you have been discriminated against because of a disability, and you have not been able to resolve the problem amicably with your employer, we recommend that you speak with an attorney to determine your rights. It is important to seek professional legal advice as quickly as possible because there are time limits within which you must file a claim or lawsuit.

Both federal and state laws protect individuals with disabilities from employment discrimination. The laws discussed in this booklet are:

- I Title I of the Americans with Disabilities Act**
- II The Rehabilitation Act of 1973**
 - Section 503**
 - Section 504**
- III Louisiana's Employment Discrimination Law**

We hope this guide will answer many questions you have and provide a starting point for further information.





I TITLE I OF THE AMERICANS WITH DISABILITIES ACT

An individual meets the requirement of being "regarded as having such an impairment" if the individual has been subjected to discrimination because of an actual or perceived physical or mental impairment. This is without regard to whether the impairment limits or is perceived to limit a major life activity. Impairments that are transitory and are expected to last for 6 months or less are not covered under the ADA.

Excluded Classes

The Americans with Disabilities Act excludes from its definition of "disability" homosexuality, bisexuality, transvestism, and transsexualism. Sexual disorders such as pedophilia, exhibitionism, and voyeurism are also excluded. If an individual with a sexual disorder also has an impairment that is considered a disability under the ADA, then that individual will be covered with regard to that impairment. Both the ADA and the Rehabilitation Act of 1973 allow employers to take actions against employees for current illicit drug use and against employees whose use of alcohol affects their job performance. Employers may not, however, discriminate against a past or rehabilitated illegal drug user or alcoholic.

Qualified Individual

A "qualified individual with a disability" is a person with a disability who can perform the essential functions of a job. A person is considered a qualified individual with a disability even if she or he needs accommodations in order to be able to perform the essential functions of the job. A person with a disability who can perform the essential functions of a job without accommodations is also a qualified individual with a disability.

Generally, it is the employer who determines the essential functions of the

job. The ADA does not require employers to formulate and maintain job descriptions.

Reasonable Accommodation/Undue Hardship

The ADA requires an employer to make a “reasonable accommodation” to the known physical or mental limitations of an otherwise qualified person with a disability, unless to do so would impose an “undue hardship”. A reasonable accommodation may include installing ramps and making structural modifications for an employee using a wheel chair, providing a TDD for a hearing-impaired employee, or restructuring a job so that its essential functions can be performed by an individual with a disability. An employer will not be required to make an accommodation if to do so would impose an “undue hardship.” An undue hardship is defined as “an action requiring significant difficulty or expense.” To determine whether an accommodation would impose an undue hardship, the following factors will be considered: 1) the nature and size of the accommodation; 2) the size, type, and financial resources of the specific facility where the accommodation would have to be made; 3) the size, type, and financial resources of the covered employer; and 4) the covered employer’s type of operation, including the composition, structure, and functions of its work force, and the geographic separateness and administrative or fiscal relationship between the facility and the covered employer.

Other Defenses

An employer may successfully defend against a claim of discrimination by showing that the challenged employment practice is job-related and consistent with business necessity, and that reasonable accommodation of the disability would not work. Another defense is that the individual poses a direct threat to the health and safety of himself or other individuals in the workplace.

Tests and Examinations

The ADA also prohibits the use of pre-employment tests or medical examinations to determine whether an individual has a disability, and it prohibits employers from inquiring orally or on an application as to whether an applicant

has a disability. Employers are permitted to inquire as to whether an applicant can perform a job-related function. An applicant may be required to take a medical examination, but only: 1) after an offer of employment has been made; 2) if the medical examination is consistent with the business necessity of the employer; and 3) if such examinations are required of all employees. An employer may test an employee or applicant for the use of illegal drugs, but such tests should be conducted only for that purpose and not to determine if an applicant or employee is taking legally prescribed medication.

