

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Rights Handout for Registrants, Applicants, and Participants

EQUAL OPPORTUNITY IS THE LAW

Under the Workforce Innovation and Opportunity Act (WIOA), no individual may be excluded from participation in, denied the benefits of, subjected to discrimination under, denied employment in the administration of, or in connection with, any program or activity because of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief. It is also unlawful to discriminate against any beneficiary of programs receiving money under WIOA Title I on the basis of citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any program or activity receiving money from WIOA Title I.

The program or activity must not discriminate in any of the following areas: deciding who will be admitted or have access to any WIOA Title I financially assisted program or activity; providing opportunities in, or treatment of any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

HOW TO FILE A COMPLAINT OF DISCRIMINATION

You must file your complaint, in writing, within 180 days from the date you believe the alleged discriminatory action happened. You may file your complaint with the State-level Equal Opportunity (EO) Officer or the Director of the Civil Rights Center (CRC) of the U.S. Department of Labor (DOL).

If you choose to file at the State level, you may use the Office of Equal Opportunity WIOA Unified Complaint Form available at: <https://scworks.org/about-us/legal>. Mail, email, or fax your complaint to:

Ms. Valerie McMellan, State EO Officer
S.C. Department of Employment and Workforce
Post Office Box 908
Columbia, SC 29202
Email: OEO@dew.sc.gov
Fax: (803) 737-0124

If you choose to file at the CRC level, you may use the Complaint Information Form available through the CRC Website: <https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/external/how-to-file-complaint>. Address your complaint to:

Director, Civil Rights Center (CRC)
ATTENTION: Office of External Enforcement
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210.

If you file your written complaint with the State-level EO Officer, you must wait until you receive a written Notice of Final Action or until 90 days have passed (whichever is sooner) before filing with the CRC. In the event you receive a Notice of Final Action and are dissatisfied with the decision, you may file a written

complaint with CRC within 30 days of the date on which you received the Notice of Final Action. In the event you do not receive a Notice of Final Action within 90 days of your complaint, you do not have to wait for the written Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after you filed your original complaint).

NOTE: You may request assistance in preparing your written complaint. You may have legal representation and/or witnesses to support your position. You may present evidence.

RIGHT TO FILE A PROGRAMMATIC COMPLAINT

You also have the right to file a programmatic complaint over matters that do not involve discrimination. For example, you may file a complaint if you feel that you have been treated unfairly, denied access to any WIOA program or activity, or if you feel that there has been a violation of WIOA, its regulations, or any applicable grant or training agreement.

HOW TO FILE A PROGRAMMATIC COMPLAINT

If you wish to complain about your treatment during the registration, application, and certification process, or as a WIOA program participant, you must file your written complaint within 180 days of the alleged occurrence. You should contact the following person for help in the use of the appropriate complaint procedures:

Name: _____ Title: _____

Service Provider/Operator: _____ Email: _____

Telephone Number: _____ Relay/TTY: _____

If your complaint is not resolved to your satisfaction, you can contact the Local EO Coordinator, as follows:

Name: _____ Title: _____

Address: _____ Email: _____

Telephone Number: _____ Relay/TTY: _____

If you don't receive a decision from the Local EO Coordinator within 60 days, you may file a written appeal to the State EO Coordinator within 15 days of the date the decision was due. If you are dissatisfied with the decision of the Local EO Coordinator, you may file a written appeal to the State EO Coordinator within 15 days of receipt of the adverse decision. Use the Office of Equal Opportunity WIOA Unified Complaint Information Form available at: <https://scworks.org/about-us/legal>. Mail, email, or fax your complaint to:

Ms. Amy Proveaux, State EO Coordinator
S.C. Department of Employment and Workforce
Post Office Box 908
Columbia, SC 29202
Email: OEO@dew.sc.gov
Fax: (803) 737-0124

The State EO Coordinator will issue a decision within 60 days after receiving your written appeal. If you do not receive a decision within 60 days after filing your appeal to the State EO Coordinator or if you are dissatisfied with the State EO Coordinator's decision, you may appeal to DOL within 60 days of receipt of the decision or within 60 days of receiving no decision. You can contact DOL, as follows:

Regional Administrator
Employment and Training Administration, U.S. Department of Labor
Sam Nunn Atlanta Federal Center, Room 6B65
61 Forsyth Street, S.W.
Atlanta, GA 30303

I certify that I have read, understand, and have received a copy of this handout explaining the grievance procedures.

Signature

Customer Name (Print)

Date

I certify that I have explained this handout to the above customer.

Staff Signature

Date