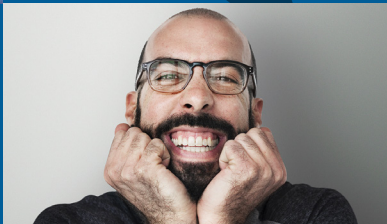
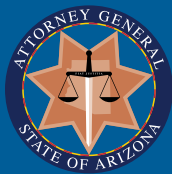


Arizona Attorney General's Office

Civil Rights Division



Arizona Attorney General
Kris Mayes

Frequently Asked Questions

Which Civil Rights Laws Are Enforced by the Attorney General’s Civil Rights Division?

The Arizona Attorney General’s Civil Rights Division (Division) enforces the Arizona civil rights laws known as the Arizona Civil Rights Act (ACRA). The ACRA protects Arizonans from unlawful discrimination in employment, housing, voting, and public accommodations.

What is Unlawful Discrimination?

Unlawful discrimination is unequal treatment or impact on a person or a group based on a protected class. Unlawful discrimination also includes harassment based on a protected class and retaliation for participating in a protected activity.

What Protected Classes Are Covered in the ACRA?

	Employment	Housing	Voting	Public Accommodations
Race	✓	✓	✓	✓
Color	✓	✓	✓	✓
National Origin	✓	✓	✓	✓
Sex	✓	✓	✓	✓
Religion	✓	✓	✓	✓
Age (40+)	✓			
Disability	✓	✓	✓	✓
Ancestry			✓	✓
Family		✓		



What is Retaliation?

Retaliation is punishment in response to an individual's protected activity. Examples of protected activities include, but are not limited to, filing a Charge of Discrimination with the Division, participating in an investigation, or filing a complaint with an employer, housing provider, or public accommodation. The ACRA prohibits retaliation in employment, housing, and disability claims in public accommodations.

How Long do I Have to File a Charge of Discrimination?

Employment	180 DAYS*
Housing	1 YEAR*
Public Accommodations	180 DAYS*
Voting	180 DAYS*

* From the last alleged discriminatory act

How do I File a Charge of Discrimination?

To start your complaint process with the Division, you can fill out an online intake questionnaire or call:

 **Online Form**
azag.gov/complaints/civil-rights

 **Phoenix Office**
(602) 542-5263; TDD (602) 542-5002

 **Tucson Office**
(520) 628-6500; TDD (520) 628-6872



What Happens After I File a Charge of Discrimination?

1. Charge of Discrimination

After you call the Division or submit your completed form, a Division representative will contact you to create a formal Charge of Discrimination.

2. Notarization

The Charge of Discrimination will be sent back to you for your notarized signature if not completed while meeting with a Division representative.

3. Mediation

If both parties agree, your Charge of Discrimination will be forwarded to the Division's Conflict Resolution Program where the parties can try to resolve the dispute through voluntary mediation.

4. Investigation

If the parties do not resolve the dispute in mediation, your Charge of Discrimination will be investigated by a Division representative. During its investigation, the Division may request/subpoena witnesses and documents, and interview witnesses.

5. Determination

After the investigation is complete, the Division will issue a Reasonable Cause Determination or dismiss the case. If the case is dismissed, you may file a lawsuit on your own behalf. You may want to speak with an attorney to determine your legal rights to file your own lawsuit.

6. Reconsideration

If your Charge of Discrimination is dismissed, you have a right to request reconsideration within 20 days. If the Division reopens the case, the investigation will continue. If the Division denies the request, your Charge of Discrimination will remain dismissed.

7. Conciliation

If a Reasonable Cause Determination is issued, the Division will enter into post-finding conciliation. This is another opportunity for the parties to try to resolve their dispute.

8. Litigation

Litigation is where a complaint is filed in an Arizona court. If conciliation fails, the Division may file a lawsuit. Whether or not the Division files a lawsuit, you have the right to file your own lawsuit. You may want to speak with an attorney to determine your legal rights to file your own lawsuit.



What is Mediation?

Mediation is an informal, confidential process where trained, impartial persons – mediators – facilitate discussions between parties to clarify issues and possibly negotiate a settlement agreement. The mediator does not act as a judge and will not make a decision. The parties have control of the outcome. Mediations may take place in the Attorney General’s Phoenix or Tucson offices and can take between one and four hours. After you file a Charge of Discrimination with the Division, in most cases, a mediation coordinator will contact you to see whether the parties to your dispute are interested in mediation.

