



U.S. Department of Justice

Special Counsel for Immigration Related
Unfair Employment Practices

Office of Special Counsel

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AGREEMENT

between

**SOUTH DAKOTA DEPARTMENT OF COMMERCE & REGULATION
DIVISION OF HUMAN RIGHTS**

and

**UNITED STATES DEPARTMENT OF JUSTICE
CIVIL RIGHTS DIVISION
OFFICE OF SPECIAL COUNSEL FOR IMMIGRATION RELATED
UNFAIR EMPLOYMENT PRACTICES**

The South Dakota Department of Commerce & Regulation, Division of Human Rights is charged with the enforcement of the provisions of the South Dakota Human Relations Act of 1972 SDCL 20-13 which prohibits discrimination in employment on the basis of race, color, creed, religion, sex, national origin, ancestry or disability. The Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC), Civil Rights Division, U.S. Department of Justice is charged with the enforcement of the provisions of the Immigration Reform and Control Act of 1986 (as amended) which prohibit discrimination in employment on the basis of national origin or citizenship status, or in the form of "document abuse." The purpose of this Agreement is to minimize duplication of effort and to ensure that matters within the jurisdiction of an agency are communicated to that agency without delay.

The South Dakota Department of Commerce & Regulation, Division of Human Rights and OSC hereby appoint each other as their respective agents for the sole purpose of satisfying the time limits for filing of charges. To ensure that filing deadlines are satisfied, each agency will accurately record the date of filing of charges and notify the other agency of that date when referring a charge.

When either agency receives a charge containing allegations that fall within the jurisdiction of the other agency, the agency referring the charge will advise the charging party that an opportunity exists to file a complaint with the other agency and will forward a copy of the charge to the other agency as soon as possible.

If both agencies are investigating a charge arising from the same fact situation, the agencies will coordinate their investigations to the greatest extent practical and share information so as to minimize duplication of effort. It is understood that neither agency will divulge information under this Agreement in violation of applicable laws.

Nothing in this Agreement diminishes either agency's authority to investigate and prosecute charges that fall within the coverage of its statute.

Will. P. O'Toole
William O'Toole
Director of ~~Investigations~~
Division of Human Rights
South Dakota Department
of Commerce & Regulation

8/22/94
Date

William Ho-Gonzalez
William Ho-Gonzalez
Special Counsel for Immigration
Related Unfair Employment Practices
Civil Rights Division
U.S. Department of Justice

8-15-94
Date