Anyone who feels that he or she has been subject to illegal employment discrimination on the basis of disability by an employer or prospective employer has the right to file a complaint with:

Equal Employment Opportunity Commission (EEOC)
1555 Poydras Street Suite 1900
New Orleans, Louisiana 70112
(504) 595-2826, (800) 669-4000, (504) 589-2958 (TTY)

and/or

Louisiana Commission on Human Rights
P.O. Box 94004
Baton Rouge, Louisiana 70804-9004
(225) 342-6969 (Voice), (888) 248-0859 (TTY)
<http://www.gov.state.la.us/humanrights/humanrightshome.htm>

A charge of disability discrimination must be in writing and must contain the date, place, and circumstances of the alleged illegal employment practice. It must be signed under oath or affirmation. It should contain the name, address, and phone number of the person bringing the charge; the name, address, and phone number of the employer; and the basis of discrimination (disability). A form used by the Louisiana Commission on Human Rights appears at the end of this booklet. [Note: the address shown above, not that shown on the forms, is the current address for the Louisiana Commission on Human Rights.] A charge of discrimination may be filed with either the Louisiana Commission

on Human Rights or the Equal Employment Opportunity Commission within 300 days of the alleged discriminatory act. (If the charge is filed more than 180 days, but less than 300 days, after the alleged discriminatory act, the State agency will forward it to the EEOC for processing.) The EEOC then has 180 days to investigate and bring an action against the employer or issue a "right to sue" letter to the employee. After he or she receives the "right to sue" letter, the complainant (employee) has 90 days to bring a private lawsuit. A "right to sue letter" is a letter from the EEOC that says they do not intend to take further action and giving the complainant the right to file a lawsuit.

While it is necessary to file a timely charge with these agencies in order to enforce your rights under the ADA, it is important to know that both the Louisiana Commission on Human Rights and the EEOC have many more cases than they can handle. If you believe you have been discriminated against and want to seek relief, you cannot rely on these agencies to pursue your case for you. You need to see a lawyer with experience litigating these claims.

If you win the case, there are different forms of relief you can receive. You may be hired or rehired (with or without back pay and benefits). You may receive front pay if you are not rehired, reasonable attorney's fees, and reimbursement for other costs related to the lawsuit.

The Americans with Disabilities Act also gives the plaintiff who wins the case the right to receive a limited amount of compensatory damages and punitive damages (against non-governmental defendants only).

Compensatory damages include future money losses, emotional pain, suffering, inconvenience, mental anguish, and loss of enjoyment of life.

Punitive damages are a way to punish the employer if it is proven that the employer discriminated on the basis of disability "with malice or reckless indifference" to the rights of the individual protected under federal law.

There is a limit to the amount of compensatory and punitive damages which may be awarded. It is based on the size of the employer which is determined by the number of employees:

15 - 100 employees	\$50,000
101-200 employees	\$100,000
201-500 employees	\$200,000
501 or more employees	\$300,000

It is important to note that neither compensatory nor punitive damages will be awarded if the employer can show that a good faith effort was made to provide a reasonable accommodation.

The Supreme Court held in the case of Board of Trustees of University of Alabama v. Garrett, 531 U. S. 356 (2001) that back pay and other damages are not available where the employer is the state or a state agency.



II THE REHABILITATION ACT OF 1973

What Are the Employer's Responsibilities?

The law requires employers to take "affirmative action" to employ "qualified handicapped individuals". By "affirmative action" the law means two things. First, an employer shall not discriminate against any employee or applicant for employment because of a physical or mental disability. Second, an employer shall take affirmative action to employ, promote, and otherwise treat "qualified handicapped individuals" without discrimination in all employment practices such as hiring, upgrading, demotion or transfer, recruitment, advertising, layoff or termination and rates of pay. Affirmative action involves taking steps to ensure that people with disabilities are treated fairly; it does **not** mean that the employer has to meet numerical quotas with regard to persons with disabilities.



How to File a Complaint

A person with a disability who believes a contractor or subcontractor has failed to take "affirmative action" to employ "qualified handicapped individuals" may file a complaint with the U.S. Department of Labor. In Louisiana, contact

**U.S. Department of Labor
Office of Federal Contract Compliance Programs
701 Loyola Avenue, Room 13029
New Orleans LA 70113
(504) 589-6575 (Voice)**

The Department of Labor will send you a complaint packet that will ask for information such as your name, address and your basis for complaint. If you file a complaint within 180 days of the last alleged discriminatory activity, the Department will promptly investigate such complaints and take appropriate action. **The person with the disability does not have the right**

under Section 503 to file a lawsuit against the contractor or subcontractor of the federal government.