If the parties have a successful mediation, the mediation terms are included in a written agreement. If the agreement is approved by the Division, the Charge of Discrimination will be dismissed after the parties sign the agreement. If the parties are unable to reach an agreement through mediation, or if the Division does not approve the settlement, the investigation of your Charge of Discrimination will continue.

If I File an Employment Discrimination Complaint with the Division, Do I Also Have to File with the U.S. Equal Opportunity Employment Commission (EEOC)?

When employment discrimination claims are available under both federal and state law, the Charge of Discrimination is dual-filed with the EEOC and the Division. This means that when you file with one agency your charge is automatically filed with the other. There are two exceptions to this rule because only Arizona civil rights laws prohibit: (1) sexual harassment when the employer has less than 15 employees, and (2) age discrimination by an employer with greater than 15 and less than 20 employees.



If I File a Housing Discrimination Complaint with the Division, Do I Also Have to File With the U.S. Department of Housing and Urban Development (HUD)?

The Division is a Fair Housing Assistance Program (FHAP), which means that HUD has determined the Arizona Fair Housing Act is substantially similar to the federal Fair Housing Act. The Division partners with HUD to administer Arizona's Fair Housing Act. Therefore, charges of housing discrimination filed with the Division are considered dual-filed with HUD.

Are the Division's Investigations Public?

Under Arizona law, cases filed with the Division are confidential unless the State files a lawsuit. In order to investigate a Charge of Discrimination, however, the Division will reach out to the other party and may contact witnesses.

How Long Will My Investigation Take?

Each case is unique, but the following chart provides general guidelines.

Employment	Most cases take one year or less from when the charge was filed
Housing	Most cases are resolved within 100 days from when the charge was filed
Public Accommodations	Most cases take one year or less from when the charge was filed
Voting	Most cases take one year or less from when the charge was filed

Do I Need to Hire a Lawyer to File a Charge with the Division?

No. An attorney is not required to file a Charge of Discrimination with the Division. You have the right to hire an attorney to represent you at any point before, during, or after the Division's process.

If the Division Takes my Case, Does that Mean They Act as my Attorney?

No. The Division represents the interests of the State of Arizona and objectively enforces Arizona civil rights law. The Division does not represent individuals or give legal advice.

What are Examples of Unlawful Discrimination?

Protected class employment discrimination:

- Failing or refusing to hire or discharging individuals
- Providing different pay, benefits, or other terms and conditions of employment
- Segregating jobs or work sites
- Sexual harassment
- Engaging in or tolerating harassment because of race, color, national origin, religion, age, or disability
- Failing to provide a reasonable accommodation for disabled persons
- Treating people differently because they have complained about discrimination
- Treating an individual less favorably because of the results of genetic testing
- Advertising discriminatory preferences for employees



Examples of Unlawful Discrimination (continued)

Protected class housing discrimination:

- Refusing to show, rent, or sell
- Refusing to negotiate
- Charging more to buy, rent, or asking for a larger security deposit
- Advising that the property is no longer for sale or rent when it really is
- Advertising that only a certain type of person can buy or rent
- Denying access or use of the facility, privileges, or services that are available with occupancy
- Telling owners or renters to move because the neighborhood is being integrated
- Suggesting you move to an area where you don't want to live
- Allowing unlawful bias to affect the appraisal of a property
- Imposing or using different loan terms or conditions
- Refusing to allow disability accommodations for an assistive aide, assistive animal, parking, or physical modifications

Protected class public accommodations discrimination:

- Failing to allow entrance
- Inability to enter due to physical barriers
- Unequal treatment based on a protected class
- Unequal goods, services, facilities, privileges, advantages, or accommodations
- Failing to modify policies, practices, or procedures to afford equal services, goods, facilities, privileges, or advantages for an individual with a disability, or an individual associated with an individual with a disability

Protected class voting discrimination:

- Denying an individual the opportunity to register to vote
- Imposing on any person literacy or other test as a condition for voting
- In some circumstances, failing to provide a ballot or voting information in a language other than English
- Denying an individual the right to vote
- Failing to provide a reasonable accommodation when necessary based on a disability

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Fax (602) 542-8899

Email civilrightsinfo@azag.gov



Visit AZAG.gov for more information about the Arizona Civil Rights Division or to fill out an online intake questionnaire.

You may also request an intake questionnaire be mailed to you or file a complaint over the phone by contacting us directly.