

Minnesota Defense Lawyers Association
Discrimination Complaint Deadlines
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Walz extends discrimination complaint deadlines

Those suspecting they've been discriminated against have extra time to file a complaint with the Department of Human Rights, now that Gov. Tim Walz has issued his [39th peacetime emergency executive order](#).

The same order also gives respondents more time to answer a charge.

[Executive Order 20-39](#) was issued late Wednesday. It says its purpose is to answer some of the same concerns that prompted Walz to sign [House File 4556](#) a bill that, among other things, suspended civil court filing deadlines and statutes of limitations.

“Despite the ongoing pandemic, the importance of Minnesotans’ ability to bring claims of discrimination has not diminished,” the order says. “Minnesota’s Asian-American community is [facing a wave](#) of hostility and increased risks of discrimination as a result of the COVID-19 pandemic.”

Despite that dramatic language, however, the new executive order is something of a technical tweak. Its primary aim is to reduce the risks of leaving home to file and respond to discrimination reports within the current filing deadlines.

It extends by 60 days the normal one-year deadline for filing a discrimination complaint with the Human Rights Department. Under the order, then, the complaint would be treated as timely if filed within 60 days of the emergency’s termination date, or Feb. 15, 2021, whichever is earlier.

The order also extends from 20 days to 60 days the available time a respondent has to answer the charge—except when an immediate inquiry is compelled by law.

Further, it extends from 10 days to 30 days the time for parties to submit a request for reconsideration, once a determination has been made.

Walz’s order also allows the department to skirt requirements in [Minnesota Statutes Chapter 363A](#) and [Chapter 5000](#) of the state’s Administrative Rules. It says that discrimination charges, determinations and dismissals may be served electronically rather than by U.S. or certified mail, as long as the parties agree.

Finally, the order allows the department to accept a charge if the party signs the required declaration under penalty of perjury, rather than the usual in-person signature witnessed by a notary.

Those with further questions may email the Human Rights Department info.mdhr@state.mn.us, or phone the agency at 651-539-1100<<tel:651-539-1100>> or 1-800-627-3529<<tel:1-800-627-3529>>.

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