Section 504

Section 504, 29 U.S.C. §794, bars discrimination against "otherwise qualified individuals with disabilities" in any program or activity receiving federal financial assistance. **Section 504 differs from Section 503 in that Section 504 allows a person to file a lawsuit.** Also, unlike Section 503, there is no affirmative action requirement under Section 504.

With regard to employment, Section 504 states that an employment test or other selection process that screens out or tends to screen out persons with disabilities is illegal. For example, requiring a desk job applicant to lift 50 pounds would be a test that has no logical relationship to the job and therefore would be prohibited. Although there are exceptions to this rule, they are limited. The law limits the circumstances under which employers may make pre-employment inquiries, including medical examinations. And finally, Section 504 requires a federally-assisted employer to make reasonable accommodations or arrangements for the known mental or physical limitations of an otherwise qualified applicant or employee with a disability.

As stated earlier, Section 504 allows an individual to file a lawsuit on his own behalf. However, three conditions must be met if the person with a disability is to win the case: 1) the defendant must receive federal financial assistance; 2) the person bringing the suit (the plaintiff) must be an otherwise qualified individual; and 3) the plaintiff must have been discriminated against on the basis of a disability. Compensatory damages are available, as well as injunctive and declaratory relief. Injunctive relief is provided when a court orders a person to do or stop doing a specific act. Declaratory relief is provided when a court declares a defendant's actions to be unlawful.

In addition to a private law suit, an administrative complaint can be filed with the civil rights department of the federal office that made the grant to the employer. Most agencies require that such complaints be filed within 180 days of the complained-of discrimination. A complaint can be a letter explaining

why you think that your employer has violated Section 504. In order to assist the investigator, the employee's complaint should state all facts clearly and precisely. The investigator will use the facts provided in the complaint, contact other individuals, and review documents that the investigator finds pertinent. A decision will be made as to whether there was discrimination. The civil rights office of the appropriate federal agency will recommend that the employer make changes to correct the problem. Should an employer refuse to take the corrective actions, the agency can take measures to bar the employer from receiving federal funds.

Two of the largest grantors are the U.S. Department of Education and the U.S. Department of Health and Human Services. Any Section 504 complaints involving either of these agencies should be filed with their respective offices of civil rights.

Their office addresses and telephone numbers are:

**U.S. Department of Education
Office of Civil Rights
1999 Bryan Street., Suite 2600
Dallas, Texas 75201
(214) 880-2419 (Voice)
(800) 947-5277 (LA Relay Service)**

**U.S. Department of Health and Human Services
Office of Civil Rights
1301 Young Street, Suite 1169
Dallas, Texas 75202
(214) 767-5433 (Voice)
(214) 767-8940 (TTY)**

The Americans with Disabilities Act (ADA) creates rights for persons with disabilities, as well as responsibilities for employers, state and local government agencies, and other entities which deal with the public. Title I of the ADA

generally prohibits employment discrimination by “covered entities” against a “qualified individual with a disability.” “Covered entities” include employers, employment agencies, labor organizations, or joint labor-management committees, and “discrimination” includes all actions with respect to hiring, and all terms, conditions, benefits, and privileges of employment. In addition, employers are required to make “reasonable accommodations” for the known physical or mental limitations of individuals with disabilities.

The ADA applies to employers and their agents who are engaged in an industry affecting commerce. This definition is quite broad and encompasses most employers, regardless of their type of business. Employers with 15 or more employees are covered by the Act. Included among the types of employers covered by the ADA are private employers, state and local governments, and employment agencies. Excluded from coverage under the ADA are the federal government and corporations owned by the federal government (which in general are covered by the 1973 Rehabilitation Act), Native American Indian tribes, bona fide tax-exempt private membership clubs, and certain religious organizations.

Defining "Disability"

Under the ADA, an individual with a disability is one who 1) has a physical or mental impairment that substantially limits one or more major life activities, 2) has a record of such impairment, or 3) is regarded as having such an impairment.

The ADA Amendments Act of 2008 broadened the scope of major life activities that are considered in defining disability. This act also states that the determination of whether an impairment substantially limits a major life activity must be made without regard to mitigating measures. These measures include things such as medication, medical supplies, and assistive technology devices such as hearing aids or mobility devices. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. A condition that is episodic or in remission is considered a disability if that condition substantially limits a major life activity when active.



