

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

DIRECTOR KEVIN KISH

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 | TDD 800-700-2320  
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

**Instructions to Obtain a Right-to-Sue Notice**

You are in the process of requesting a Right-to-Sue notice from the Department of Fair Employment and Housing (Department or DFEH). The Fair Employment and Housing Act (FEHA), at Government Code section 12965, subdivision (b), requires that individuals exhaust their administrative remedies with the Department by filing a complaint and obtaining a Right-to-Sue notice from the Department before filing a lawsuit under the FEHA. The Department will accept requests for an immediate Right-to-Sue notice from persons who have decided to proceed in court. Your complaint must be filed within one year from the last act of discrimination or you may lose your right to file a lawsuit under the FEHA.

Proceeding directly to court without an investigation by the Department is advisable only if you have an attorney. If you do not have an attorney, you can file a discrimination complaint that the Department may investigate. If you decide to file a lawsuit at a later time, you can still do so. If you wish to have your complaint considered for investigation by the Department, you must complete and submit a Pre-Complaint Inquiry. To file a Pre-Complaint Inquiry, you may select one of the following methods:

- Use the Department's online system at [www.dfeh.ca.gov](http://www.dfeh.ca.gov).
- Call the Communication Center at (800) 884-1684. If you have a hearing impairment, please call 800-884-1684 or TTY at (800) 700-2320 for service.
- Request the Pre-Complaint Inquiry form, complete and return it via U.S. mail to any of DFEH's office locations (<http://www.dfeh.ca.gov/Offices.htm>).
- E-mail the Pre-Complaint Inquiry form to [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov).

If you wish to consult an attorney, you may wish to visit the California State Bar website at [www.calbar.ca.gov](http://www.calbar.ca.gov) for legal referral resources.

If you receive a Right-to-Sue notice, your complaint **will not** be investigated by DFEH even if you later decide not to file a lawsuit and your complaint will not be dual-filed by DFEH with the U.S. Equal Employment Opportunity Commission (EEOC). In order to receive a federal Right-to-Sue notice, you must file a complaint with EEOC within 30 days of the receipt of the "Notice of Case Closure and Right-to-Sue" or within 300 days of the alleged discriminatory act, whichever is earlier.

**In filing a complaint utilizing this process you are acknowledging the following:**

1. You elect to not exercise your option of having the Department investigate your complaint and elect court action at a later date.
2. You understand that you should have an attorney to file a lawsuit.
3. You understand that you have one year from the date of your Right-to-Sue notice to file a lawsuit.
4. You understand that once DFEH has issued you a Right-to-Sue notice, DFEH **will not** investigate or reopen your complaint.
5. You understand that DFEH **will not** file your complaint with EEOC, and that if you wish to obtain a federal Right-to-Sue notice from EEOC, you must contact EEOC at [www.eeoc.gov](http://www.eeoc.gov) or at (800) 669-4000 or TTY (800) 669-6820.

If you choose to proceed, please complete and return the form to: DFEH, 2218 Kausen Drive, Suite 100, Elk Grove, CA 95758.



# CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

COMPLAINT OF DISCRIMINATION UNDER THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

## RIGHT-TO-SUE

**Your submission of this document acknowledges that you have read and agree to the DFEH's Privacy Policy**

**DFEH CASE NUMBER:**

**COMPLAINANT:**

NAME:

TELEPHONE NUMBER:

ADDRESS:

CITY/STATE/ZIP:

**NAMED OF THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICES COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:**

NAME:

TELEPHONE NUMBER:

ADDRESS:

CITY/STATE/ZIP:

NUMBER OF EMPLOYEES:

TYPE OF EMPLOYER:

**ADD CO-RESPONDENT:**

**(Individuals who were involved in this particular complaint):**

NAME/TITLE:

ADDRESS:

TELEPHONE NUMBER:

Do you have an attorney who agreed to represent you in this matter?    Yes    No

If yes, please provide the attorney's contact information.

Attorney Name:

Attorney Firm Name:

Attorney Address:

Attorney City, State, and Zip:

DATE MOST RECENT DISCRIMINATION TOOK PLACE (Month/Day/Year):

1. I ALLEGE THAT I EXPERIENCED:      Discrimination      Harassment      Retaliation

**BECAUSE OF MY ACTUAL OR PERCIEVED:**

- Age - 40 and over
- Ancestry
- Association with a member of a protected class
- Color
- Disability (physical or mental)
- Engagement in Protected Activity
- Family Care or Medical Leave
- Genetic Information (information about genetic tests or participation in clinical research or manifestation of disease)
- Marital Status
- Medical Condition - Including cancer or cancer related medical condition or genetic characteristics (a gene, chromosome or characteristic not presently associated with symptoms of disease)
- National Origin - Includes language use restriction and use and possession of a driver's license issued to persons unable to prove their presence in the U. S. is authorized under federal law
- Race
- Religion - Includes religious dress and grooming practices
- Sex - Gender
- Sex - Gender identity or Gender expression
- Sex - Includes pregnancy, childbirth, breastfeeding and/or related medical conditions
- Sexual Orientation
- Other (specify)
- Military or Veteran status

**AS A RESULT, I WAS:**

- Asked impermissible non-job-related questions
- Demoted
- Denied a good faith interactive process
- Denied a work environment free of discrimination and/or retaliation
- Denied continuation of employer-paid health care coverage while on pregnancy disability leave
- Denied employment
- Denied equal pay
- Denied family care or medical leave
- Denied or force to transfer
- Denied pregnancy leave
- Denied promotion
- Denied reasonable accommodation
- Denied reinstatement
- Denied the right to wear pants
- Forced to quit
- Laid-off
- Terminated
- Tested for genetic characteristics
- Other (specify)

By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it them to be true.

