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Sequence Number: 11-13-11  
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 File Date: 11/18/11

# Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

<b>Agency/Board/Commission:</b>	Tennessee Human Rights Commission
<b>Division:</b>	
<b>Contact Person:</b>	Shalini Rose, General Counsel
<b>Address:</b>	710 James Robertson Parkway Suite 100 Nashville, TN 37243
<b>Phone:</b>	615-741-5825 or 1-800-251-3589 (toll free)
<b>Email:</b>	Shalini.rose@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

<b>ADA Contact:</b>	Lisa Lancaster
<b>Address:</b>	710 James Robertson Parkway Suite 100 Nashville, TN 37243
<b>Phone:</b>	615-741-5825 or 1-800-251-3589 (toll free)
<b>Email:</b>	Lisa.Lancaster@tn.gov

**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	Andrew Johnson Building (THRC Central Office)		
Address 2:	710 James Robertson Parkway, 1 <sup>st</sup> Floor Conference Room		
City:	Nashville		
Zip:	37243		
Hearing Date :	01/23/2012		
Hearing Time:	1:30 p.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Address 1:	Jackson-Madison County Library		
Address 2:	433 E. Lafayette Street		
City:	Jackson		
Zip:	38301		
Hearing Date :	01/24/2012		
Hearing Time:	11:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Address 1:	Knoxville State Office Building Conference Room C		
Address 2:	531 Henley Street, 7th Floor		
City:	Knoxville		
Zip:	37902		
Hearing Date :	01/26/2012		
Hearing Time:	1:30 p.m.	<input type="checkbox"/> CST/CDT	<input checked="" type="checkbox"/> EST/EDT

**Additional Hearing Information:**

For a copy of this notice of rulemaking hearing, contact: Shalini Rose, General Counsel, Tennessee Human Rights Commission, located at 710 James Robertson Parkway, Nashville, Tennessee 37243, 615-741-5825, [Shalini.rose@tn.gov](mailto:Shalini.rose@tn.gov).

Oral or written comments are invited at the hearings. In addition, written comments may be submitted prior to or after the public hearings to Tennessee Human Rights Commission, Attention: Shalini Rose, 710 James Robertson Parkway, Suite 100, Nashville, TN 37243-1219; 615-253-1886 (facsimile) or [Shalini.rose@tn.gov](mailto:Shalini.rose@tn.gov) (email). However, any written comments must be received by the Commission no later than 4:30 PM CST, January 27, 2012, in order to assure consideration.

**Revision Type (check all that apply):**

- Amendment  
 New  
 Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1500-01-01	General Provisions
Rule Number	Rule Title
1500-01-01-.04	Incorporation of Federal Guidelines

Chapter Number	Chapter Title
1500-01-02	Employment, Public Accommodation and Housing Complaints
Rule Number	Rule Title
1500-01-02-.01	Practice and Procedure

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter 1500-01-01

General Provisions

Amendments

Rule 1500-01-01-.04 Incorporation of Federal Guidelines is amended by designating the existing paragraph (6) as paragraph (7), and adding the following new paragraph (6):

- (6) The guidelines on "English-only" promulgated by the United States Equal Employment Opportunity Commission, which appear in 29 Code of Federal Regulations Part 1606, are adopted, as hereinafter amended, and are incorporated by reference.

Authority: T.C.A. §§ 4-21-202, 4-21-203, 4-21-401, 4-21-601 and 4-21-602.

Chapter 1500-01-02

Employment, Public Accommodation and Housing Complaints

Amendments

Rule 1500-01-02-.01(1)(r) Practice and Procedure, Definitions is amended by deleting the text of the paragraph in its entirety and replacing it with the following language so that as amended, the paragraph shall read:

- (r) "No Reasonable Cause" means that after an investigation, the Commission has determined that the respondent has not engaged in a discriminatory practice. Such determinations will be made using the standards set forth in the policies, regulations, statutes, and our contracts with the United States Equal Employment Opportunity Commission (EEOC) and the United States Department of Housing and Urban Development (HUD).

Rule 1500-01-02-.01(1)(y) Practice and Procedure, Definitions, is amended by deleting the text of the paragraph in its entirety and replacing it with the following language so that as amended, the paragraph shall read:

- (y) "Reasonable Cause" means that after an investigation, the Commission has determined that the respondent has engaged in a discriminatory practice. Such determinations will be made using the standards set forth in the policies, regulations, statutes, and our contracts with the United States Equal Employment Opportunity Commission (EEOC) and the United States Department of Housing and Urban Development (HUD).

Rule 1500-01-02-.01(1) Practice and Procedure, Definitions is amended by designating the existing paragraph (aa) as paragraph (bb), and adding the following new paragraph (aa):

- (aa) "Sex" means and refers only to the designation of an individual person as male or female as indicated on the individual's birth certificate.

Authority: T.C.A. §§ 4-21-102, 4-21-302, 4-21-406, 4-21-602, 4-21-904, 4-21-905, and 8-50-103.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: Nov. 18, 2011

Signature: Shalini V Rose

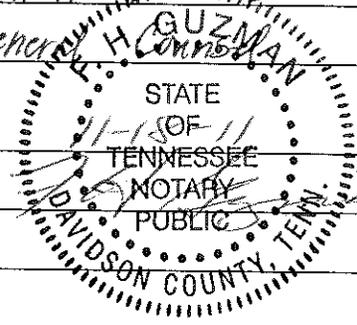
Name of Officer: Shalini V. Rose

Title of Officer: General Counsel

Subscribed and sworn to before me on: \_\_\_\_\_

Notary Public Signature: \_\_\_\_\_

My commission expires on: \_\_\_\_\_



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My Commission Expires JULY 3, 2012.

Filed with the Department of State on: 11/18/11

Tre Hargett

Tre Hargett  
Secretary of State

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