III

LOUISIANA'S EMPLOYMENT DISCRIMINATION LAW

Louisiana's law that addresses employment discrimination against employees and applicants for employment is called the Louisiana Employment Discrimination Law. You can read this law in its entirety by going to a law library and asking for LSA R.S. 23:301-369 (Louisiana Revised Statutes).

The Louisiana Employment Discrimination Law prohibits discrimination by employers, employment agencies, and labor organizations on the basis of age, disability, race, color, religion, sex, national origin, pregnancy, childbirth and related medical conditions, sickle cell trait or protected genetic information.

The law dealing with employment discrimination on the basis of disability applies to any employer with fifteen or more employees, including State and local government agencies, private clubs, and religious entities.

Prohibited Discrimination

The Louisiana Employment Discrimination Law, like the ADA and the Rehabilitation Act, provides that "no otherwise qualified" person shall, on the basis of disability, be subject to discrimination in employment. The term "otherwise qualified person" pertains to a person with a disability who, with "reasonable accommodation," can perform the "essential functions" of the job in question.

Reasonable Accommodation

Louisiana law defines "reasonable accommodation" more strictly than either the ADA or the Rehabilitation Act. Under the Louisiana statute, a reasonable accommodation is an adjustment or modification to a **known physical limitation** of an otherwise qualified person with a disability. The cost of such modifications to the employer is not supposed to exceed the amount allowed as a federal tax deduction at the time the law was passed. Private sector employers are not required to incur any costs to hire or promote persons with disabilities unless the costs are imposed by other laws. In addition to this, Louisiana law allows employers to use the same "undue hardship" defense that is contained in the ADA.

Other Defenses

The Louisiana Employment Discrimination Law provides for employer defenses of undue hardship, business necessity, and direct threat to health and safety that are similar to those under the ADA.

How to File a Lawsuit

A person with a disability who believes that he or she has experienced discrimination in violation of Louisiana's Employment Discrimination Law may file a lawsuit in civil district court in the parish in which the discrimination occurred. **The law requires that the lawsuit be filed within one year from the date of the discriminatory act or from the date the employee knew about the discriminatory act.** This one year period is suspended for up to six months pending any review by the EEOC or the Louisiana Commission on Human Rights. Also, the employee must give the person or organization who has allegedly committed the discriminatory act written notice detailing the discrimination at least thirty days prior to starting court action. Additionally, each party must make a good faith effort to resolve the dispute before initiating a court action. If you fail to prevail in your lawsuit under this law, you might be held responsible for the opposing party's attorneys' fees and court costs. If you think you have experienced discrimination in employment, you should consult an attorney.

For additional information, see LSA R.S. 23:301, 302, and 321-325.

Section 503

Section 503 of the Rehabilitation Act of 1973, 29 U.S.C. § 793, requires an employer who has a contract or subcontract with the federal government for \$10,000 or more to take "affirmative action" to employ "qualified handicapped individuals".

A "qualified handicapped individual" is one who either 1) has a physical or mental impairment which substantially limits one or more major life activities; 2) has a record of such impairment (an example may be a previous substance abuser); or 3) is regarded as having such an impairment (an example may be an individual with a spouse who is HIV positive). In other words, a "qualified handicapped individual" is one who is likely to experience employment discrimination because of an actual, suspected or perceived disability.



IV

SUMMARY

We have discussed three laws that protect persons with disabilities from employment discrimination: Louisiana's Employment Discrimination Law, the Rehabilitation Act of 1973, and the Americans with Disabilities Act. All of these laws prohibit an employer from discriminating against a person because of his or her disability if the person can perform the essential functions of the job either with or without reasonable accommodations.

For questions regarding the content of this publication, please contact:



**1010 Common Street Suite 2600
New Orleans, Louisiana 70112
800-960-7705 (Voice) or
866-935-7348 (TTY)
www.advocacyla.org**

See the complaint questionnaire of the Louisiana Commission on Human Rights on the following pages.

This brochure should not be used as a substitute for consulting a person knowledgeable about this area of the law. If you believe you have been discriminated against under any of the previously discussed laws, and you have not been able to resolve the problem amicably with your employer, consult an attorney.



