



**MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES**

**NONDISCRIMINATION NOTICE**

As a recipient of Federal financial assistance, the Department of Public Health and Human Services does not exclude, deny benefits to, or otherwise discriminate against any person on the basis of race, creed, religion, color, national origin, age, physical or mental disability, marital status, sex, political belief, sexual orientation or genetic information. This includes the admission to, participation in or receipt of services or benefits of any of its programs, activities or employment, whether carried out by the department, through a contractor or other entity.

This statement is in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (42 USC 2000 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 USC 794 et seq.), the Age Discrimination Act of 1975 (42 USC 6101 et seq.), and the Americans with Disabilities Act (42 USC 12101 et seq.).

In case of questions regarding this policy or in the event of that you wish to file a complaint alleging violations of this policy, please contact:

Department of Public Health and Human Services  
Director, Office of Human Resources  
Title II/Section 504 Coordinator and EEO Coordinator  
P.O. Box 4210  
Helena, MT 59604  
Phone: 406-444-3136  
Fax: 406-444-0262  
TDD: 800-253-4091

Or you may file a complaint with:

U.S. Department of Health and Human Services  
Office for Civil Rights, Region VIII  
999 18<sup>th</sup> Street, Suite 417  
Denver, Colorado 80202  
Phone Number (303)844-7893  
TDD Number: (303)844-3439

# STATE OF MONTANA EQUAL OPPORTUNITY

Montana state government is committed in providing equal opportunity in all aspects of employment and equal access to its programs, services, and activities. Agency managers will not tolerate discrimination because of race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, sexual orientation, political beliefs, genetic information, veteran status, culture, social origin or condition, or ancestry.

<p><b>SEXUAL HARASSMENT</b></p> <p>Agency managers will not tolerate sexual harassment of employees, clients, customers, or other persons doing business with state government. There are two categories of sexual harassment: Quid Pro Quo and Hostile Working Environment.</p> <p><b>Quid Pro Quo:</b> Requesting sexual favors in return for job benefits or opportunities. <b>Examples</b> may include, but are not limited to, sexual demands as a condition of employment; loss or threatened loss of a job for failing to comply with a supervisor's sexual demands; altering employment benefits in exchange for sexual favors; or forcing an employee to resign because he or she did not submit to a sexual request.</p> <p><b>Hostile Working Environment:</b> Unwelcome sexual conduct that unreasonably interferes with an employee's job performance or creates an intimidating, hostile or offensive working environment. Although a single occurrence or a pattern of sexually oriented behavior might not constitute illegal harassment, it is still unacceptable. <b>Examples</b> may include, but are not limited to, displaying sexually suggestive objects, pictures, screen savers, cartoons, or posters; verbal abuse of a sexual nature; sexually oriented discussions, jokes, innuendoes, comments, or obscenities; and sexually suggestive letters, notes, emails, or text messages.</p>	<p><b>DISABILITIES</b></p> <p>Agency managers will not tolerate discrimination against qualified applicants or employees with disabilities in hiring, firing, promotions, compensation, job assignments, or other terms, privileges, or conditions of employment.</p> <p>Agency managers will provide reasonable accommodations, upon request, to otherwise qualified applicants or employees with disabilities in all aspects of employment, including the application and selection process, performing the essential functions of the job, or enjoying equal benefits and privileges of employment. If an accommodation is not effective, creates an undue hardship on a department, or endangers health or safety, it is not a reasonable accommodation.</p> <p>State government encourages qualified applicants and employees with disabilities who need a reasonable accommodation to notify their immediate supervisor, department ADA coordinator, or human resource staff of their need for a reasonable accommodation.</p> <p>Agency managers will make reasonable modifications to policies and procedures and provide equally effective communications to people with disabilities to promote equal access to programs, services, and activities.</p>
<p><b>OTHER HARASSMENT</b></p> <p>Agency managers will not tolerate harassment of employees, clients, customers, or any other persons doing business with state government because of <b>race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, sexual orientation, political beliefs, genetic information, veteran status, culture, social origin or condition, or ancestry</b>. Even mutually agreeable behavior, or behavior accepted between two or more people, can be offensive to others; for this reason, it is unacceptable. <b>Examples</b> may include, but are not limited to, oral, written, or electronic communication in the form of slurs, repeated jokes, comments, visual images, innuendoes, or other verbal or physical conduct that focuses on any protected class.</p>	<p><b>MATERNITY</b></p> <p>Agency managers will not discriminate against applicants or employees in hiring, firing, promotions, compensation, job assignments, or other terms, conditions, or privileges of employment when an employee becomes temporary disabled because of pregnancy, childbirth, or related medical conditions.</p> <p>Agency managers will not terminate employees due to pregnancy or childbirth and will grant reasonable amounts of leave of absence, upon request, for pregnancy, childbirth or related medical conditions. The State of Montana recognizes six (6) calendar weeks as a reasonable period of recovery following childbirth.</p>
<p><b>EQUAL PAY</b></p> <p>Agency managers may not pay men and women differently who perform "substantially equal" work in jobs in the same workplace, except where the difference in pay is made according to a seniority system or a differential based on any factor other than sex, such as merit, longevity, or employee qualifications. Substantially equal work in jobs requires equal skills, effort and responsibility and is performed under similar working conditions.</p>	<p><b>RELIGION</b></p> <p>Agency managers encourage qualified applicants and employees who need reasonable accommodations because of their religious beliefs or practices to notify their immediate supervisor, department EEO officer, or human resource staff of their need for an accommodation. An accommodation is not reasonable if it would create an undue hardship on a department.</p>
<p><b>GENETIC INFORMATION</b></p> <p>Agency managers will not discriminate against applicants or employees because of genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.</p>	<p><b>MILITARY OR VETERAN STATUS</b></p> <p>Agency managers will ensure employees who serve or have served in the Armed Forces, Reserves, National Guard or other uniformed services are not disadvantaged in their civilian careers because of their military service; promptly reemployed in their civilian jobs upon return from duty; and not discriminated against in employment because of their past, present, or future military service.</p>
<p><b>Retaliation is Illegal</b></p>	
<p>It is an unlawful discriminatory practice for a state or local governmental agency to discharge, expel, blacklist, or otherwise discriminate against an individual because the individual has opposed discriminatory practices or because the individual has filed a complaint, testified, assisted, or participated in any manner in an investigation or legal proceedings involving unlawful discrimination. <b>Agency managers will not retaliate or allow others to retaliate!</b></p>	

The State Human Resources Division has outlined the state's complaint resolution procedures in the Equal Employment Opportunity (EEO) - Nondiscrimination - Harassment Prevention Policy, Administrative Rules of Montana (ARM) 2.21.4001 et seq., located at <http://hr.mt.gov/hrpp/policies.mcp.x>.

If you wish to report a complaint, you can:

- Contact an agency manager or the agency's EEO Officer, Americans with Disabilities Act (ADA) Coordinator, or human resource staff. The State Human Resources Division recommends using the complaint form located at <http://hr.mt.gov/hrpp/policies.mcp.x> when filing a complaint within the department.
- File a complaint with the Human Rights Bureau, Department of Labor and Industry (P.O. Box 1728, Helena, MT 59624, 1-800-542-0807) within 180 days of the act or within 300 days if you used an internal complaint procedure.

If you are not a victim of discrimination, but you observed actions against other employees, clients, or customers you believe to be discrimination, please contact an agency manager or the agency's EEO Officer, ADA Coordinator, or human resource staff.

**Alternate Accessible Formats:** You can request alternate accessible formats of this poster by contacting the State Diversity Program Coordinator at 406-444-3984 or TDD 406-444-1421.