

Illinois Department of Commerce and Economic Opportunity

Bureau of Workforce Development

Discrimination Complaint Procedures

WHO MAY FILE A DISCRIMINATION COMPLAINT?

Any person who believes that either he/she, or any specific class of individuals, has been or is being subjected to discrimination prohibited by Section 188 of the Workforce Investment Act of 1998, which prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIA Title I-financially assisted program or activity, or 29 CFR Code Of Federal Regulations Part 37 which implements Section 188 of WIA, may file a written complaint, either by him/herself or through a representative.

WHERE MAY A DISCRIMINATION COMPLAINT BE FILED?

A complainant may file a discrimination complaint with either the local workforce area (LWIA) equal opportunity officer, State Equal Opportunity Officer, or the Civil Rights Center (CRC). Complaints filed with the CRC should be sent to the address listed in the notice **Equal Opportunity Is The Law**, which is **at the end of the pamphlet**.

WHAT FORMS SHOULD BE USED TO FILE A DISCRIMINATION COMPLAINT?

A complainant may file a complaint by completing the State of Illinois Workforce Investment Act Complaint form and the Complaint Information and Privacy Act Consent Forms, which may be obtained either from the local workforce area equal opportunity officer or State Equal Opportunity Officer.

Upon receipt of the discrimination complaint file at the local workforce area, the equal opportunity officer will issue a written notice to the complainant containing the following information:

- Acknowledgement of receipt of the complaint;
- Notice that the complainant has the right to be represented in the complaint process;
- A statement of the issues raised in the complaint;

- Whether the local workforce area will accept the issue for the investigation or reject the issue, and the reasons for each rejection;
- Establishing period for fact finding or investigation of the circumstances underlying the complaint; and,
- Indicating the use of the ADR process in an attempt to resolve the complaint.

WHEN MUST A DISCRIMINATION COMPLAINT BE FILED?

A complaint must be filed within 180 days of the alleged discrimination. However, for good cause shown, CRC may extend the filing time. This time period for filing is for the administrative convenience of CRC, and does not create a defense for the respondent.

TIME LIMITS

The time limits for complaints are measured in calendar weeks (seven consecutive days). A time limit begins upon receipt of a written complaint whether or not the complaint received has insufficient information. Time limits have been established to ensure both expeditious resolution of complaints, and provide the necessary time for adequate review of all appropriate material. Should an aggrieved person(s) or entity neglect to adhere to the time requirements set throughout this procedures, the aggrieved party(ies) are considered to have abandoned his/her complaint and the matter shall be considered resolved. In turn, failure by management to render a decision within the allotted time at any step constitutes denial and the complainant may proceed to the next step.

WHAT INFORMATION MUST A DISCRIMINATION COMPLAINT CONTAIN?

The complaint must be filed in writing and must contain the following information:
The complainant's name and address (or another means of contacting the complainant);
The identity of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination);
A description of the complainant's allegations must include enough detail to allow the CRC or the local workforce area equal opportunity officer, as applicable, to decide whether; CRC or the local workforce area, as applicable has jurisdiction over the complaint; the complaint was filed in time; and the complaint has apparent merit; in other words, whether the complainant's allegations if true, would violate any of the nondiscrimination and equal opportunity provisions of WIA or Part 37; and, the complainant's signature or the signature of the complainant's authorized representative.

POLICY/CONFIDENTIALITY

It is the policy of DCEO and the U.S. Department of Labor/CRC that no one be punished or penalized for filing a complaint under WIA. It is also the policy not to disclose the complaint identity of any person who has furnished information or assistance in the investigation of a WIA Violation unless absolutely necessary, nor may any person, organization, or agency, discharge or in any way discriminate or retaliate against a person for the filing of a complaint or the rendering of testimony in any proceeding or investigation.

Equal Opportunity Is the Law Notice

It is against the law for the Illinois Department of Commerce and Economic (DCEO), a recipient of federal financial assistance, to discriminate on the following bases:

Against any individual in the United States, on the basis of race, age, color, religion, sex national origin, disability, political affiliation or belief, an against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), 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 WIA Title I-financially assisted program or activity.

DCEO Must Not Discriminate in Any of the Following Areas:

Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity, providing opportunities in, or treating 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.

What To Do If you Have Experienced Discrimination:

If you think you have been subjected to discrimination under a WIA Title I-financially assisted Program or activity, you may file a complaint within 180 days from the date of the alleged Violation with either:

John Strandin, Local WIA EO Officer
303 N. Main Street, 2nd Floor
Rockford, Illinois 61101
815-395-6688
815-966-2436 TTY

Or:

Kevin L. Bell, State WIA EO Officer
Illinois Department of Commerce and
Economic Opportunity (DCEO)
500 East Monroe St.
Springfield, Illinois 62701

Or:

The Director of the Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue, Room N-4123
Washington, DC 20210

If you file your complaint with DCEO, you must wait until DCEO 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).

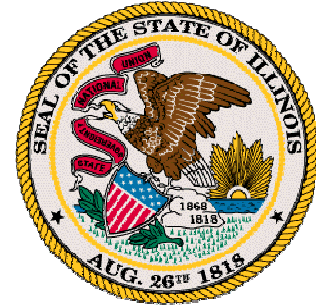
If DCEO does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for DCEO to issue the Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90 days deadline (in other words, within 120 days after the day on which you filed your complaint with DCEO).

If DCEO 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 DCEO Notice of Final Action.

I acknowledge that I have received and read a copy of the Discrimination Complaint Procedures and Equal Opportunity Is The Law Notice for the Workforce Investment Act.

Participant Signature

Date



**ILLINOIS DEPARTMENT
OF COMMERCE AND
ECONOMIC
OPPORTUNITY**

Workforce Investment Act

Discrimination Complaint Procedures

Equal Opportunity Employer/Program Auxiliary Aids and Services are available upon request to Individuals with Disabilities. This program is subject to the provisions of the Jobs for Veterans Act Public Law 107-288, which provides priority of service to veterans and spouses of certain veterans. Contact the LWIA Equal Opportunity Officer at 815-395-6688 or TTY 815-966-2436