

PROCESSING A CHARGE

“It is the public policy of the City of South Bend to provide all of its citizens equal opportunity for education, employment access to public conveniences and accommodations, and acquisition through purchase or rental of real property including but not limited to housing, and to eliminate segregation or separation based solely on race, religion, color sex, disability, nation origin, or ancestry.”

In South Bend, Indiana, DISCRIMINATION is ILLEGAL. It is against the law to deny employment, housing, education, or public service because of a person’s race, sex, color, religion, national origin, ancestry, disability and in housing familial status. The local anti-discrimination law is enforced by the South Bend Human Rights Commission.

JURISDICTION

The jurisdictional requirements of the SBHRC are:

Charge clearly must be discriminatory treatment based on race, sex, color, religion, national origin, ancestry or disability.

Charge must be filed within 90 days of the date of the alleged violation.

Respondents (persons or organization filed against) must be within the city limits of South Bend, Indiana.

In employment charges, Respondent must have at least six (6) employees.

Respondents include employers (private or public,) employment agencies, labor organizations, educational institutions, places of public accommodation, landlords, real estate agencies, lending institutions, or insurance companies.

The Commission’s procedure to adjudicate a charge is an administrative one, not a criminal one.

A Commission staff will hear the complaint, determine whether it is within the Commission’s jurisdiction, draft the wording of the charge, and prepare it in legal form for Charging Party’s review, approval, and notarized signature.

The Charge will receive a docket number and will be investigated by an assigned staff member who will keep the parties advised of the progress of the case.

The Commission is also able to intake charges for the federal government (Equal Employment Opportunity Commission and Department of Housing and Urban Development,)

THE INVESTIGATION

The Staff Investigator:

- 1) May interview both Charging Party, Respondent, and other witnesses;
- 2) Must have access to pertinent records or documents;
- 3) May make an on-site investigation of Respondent's facilities and operations, and;
- 4) Must have cooperation and know Charging Party's whereabouts at all times.

The investigator recommends a finding, based on the facts obtained, to the Commission members at a regular Commission meeting. The Commissioners make the final decision and may find:

No Probable Cause...and move to dismiss the charge; or,

Probable Cause...and act to correct the discriminatory practice and its effects.

THE CONCILIATION

If the investigation substantiates the charges, then the Respondent is asked to:

- 1) Cease and desist from the specific discriminatory act or practice;
- 2) Implement whatever actions, programs, or compensation the Commission deems necessary to end discrimination.

THE PUBLIC HEARING

When the charges are not successfully resolved during the conciliation, the Commission may convene a public hearing, at which testimony under oath is heard, a decision rendered, and a legally enforceable order issued. Respondent and Charging Party have the right to appeal this Order to the Circuit or Superior Court.

IF YOU DESIRE ADDITIONAL INFORMATION, WRITE, PHONE, OR VISIT:

South Bend Human Rights Commission
301 S. St. Louis Blvd.
South Bend, Indiana 46617

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