



Wisconsin Department of Natural Resources Discrimination Grievance Procedure

August 2021

The Wisconsin Department of Natural Resources (DNR) adopts the following procedures to allow any person or group to submit a complaint alleging discrimination of any kind by the DNR that may constitute a violation of 40 CFR Part 7 or any state or federal statutes or regulations that the DNR enforces, and in order to assure the prompt and fair resolution of any such discrimination complaints.

Step	Who	Does What
1	Complainant	<p>Submittal of Complaint</p> <p>In order to have a complaint submittal considered for investigation under this procedure, the complainant shall file the complaint in writing no later than 180 calendar days after the date(s) of the alleged act(s) of discrimination.</p> <p>The complaint shall be in writing and signed by the complainant or the complainant’s representative and shall include the contact information for the complainant or their representative.</p> <p>The complaint shall specify with as much detail as possible:</p> <ul style="list-style-type: none"> • The actions or inactions by DNR that support an alleged violation. • The alleged discrimination that did or will result from such actions or inactions. • The identity of the person(s) harmed or potentially harmed by the alleged discrimination. • The state of federal statutes or regulation that DNR allegedly violated (if known). <p>The DNR may request additional information from the complainant if needed to assist with meeting the complaint requirements listed above. Appropriate assistance shall be provided to individuals with disabilities and individuals with limited English proficiency. Also, complaints in alternate formats shall be accepted from individuals with disabilities, for example, complaints filed on computer disks, on audio tape, or in Braille.</p> <p>All complaint submittals should be mailed (or emailed) to the DNR’s Nondiscrimination Compliance Coordinator (NCC) at the following address:</p>

		<p>Nondiscrimination Compliance Coordinator Bureau of Legal Services Wisconsin Department of Natural Resources 101 South Webster Street P.O. Box 7921 Madison, WI 53707-7921 E-mail: DNRNondiscriminationCC@Wisconsin.gov</p>
2	NCC	<p>Logging of Complaint Submittals</p> <p>All complaint submittals meeting the requirements in Step 1 are to be logged. The NCC shall retain a copy of all documents on file in accordance with the records retention schedule. The NCC shall also notify the relevant program manager(s). All logged complaints will receive an appropriate, prompt, and unbiased investigation.</p> <p>The following are examples of what will not be logged as a complaint submittal:</p> <ul style="list-style-type: none"> • Anonymous submittals. • Submittals too vague to reasonably determine the allegations of discriminatory conduct. • Submittals not sufficiently identifying the person(s) harmed or potentially harmed by the alleged discrimination. • Inquiries seeking advice or information. • Courtesy copies of court pleadings. • Newspaper articles. • Web-based media sources such as YouTube videos, email strings, blogposts, comments strings, or webpages. • Courtesy copies of internal grievances. • Voice mail messages, telephone calls, or in-person conversations.
3	NCC	<p>Initial Review of a Complaint Submittal; Informal Resolution Process</p> <p>Upon receipt of a complaint and any additional information supporting or otherwise associated with the complaint, a case file shall be established containing all documents and information pertaining to the complaint and an initial review of the case shall be conducted. At this stage, the NCC shall determine if an informal resolution process should be engaged and, if so, shall inform the complainant how to engage the available options for the informal resolution process.</p>

4	NCC	<p>Determination if Complaint Warrants Further Investigation</p> <p>The NCC, based on information in the complaint submittal and other information available, shall determine if:</p> <ul style="list-style-type: none"> • The DNR has jurisdiction to pursue the matter. • The complaint submittal contains sufficient merit to warrant further investigation. <p>A complaint shall warrant further investigation unless:</p> <ul style="list-style-type: none"> • It lacks an identifiable path to resolution or does not provide enough clarity to warrant next steps. • Within the time allotted for making the determination of jurisdiction and investigative merit, DNR reaches an agreed resolution with the complainant. • Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint. • The complaint was not submitted within the time limits established in Step 1. <p>Within 30 calendar days of receipt of the complaint submittal, the NCC shall inform the complainant if the complaint has or has not been accepted for further investigation. If it is determined that further investigation is not warranted, the reason for such determination shall be recorded in the case file.</p>
5	NCC	<p>Further Investigation of Complaint</p> <p>If the NCC determines the complaint submittal warrants further investigation, the NCC shall review the alleged facts to determine the course of the investigation. The investigation may include interviews of DNR employees, other relevant witnesses, or others named in the complaint. Relevant DNR employees shall make themselves available as necessary. The preponderance of the evidence standard will be applied during the analysis of the complaint.</p>
6	NCC	<p>Report and Determination</p> <p>The NCC shall issue a report and determination on whether DNR violated 40 CFR Part 7. The NCC shall prepare a written report of the investigation that shall include a narrative of the incident, identification of individuals interviewed, and evidence reviewed, and shall contain findings and a determination. The report and determination shall be placed in the complaint file.</p> <p>Within 180 calendar days of receiving the complaint that warranted investigation, the NCC shall notify the complainant in writing of the findings of the investigation and the recommendations for resolution.</p>

7	Complainant	Appeal The person submitting the complaint may appeal the decision of the NCC by writing to the DNR Secretary within 30 calendar days of receiving the NCC's decision. The DNR Secretary shall issue a written decision in response to the appeal no later than 30 calendar days after its receipt.
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