Signature of Complainant or Complainant's Legal Representative:

Date:

Printed Name:

## DEMOGRAPHIC INFORMATION

THIS INFORMATION IS OPTIONAL AND IS ONLY USED FOR STATISTICAL PURPOSES.

Primary Language:

Age:

### GENDER:

Male  
Female  
Other

### MARITAL STATUS:

Single  
Married  
Cohabitation  
Divorced

### RACE:

American Indian or Alaskan Native  
Asian  
Black or African American  
Native Hawaiian or Other Pacific Islander  
White  
Other

### ETHNICITY:

Hispanic or Latino  
Non-Hispanic or Latino

### NATIONAL ORIGIN:

Afghani National Origin  
American [U.S.A] National Origin  
Asian Indian National Origin  
Bangladeshi National Origin  
Cambodian National Origin  
Canadian National Origin  
Chinese National Origin  
Cuban National Origin  
Dominican National Origin  
Egyptian National Origin  
English National Origin  
Ethiopian National Origin  
Fijian National Origin  
Filipino National Origin  
German National Origin  
Ghanaian National Origin  
Guamanian National Origin  
Haitian National Origin  
Hawaiian National Origin .  
Hmong National Origin  
Indonesian National Origin  
Iranian National Origin  
Iraqi National Origin  
Irish National Origin  
Israeli National Origin

Italian National Origin  
Jamaican National Origin  
Japanese National Origin  
Korean National Origin  
Laotian National Origin  
Lebanese National Origin  
Malaysian National Origin  
Mexican National Origin  
Nigerian National Origin  
Other National Origin  
Other African National Origin  
Other Asian National Origin  
Other Caribbean National Origin  
Other European National Origin  
Other Hispanic/Latino National Origin  
Other Middle Eastern National  
Pakistani National Origin  
Puerto Rican National Origin  
Salvadoran National Origin  
Samoan National Origin  
Sri Lanka National Origin  
Syrian National Origin  
Taiwanese National Origin  
Thai National Origin  
Tongan National Origin  
Vietnamese National Origin

## DEMOGRAPHIC INFORMATION

THIS INFORMATION IS OPTIONAL AND IS ONLY USED FOR STATISTICAL PURPOSES.

### DISABILITY:

Aids  
Blood / Circulation  
Brain / Nerves / Muscles  
Digestive / Urinary / Reproduction  
Hearing  
Heart  
Limbs [ Arms / Legs ]  
Mental  
Sight  
Speech / Respiration  
Spinal / Back / Respiration  
Other Disability

### RELIGION:

Agnostic	Nonreligious
Atheist	Protestantism
Bahai	Primal-indigenous
Buddhism	Quakers
Catholicism	Rastafarianism
Christianity	Spiritism
Confucianism	Shinto
Hinduism	Sikhism
Islam	Taoism
Jehovah's Witness	Unitarian-Universalism
Judaism	Zoroastrianism
Neo-Paganism	Other

# California Department of Fair Employment & Housing Privacy Policy

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The California Department of Fair Employment & Housing (DFEH) has adopted this Privacy Policy, effective June 30, 2015. DFEH values the security and privacy of your personal information and is committed to protecting your privacy rights. The DFEH seeks only to collect relevant personal information that enables us to assist you in investigating and resolving complaints of discrimination as prescribed by California Government Code section 12900 et seq. and California Civil Code sections 51, 5.17 and 54 et seq.

All personal information we collect is governed by the State of California Information Practices Act of 1977 (Civ. Code, §§ 1798-1798.78), Government Code sections 11015.5 and 11019.9, and the California Public Records Act (Gov. Code § 6250 et seq.).

Outlined below is our online Privacy Policy and Notice:

- [Legal Authority for Collection and Use of Information](#)
- [Disclosure and Sharing](#)
- [What happens to information you submit to us?](#)
- [Cookies](#)
- [Links](#)
- [Public Disclosure](#)
- [Minors](#)
- [Security](#)
- [Changes to our Privacy Policy](#)
- [Access and Corrections to your Personal Information](#)
- [How to contact us if you have any questions regarding this policy](#)
- [Effective date](#)

## Legal Authority for Collection and Use of Information

We collect information that may be directly associated with a specific person. We call this "Personal Information," and it includes, names, addresses, telephone numbers and email addresses. We collect this Personal Information through lawful means from individuals who seek to file a complaint with the DFEH, and we use this information to establish jurisdiction and to conduct an investigation of any allegations of Civil Rights violations. If you seek to file a complaint, you are required to provide us with sufficient information in accordance with California Government Code section 12900, et seq., and California Civil Code sections 51, 5.17 and 54 et seq.

