

# CITY OF LA CROSSE HUMAN RIGHTS COMMISSION

## Information for Persons Filing Discrimination Complaints

Complaints shall be filed in writing with the City of La Crosse Human Rights Commission in the Office of the City Clerk, 400 La Crosse St., La Crosse, Wisconsin 54601. Complaints may be filed in person, on-line or by mail.

City of La Crosse Ordinance prohibits only discrimination with respect to the sale, rental or financing of housing; with respect to the use of City facilities; and with respect to the use of any public place of accommodation or amusement in the City which are open to the public. The term "public place of accommodation or amusement" shall be interpreted broadly to include, but not be limited to, places of business or recreation, hotels, motels, resorts, restaurants, taverns, barber or cosmetologist, aesthetician, electrologist or manicuring establishments, nursing homes, clinics, hospitals, cemeteries, and any place where accommodations, amusements, goods or services are available either free or for a consideration, except where such a broad interpretation would deny to any person rights guaranteed by the constitutions of Wisconsin or the United States. The Ordinance does not cover discrimination in employment or other kinds of discrimination; the State of Wisconsin has laws which do apply to those other types of discrimination.

Types of discrimination covered by the City of La Crosse Ordinance include sex, race, religion, color, national origin or ancestry, age, disability, marital status, lawful source of income, physical appearance, sexual orientation, gender identity or expression, political activity, familial status, domestic partnership, or student status.

### **Things to Remember**

Complaint must involve a claim of discrimination, which occurred within the corporate limits of the City of La Crosse, not just within other areas of La Crosse County.

If Complaint involves housing discrimination in the County but outside of the City of La Crosse, the Complaint should be filed with the La Crosse County Clerk located in the County Administrative Center, 212 6<sup>th</sup> St. N. Room 1500, La Crosse, Wisconsin 54601.

Under the City of La Crosse Ordinance establishing the Human Rights Commission, a written Complaint must be filed within 180 days after the complainant knew or should reasonably have known that the alleged act or acts occurred.

### **Procedure After Your Complaint is Filed**

Upon filing of the complaint, the City Clerk shall distribute a copy of the complaint to each member of the Commission. The Commission shall, within 25 business days, hold a public meeting to determine in writing whether the complaint alleges sufficient facts that if true, relief could be granted and therefore whether the complaint is actionable. This review shall include whether the Commission has jurisdiction over the complaint and whether essential elements of the requirements of [section 22-24\(a\)](#) are met.

Should a determination be made that the Commission does not have jurisdiction or that the complaint fails to allege sufficient facts, that if true relief could be granted, the complainant shall be dismissed in writing. Should the Commission then decide that the complaint is not actionable, the complainant may appeal to

the Circuit Court of La Crosse County. Such appeal shall be made in writing with a copy served upon the Commission within 45 days of the complainant's receipt of such final determination of the Commission.

Should a determination be made that based on the complaint it is reasonable to believe discrimination in violation of this article has been or is being committed, the City Clerk shall be informed by the chair of the Commission. Upon such notice, the City Clerk shall send notice to the respondent. Upon receipt of said notice, the respondent shall have 20 business days to file and serve a written response. Such written response shall be served upon the complainant and the City Clerk.

Upon receipt of such written response, the Commission shall determine whether probable cause exists to believe discrimination in violation of this article has been or is being committed. If the Commission finds no probable cause, the complaint shall be dismissed. Should the Commission determine probable cause exists, the Commission shall do one or more of the following:

- a. Designate an outside mediator to attempt to resolve the matter short of hearing by an independent hearing examiner or
- b. Designate an independent hearing examiner which shall have the authority to issue subpoenas, take testimony and hold contested hearings on behalf of the Commission. The hearing examiner shall issue a written report of all findings of fact and law in this matter and submit such report to the Commission within 45 days of appointment, unless the independent hearing examiner or the Commission finds good cause to take additional time and provides reason for the additional time. The independent hearing examiner shall appear at any Commission meeting as requested.

If after a contested hearing, the independent hearing examiner determines no discrimination has been or is being committed, the complaint shall be dismissed. If after a contested hearing, the independent hearing examiner determines discrimination has been or is being committed, the Commission shall determine penalties for any such violation found under this section. The Commission may do one or more of the following:

- a. Order a forfeiture against the offending party in accordance with [section 22-21](#).
- b. Issue a non-monetary order as will accomplish the purpose of this article by eliminating the discrimination found. "Non-monetary order" means a directive to perform an action to eliminate discrimination other than a transfer of monetary funds between the respondent and the complainant.

A certified copy of such recommended findings, conclusions, and orders, together with a summary of the findings of fact shall be mailed to the last known addresses of the complainant and respondent. Within 30 days following the mailing of the Commission's decision, the complainant or respondent may appeal by certiorari to the Circuit Court of La Crosse County. If within 30 days following the mailing of the examiner's decision the Commission does not receive notice of appeal, the findings, conclusions and orders of the examiner shall be the findings, conclusions and orders of the full Commission.

If you have any questions about the above procedure, please do not hesitate to inquire of the La Crosse Planning & Development Department.

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Disclaimer: This document is informational only. This Information may be superseded by changes to the Ordinance. You should review the Human Rights Ordinance, which can be found in the Municipal Code on the city's website at [www.cityoflacrosse.org](http://www.cityoflacrosse.org).