LOUISIANA COMMISSION ON HUMAN RIGHTS
OFFICE OF THE GOVERNOR
Post Office Box 94094
Baton Rouge, Louisiana 70804-9094
(225) 342-6969 Phone • (225) 342-2063 Fax
INTAKE QUESTIONNAIRE

Please immediately complete the entire form and return it to the Louisiana Commission on Human Rights (“LCHR”). **REMEMBER**, a charge of employment discrimination must be filed within the time limits imposed by law, generally within 180 days or in some places 300 days of the alleged discrimination. Upon receipt, this form will be reviewed to determine LCHR coverage. **Answer all questions as completely as possible, and attach additional pages if needed to complete your response(s). If you do not know the answer to a question, answer by stating “not known.” If a question is not applicable, write “n/a.”**

(PLEASE PRINT)

1. Personal Information

Last Name: _____ First Name: _____ MI: _____
Street or Mailing Address: _____ Apt Or Unit #: _____
City: _____ County: _____ State: _____ Zip: _____
Phone Numbers: Home: (____) _____ Work: (____) _____
Cell: (____) _____ Email Address: _____
Date of Birth: _____ Sex: Male ___ Female ___ Race: _____
National Origin / Ethnicity _____ Do You Have a Disability? Yes No

Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:

Name: _____ Relationship: _____
Address: _____ City: _____ State: _____ Zip Code: _____
Home Phone: (____) _____ Other Phone: (____) _____

I believe that I was discriminated against by the following organization(s): (Check those that apply)

Employer _____ Union _____ Employment Agency _____ Other (Please Specify) _____

2. Organization Contact Information

Organization #1 Name: _____
Address: _____ **County:** _____
City: _____ **State:** _____ **Zip:** _____ **Phone :**(____) _____
Type of Business: _____ **Job Location if different from Org. Address:** _____
Human Resources Director or Owner Name: _____ **Phone:** _____
Number of Employees in the Organization at All Locations: Please Check (✓) One
Less Than 15 15 – 100 101 – 200 201 – 500 More 500

Organization #2 Name: _____
Address: _____ **County:** _____

City: _____ State: _____ Zip: _____ Phone : (____) _____

Type of Business: _____ Job Location if not at Org. Address: _____

Human Resources Director or Owner Name: _____ Phone: _____

Number Of Employees In The Organization At All Locations: please check (✓) one

Less Than 15 15 – 100 101 – 200 201 – 500 More 500

3. Your Employment Data (Complete as many items as you can)

Date Hired: _____ Job Title At Hire: _____

Pay Rate When Hired: _____ Last or Current Pay Rate: _____

Job Title at Time of Alleged Discrimination: _____

Name and Title of Immediate Supervisor: _____

If Applicant, Date You Applied for Job _____ Job Title Applied For _____

4. What is the reason (basis) for your claim of employment discrimination?

*FOR EXAMPLE, if you are over the age of 40 and feel you were treated worse than younger employees **or** you have other evidence of discrimination, you should check (✓) **AGE**. If you feel that you were treated worse than those not of your race **or** you have other evidence of discrimination, you should check (✓) **RACE**. If you feel the adverse treatment was due to multiple reasons, such as your sex, religion and national origin, you should check all three. If you complained about discrimination, participated in someone else's complaint or if you filed a charge of discrimination and a negative action was threatened or taken, you should check (✓) **RETALIATION**.*

Race Sex Age Disability National Origin Color Religion Retaliation Pregnancy

Other reason (basis) for discrimination (Explain). _____

5. What happened to you that you believe was discriminatory? Include the date(s) of harm, action(s) and include the name(s) and title(s) of the persons who you believe discriminated against you. (Example: 10/02/06 – Written Warning from Supervisor, Mr. John Soto)

A) Date: _____ Action: _____

Name and Title of Person(s) Responsible: _____

B) Date: _____ Action: _____

Name and Title of Person(s) Responsible _____

Describe any other actions you believe were discriminatory.

(Attach additional pages if needed to complete your response.)

