

# **PENNSYLVANIA HUMAN RELATIONS ACT GUIDE FOR COMPLAINANTS**

**From the Pennsylvania Human Relations Commission,  
[sites.state.pa.us/PA\\_Exec/PHRC/publications/literature/web\\_gforc.htm](http://sites.state.pa.us/PA_Exec/PHRC/publications/literature/web_gforc.htm)**

## **THE LAW**

The Pennsylvania Human Relations Act makes it unlawful, in employment, to refuse to hire, to discharge or to otherwise discriminate in any term or condition of employment because of race, color, religion, ancestry, age (40 and above), sex, national origin, non-job related disability, retaliation, possession of a diploma based on passing a general education development test, willingness or refusal to participate in abortion or sterilization or to refuse to contract with certain independent contractors for the same reasons.

In the area of housing, commercial property and public accommodation, the Act makes it unlawful to refuse, withhold or deny housing or public accommodation, or to discriminate in any terms or conditions associated with the provision or use of such housing or accommodation, because of race, color, sex, religion, ancestry, national origin, disability, use of a guide or support animal due to blindness, deafness or physical disability or because the user is a handler or trainer of such animals.

In housing and commercial property cases, such actions are also unlawful when based upon age or familial status.

In all areas, the Act makes it unlawful to discriminate against any person because of the disability of an individual with whom the person is known to have a relationship or association.

These anti-discrimination laws are enforced by the Pennsylvania Human Relations Commission.

## **DISABILITY ACCESS TO THE COMMISSION**

The Commission encourages individuals with disabilities to participate in its programs. If you anticipate needing special accommodations or have questions about the physical access provided, please contact the regional office that serves you **immediately** so that assistance with any proceeding may be obtained.

## **THE COMPLAINT**

If you believe that you have been the victim of unlawful discrimination in employment, housing or public accommodations, you may discuss your concerns with a Commission staff member, who will answer your questions and help you decide whether you should file a complaint with the Commission.

The Commission is available to help you draft the wording of the complaint and prepare it in legal form for your verified signature. Before you sign the complaint, make sure that it is an accurate account of what happened to you, to the best of your knowledge and belief. This is important, because Pennsylvania law provides penalties for persons who knowingly file false complaints.

You must file your complaint within **180 days** of the alleged act of discrimination, unless you are able to convince the Commission that you are legally justified in not filing within this period.

You have the right to be represented before the Commission by a private attorney, if you so desire.

If your complaint allegations are also covered by federal laws, the Commission will process your complaint for dual filing with the appropriate federal agency.

After you have filed your complaint, it will receive a docket number and will be served on the respondent (the person you have named in your complaint as responsible for the alleged discrimination) within 30 days from the date of docketing. The respondent will then be required to answer your complaint within no more than 60 days of the date it was served. The respondent is required to provide you with a copy of their answer.

## **THE INVESTIGATION**

Your complaint will be investigated by a Commission investigator. In dealing with your investigator, please remember that you must give all the facts, if the Commission is to properly resolve your complaint. Make your investigator fully aware of details. Answer all questions you are asked, even if you think the answer might weaken your complaint. Your investigator will then be better prepared if such information is discussed by the respondent.

Names, dates, places, addresses and the like should be as accurate as possible.

Please make available to your investigator any witnesses or documents, such as a payroll slip or a rent receipt, which may substantiate your charges.

In addition, the Commission has the power to subpoena relevant witnesses or documents, if it becomes necessary to do so.

The law prohibits anyone from taking any action against you because you have filed a complaint, or against a witness who has testified or assisted in a Commission proceeding, or against anyone who has otherwise opposed any practice forbidden by the Pennsylvania Human Relations Act.

Please keep your investigator advised of any change in your address or telephone number, or the address or phone number of your attorney.

## **THE FACT-FINDING CONFERENCE AND FURTHER INVESTIGATION**

A Fact-Finding Conference is often held by the Commission, as soon as possible. Commission staff will conduct the Conference, at which you and the respondent present evidence and documents. This Conference is designed to speed up the investigation and, possibly, to help reach a fair settlement of your complaint.

Please note that a Fact-Finding Conference may not be held in your case. There are several reasons why a fact finding conference may not be held: the case may be settled; a complainant or respondent, or both, may refuse to participate in the fact finding conference; or, the investigator may determine that a conference is not necessary based upon all of the circumstances. If your complaint is not resolved at the Fact-Finding Conference, or if one is not held, the investigation will continue.

The investigator will interview the respondent, and any other relevant witnesses, and will review all pertinent records and documents that are obtained.

You may be asked to clarify your complaint in the light of new information, or to rebut the responses of the respondent. If you should learn or remember any additional information, please notify your investigator immediately.

## **RESULTS OF THE INVESTIGATION**

The Commission investigation may find: (1) no probable cause or lack of jurisdiction, and move to dismiss the complaint; or (2) probable cause, and act to correct the discrimination and its effects. Cases may also be resolved by a voluntary settlement prior to a formal finding or by an administrative closure.

You will be notified by mail if the Commission dismisses the case and told of any appeal rights you may have.

If within one year after filing a complaint with the Commission the complaint is not yet resolved or if the Commission dismisses the complaint, you may bring action in the courts of common pleas of the Commonwealth.

## **THE CONCILIATION**

If the investigation establishes probable cause, efforts to adjust the complaint through conciliation will take place as soon as possible. The respondent will be asked to: (1) cease and desist from the specific discriminatory act or practice involved in the complaint; and (2) implement whatever actions, programs or compensation the Commission deems necessary to remedy the discrimination uncovered in the investigation.

## **THE PUBLIC HEARING**

If after a probable cause finding there is no satisfactory adjustment, the Commission may convene a Public Hearing\* at which testimony under oath is presented. Your complaint will be represented by a Commission attorney or a private attorney if you prefer. A decision will be rendered and a legally enforceable order issued. This order may be appealed to Commonwealth Court. In certain housing cases, parties will be permitted to elect court action.

## **Pennsylvania Human Relations Commission**

### **Central Office:**

301 Chestnut Street - Suite 300  
Harrisburg, PA 17105-3145  
(717) 787-4410 (VOICE)  
(717) 787-4087 or (717) 783-9308 (Text Telephone)

### **Serviced by the Pittsburgh Regional Office**

11th Floor State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222-1210  
(412) 565-5395 (VOICE)  
(412) 565-5711 (Text Telephone)

### **Serviced by the Harrisburg Regional Office**

Riverfront Office Center  
1101-1125 South Front Street  
5th Floor  
Harrisburg, PA 17104-2515  
(717) 787-9784 (VOICE)  
(717) 787-7279 (Text Telephone)

### **Serviced by the Philadelphia Regional Office**

711 State Office Building  
1400 Spring Garden Street  
Philadelphia, PA 19130-4088  
(215) 560-2496 (VOICE)  
(215) 560-3599 (Text Telephone)

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