## Disclosure and Sharing

We do not sell your personal information. Government Code section 11015.5, subdivision (6), prohibits DFEH and all state agencies from distributing or selling any electronically collected personal information about users to any third party without the permission of the user. Any distribution of electronically collected personal information will be solely for the purposes for which it was provided to us, as described below.

We also may share your personal information under the following circumstances:

1. You give us permission.

2. We receive a request from a party with legal authority to obtain the information, such as a subpoena.
3. As authorized by law, it is transferred to / shared with the U.S. Equal Employment Opportunity Commission, the National Labor Relations Board, the U.S. Department of Labor, the U.S. Department of Housing and Urban Development, the U.S. Department of Health and Human Services, the U.S. Department of Education, the U.S. Department of Justice, or any branch of the California State Government, or any other local or Federal agency with similar jurisdiction.
4. Non personal information, including the allegations in the complaint document itself, may be disclosed to the public under the California Public Records Act.

### **What happens to information you submit to us?**

The Personal Information we obtain from you will be used for the purposes for which it was provided: to further the DFEH's efforts to investigate and attempt to resolve the allegations of unlawful discrimination, harassment and/or retaliation that you filed. Electronically collected Personal Information we gather about visits to our website is used to help us improve the user experience and for basic web metrics of our website.

### **Links**

Our website may contain links to other websites on the Internet that are owned and operated by third parties. DFEH does not control the privacy policies or practices of these websites. You are advised to review the privacy policies of the third party offering the website before providing any personal information to these websites. DFEH is not responsible for the content or practices of any linked third party website and such third party websites are provided solely for the convenience and information to our visitors.

### **Cookies**

We do not collect information such as names, addresses, and emails from individuals browsing DFEH's website. However, when you visit our website, a "cookie" may be saved on your computer. A cookie is a tiny piece of data stored by your browser that helps us recognize your unique computer and your preferences when using our website. The information DFEH automatically collects may include the type of browser used, date and time you visited the site, and web pages you visited. This information is collected to improve the user experience and for basic web metrics. The information is deleted after 30 days. This type of electronic information collection is permitted by law and is exempt from requests made under the Public Records Act.

You can refuse the cookie or delete the cookie file from your computer after you visit our website. You can find instructions for managing cookie controls on websites for particular browsers. For example:

- [Microsoft Internet Explorer browsers](#)
- [Macintosh Safari browsers](#)
- [Mozilla Firefox browsers](#)

### **Public Disclosure**

In the State of California, laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by state government. At the same time, there are exceptions to the public's right to access public records.

These exceptions serve various needs including maintaining the privacy of individuals. Both state and federal laws provide exceptions. All information collected at this site becomes a public record that may be subject to

inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Privacy Notice and the Public Records Act, the Information Practices Act and/or other law governing the disclosure of records, the Public Records Act, the Information Practices Act and/or other applicable law will control.

### **Minors**

We recognize the importance of protecting privacy where minors (a person under 18 years of age) are involved. We are committed to protecting the privacy of minors and do not knowingly collect personal information from minors or create profiles of minors through our website. Users are cautioned, however, that the collection of personal information submitted online or in an e-mail will be treated as though it was submitted by an adult. DFEH strongly encourages parents, guardians and adults to be involved in the internet activities of their children or other minors they are responsible for and to provide guidance whenever minors are asked to provide personal information online. If you believe a minor has provided us with personal information, we ask that a parent or guardian contact us at 1-800-884-1684.

### **Security**

DFEH has put security measures in place to safeguard and protect your information from unauthorized access, disclosure, and loss. Our policy limits access to personal information to employees who have an established business need for the Personal Information including those directly involved in the filing, investigation, resolution and/or litigation of your complaint. Information that is physically located within the DFEH is protected by various security measures, which may include the use of encryption software to protect the security of an individuals' personal information during transmission and storage. Personal Information is destroyed according to the DFEH's records retention policy, and we only retain these records for as long as necessary to fulfill our business need. We train our employees on procedures and management of personal information we collect as well as on taking precautions and complying with limitations on the release of personal information.

### **Access and Corrections to your Personal Information**

You have the right to review any Personal Information we collect about you. If you request all or a portion of the Personal Information collected about you by the DFEH, we will provide you with the Personal Information requested and explain how we use the information. You may request changes to your Personal Information you believe is incorrect by submitting a written request that credibly shows the error. If you believe that your Personal Information is being used for a purpose other than what you intended when you submitted it, you may contact us to so we can rectify the misuse. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.

### **How to contact us if you have any questions regarding this policy**

If you have any questions or concerns about the information presented in this Privacy Notice, you may contact:

DFEH Privacy Officer  
2218 Kausen Drive, Suite 100  
Elk Grove, CA 95758  
1-800-884-1684

### **Changes to our Privacy Policy**

We may update and revise our Privacy Policy. We will post any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice.

**Effective date**

June 30, 2015