6. What reason(s) were given to you for the acts you consider discriminatory? By whom? Title?

7. Name and describe others who were in the same situation as you. Explain any similar or different treatment. Who was treated worse, who was treated better, and who was treated the same? Provide race, sex, age, national origin, religion, and/or disability status of comparator if known and if connected with your claim of discrimination. Add additional sheets if needed.

Full Name	Job Title	Description
1.		
2.		
3.		

Answer questions 8-10 only if you are claiming discrimination based on disability. If not, skip to question 11.

8. Please check all that apply:

- Yes, I have an actual disability
- I have had an actual disability in the past
- No disability but the organization treats me as if I am disabled

9. If you are alleging discrimination because of your disability, what is the name of your disability? How does your disability affect your daily life or work activities, e.g., what does your disability prevent or limit you from doing, if anything? (Example: lifting, sleeping normally, breathing normally, pulling, walking, climbing, caring for yourself, working, etc.).

10. Did you ask your employer for any assistance or change in working condition because of your disability?
YES tNO t

Did you need this assistance or change in working condition in order to do your job?

YES tNO t

If "YES", when? _____ To whom did you make the request? Provide full name of person _____ How did you ask (verbally or in writing)? _____

Describe the assistance or change in working condition requested?

11. Are there any witnesses to the alleged discriminatory incidents? If yes, please identify them below and indicate what they will say. Add additional pages if necessary.

NAME	JOB TITLE	ADDRESS & PHONE NUMBER
A.		

NAME	JOB TITLE	ADDRESS & PHONE NUMBER
B.		

NAME	JOB TITLE	ADDRESS & PHONE NUMBER
C.		

12. Have you filed a charge previously in this matter with EEOC or another agency? YES tNO t

13. If you have filed a complaint with another agency, provide name of agency and date of filing:

14. Have you sought help about this situation from a union, an attorney, or any other source?
YES tNO t - If yes, from whom and when? Provide name of organization, name of person you spoke with and date of contact. Results, if any?

Signature

Today's Date

If you have not heard from an EEOC office within 30 days of mailing this form, please call the number shown on top of this form. Please make a copy of this form for your records before mailing.

PRIVACY ACT STATEMENT: This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

1. **FORM NUMBER/TITLE/DATE.** EEOC/FEPA Intake Questionnaire (10/2006).
2. **AUTHORITY.** 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626. 42 U.S.C. 12117(a)
3. **PRINCIPAL PURPOSE.** The purpose of this questionnaire is to solicit information in an acceptable form consistent with statutory requirements to enable the Commission to act on matters within its jurisdiction. When this form constitutes the only timely written statement of allegations of employment discrimination, the Commission will, consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(b), consider it to be a sufficient charge of discrimination under the relevant statute(s).
4. **ROUTINE USES.** Information provided on this form will be used by Commission employees to determine the existence of facts relevant to a decision as to whether the Commission has jurisdiction over allegations of employment discrimination and to provide such charge filing counseling as is appropriate. Information provided on this form may be disclosed to other State, local and federal agencies as may be appropriate or necessary to carrying out the Commission's functions. Information may also be disclosed to respondents in connection with litigation.
5. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION.** The providing of this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge of discrimination. It is not mandatory that this form be used to provide the requested information.

**COMPLAINANT'S CONSENT FOR INVESTIGATORY
USE OF PERSONAL INFORMATION**

- 1. I understand that I am not required to give personal information to the LCHR; however, my complaint may be closed if I refuse to supply information needed to investigate my complaint;**
- 2. I understand that it is my duty to update the personal information I supply and failure to do so may result in my complaint being closed;**
- 3. I understand that I may receive a copy of any personal information I submit, if I request it; and**
- 4. I understand that the information provided by me may have to be released under the Public Records Request.**

Based on the foregoing, I hereby give my consent to LCHR to process my complaint.

Signature

Date

NOTE: THE LOUISIANA COMMISSION ON HUMAN RIGHTS RESERVES THE RIGHT TO MODIFY THIS FORM WITHOUT NOTICE OR CONSENT.



ADVOCACY CENTER

SERVING PEOPLE WITH DISABILITIES AND SENIOR CITIZENS

**1010 Common Street Suite 2600
New Orleans, Louisiana 70112
800-960-7705 (Voice) or 866-935-7348 (TTY)
www.advocacyla.org**