

Hocking-Athens-Perry Community Action
WIOA SUMMARY OF COMPLAINT RIGHTS

WIOA complaint procedures are for program applicants/registrants, participants, LWIOA/Ohio Option sub-area recipients and their sub recipients/providers, labor unions/joint labor/management committees, community-based organizations, or any individual or organization wishing to file a WIOA-based complaint. Complaints must be reduced to writing. They may be filed by mail (regular or electronic) or in person by the Complainant or his/her authorized representative.

<u>Natoshia Irvin</u>	<u>(740) 767-4500</u>
Equal Opportunity Officer	Phone

Hocking-Athens-Perry Community Action
LWIOA/Ohio Option Sub-area Recipient

<u>3 Cardaras Drive; PO Box 220, Glouster, OH 45732</u>	<u>(740) 767-4500</u>
Address	Phone

PROGRAMMATIC COMPLAINTS

LWIOA/Ohio Option Sub-area Recipient Level:

Persons who wish to file programmatic complaints have ONE YEAR from the date of the incident or alleged unfair treatment to do so. It is recommended, however, that a complaint be filed within TEN (10) DAYS of the incident/treatment. The Equal Opportunity Officer shall be available to provide assistance to the Complainant.

WITHIN TEN (10) CALENDAR DAYS of the filing of the complaint, an INFORMAL CONFERENCE will be held to attempt resolution of the complaint. If no resolution is reached, the Complainant will be given written notice of his/her right to REQUEST A HEARING.

WITHIN SIXTEEN (16) CALENDAR DAYS from the date the complaint was filed, the Complainant must provide a written REQUEST FOR HEARING. If any amendment(s) to the original complaint are needed, they must also be submitted, in writing, with the REQUEST FOR HEARING.

WITHIN THIRTY (30) CALENDAR DAYS of the filing of the complaint, a HEARING WILL BE CONDUCTED. The Complainant and Respondent shall be advised, in writing, of all procedural rights (i.e. representation, presentation of evidence, witnesses, etc.).

WITHIN SIXTY (60) CALENDAR DAYS of the filing of the complaint, a written **decision** shall be rendered by the Hearing Officer. The decision shall be mailed to the parties (Complainant and Respondent) by certified mail, return receipt requested. The decision shall include, but not necessarily be limited to, the following:

- (1) The reason(s) for the decision;
- (2) A statement as to whether LWIOA/Ohio Option sub-area complaint procedures have been complied with; and,
- (3) notice of the right to request a review at the State Recipient Level (Ohio Department of Job and Family Services, Bureau of Civil Rights) when any party disagrees with any aspect of the local Hearing Officer's decision.

State Recipient Level Review:

Any party has TEN (10) CALENDAR DAYS from the date of receipt of the local Hearing Officer's decision or FIFTEEN (15) CALENDAR DAYS from the date on which the decision should have been received, to request a review with the Ohio Department of Job and Family Services' Bureau of Civil Rights, 145 South Front Street, P.O. Box 1618, Columbus, Ohio, 43216-1618. The Bureau of Civil Rights' reviewer may uphold the local level decision, in whole or in part, or may provide a hearing and final written decision within THIRTY (30) CALENDAR DAYS of the date of receipt of the request for review. Pursuant to the WIOA regulations, this decision exhausts administrative remedies at the State Recipient Level.

If the results of the State Recipient Level Review have not been provided to both parties within THIRTY (30) CALENDAR DAYS of the request for review, or if either party is dissatisfied with the results of the review, a complaint may be filed with the Secretary, U. S. Department of Labor, Washington, DC 20210, ATTN: Assistant Secretary for Employment and Training (ASET).

DISCRIMINATION COMPLAINTS

Any person who believes that he/she has been subjected to unlawful discrimination may file a complaint. It is unlawful for WIOA-funded programs to discriminate against any person or class of individuals because of race, color, religion, national origin, sex, political affiliation or belief, age, disability or (for beneficiaries only) citizenship status, as a lawfully admitted immigrant, authorized to work in the United States. It is also unlawful to discriminate against individuals on the basis of their WIOA participant status.

A complaint must be filed within 180 DAYS of any alleged discriminatory act or treatment. Only the Director of the USDOL Civil Rights Center, for good cause shown, may extend the filing time limit.

Discrimination complaints may be filed in any of the following ways:

- A complaint may be filed with the LWIOA/Ohio Option sub-area recipient Equal Opportunity Officer. If an acceptable resolution is not offered and agreed to, the Complainant may file a complaint with the U. S. Department of Labor's Civil Rights Center (CRC) after NINETY (90) DAYS have passed or after receipt of the unacceptable resolution, whichever is sooner, **or**
- A complaint may be filed with the Ohio Department of Job and Family Services' Bureau of Civil Rights. The Bureau is located at 145 South Front Street, P.O. Box 1618, Columbus, Ohio 43216-1618. Toll free phone: 1-866-BCR-ODJF (227-6353). BCR will conduct an investigation of the complaint and issue its **Notice of Final Action** within NINETY (90) DAYS of receipt of the complaint, with applicable appeal rights, **or**
- A complaint may be filed directly with the U. S. Department of Labor, Civil Rights Center. CRC is located at 200 Constitution Avenue, N. W., Room N-4123, Washington, DC 20210. Their phone number is: (202) 219-7026. If the Complainant chooses the federal process, the complaint is to be sent *directly* to the Civil Rights Center.

Complainants shall be offered a choice of having their allegations addressed through the customary investigative process **or** through **Alternative Dispute Resolution (ADR)**. More information on this is available from your local level Equal Opportunity Officer or the ODJFS Bureau of Civil Rights.

FRAUD, ABUSE, OR CRIMINAL ACTIVITY

All information and/or complaints alleging program fraud, abuse, or criminal activity are reported directly and immediately to the U. S. Department of Labor, Office of Inspector General, Room S5514, 200 Constitution Avenue N.W., Washington, DC 20210. The OIG Hotline phone number is: 1-800-347-3756.

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIOA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I-financially assisted program or activity. The recipient 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 treating any person with regard to, such program or activity; or Making employment decisions in the administration of, or in connection with, such a program or activity.

What to Do if You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or the Director, Civil Rights Center (CRC), U. S. Department of Labor, 200 Constitution Avenue, NW, Room N-4123, Washington, DC 20210. If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that 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 the day on which you file your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

If you have questions regarding your rights, you may contact your local Equal Opportunity Officer or the ODJFS Bureau of Civil Rights.

I hereby acknowledge that I have received this summary of rights and the recipient's equal opportunity/nondiscrimination policy statement.

Name

Program/Activity

Signature

Date

Relationship to Program
(Applicant, Registrant, Other)

Revised September 24, 2018