Lower Savannah Council of Governments

LOWER SAVANNAH WORKFORCE INVESTMENT AREA

SC WORKS LOWER SAVANNAH

2748 Wagener Road/Hwy 302N, Aiken, SC 29801 · Post Office Box 850, Aiken, SC 29802-0850 · Ph: 803-649-7981 · Fax: 803-649-2248
www.lscog.org www.lswia.org TTY Relay Service dial 711

LOWER SAVANNAH WIA INSTRUCTIONS NUMBER: PY15-002
(REPLACES: PY'00-013 & all Revisions)

TO: See Distribution Below
ISSUANCE DATE: **August 19, 2015**
EFFECTIVE DATE: **August 19, 2015**
EXPIRATION DATE: Indefinite

SUBJECT: **RIGHTS TO FILE A GRIEVANCE OR COMPLAINT UNDER WIOA**

PURPOSE: The purpose of this Instruction is to transmit the attached handout and establish procedures for handling noncriminal complaints under the Workforce Innovation and Opportunity Act (WIOA). Nothing contained in the attached handout shall be deemed to prejudice the separate exercise of other legal rights in pursuit of remedies and sanctions available outside of WIOA.

BACKGROUND: The local area routinely issues Instruction to its sub-recipients organizations for handling various situations relating to Workforce Development within the Region. This instruction supersedes all previous policies and procedures relating to rights handouts and/or grievance or complaints in the Lower Savannah Workforce Investment Area, specifically LSWIA PY'00-013 and all of its revisions.

POLICY: Section 188(a)(2) of WIOA states that no individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief.

ACTION: Local workforce development areas (LWDAs) must provide initial and continuing notice to registrants, applicants, and participants that the program does not discriminate on any prohibited ground and that they have the right to file a grievance/complaint. Each LWDA will use the attached handout, and complete the contact information as applicable for the area. A signed copy of the handout must be placed in each applicant's/participant's file. The handout must be provided in suitable formats to individuals with visual impairments (e.g. san-serif fonts, audio files, CDs). Please ensure that all appropriate staff receive and understand this policy guidance.

An Equal Opportunity Employer/Program. Auxiliary aids and services are available to individuals with disabilities upon request.

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, or denied employment in the administration of, or in connection with, any program or activity because of race, color, religion, sex (including gender identity, gender expression, and sex stereotyping), national origin, age, disability, political affiliation or belief. It is also unlawful to discriminate against any beneficiary of programs receiving money under Title I of the WIOA 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 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.

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 EO Officer or the Director of the Civil Rights Center (CRC) of the US Department of Labor.

If you choose to file at the State level, address your complaint to:

Ms. Stephani Hamberg, EO Officer
S.C. Department of Employment and Workforce
Post Office Box 908
Columbia, SC 29202
Telephone No: (803) 737-2381 TTY: Relay Service dial 711

If you choose to file at the CRC level, address your complaint to:

Director, Civil Rights Center (CRC)
US Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210.

If you file your written complaint with the State 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 Civil Rights Center. In the event you receive a Notice of Final Action and are dissatisfied with the decision contained therein, 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 GRIEVANCE/COMPLAINT

You also have the right to file a grievance/complaint over matters that do not involve discrimination. For example, you may file a grievance 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 the WIOA, its regulations, or any applicable grant or training agreement.

HOW TO FILE A GRIEVANCE/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 grievance/complaint within 180 days of the alleged occurrence. You should contact the following person for help in the use of the appropriate grievance/complaint procedures:

Name: _____ Title: _____
Service Provider/Operator: _____ Email: _____
Telephone Number: _____ TTY: _____

If your grievance/complaint is not resolved to your satisfaction, you can contact the local EO Officer, as follows:

Name: _____ Title: _____
Address: _____ Email: _____
Telephone Number: _____ TTY: _____

If you don't receive a decision from the local EO officer 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 Officer, you may file a written appeal to the State EO Coordinator

within 15 days of receipt of the adverse decision. You can contact the State EO Coordinator, as follows:

Ms. Tudy Newsom, EO Coordinator
S.C. Department of Employment and Workforce
Post Office Box 908
Columbia, SC 29202
Telephone No: (803) 737-3830 TTY: Relay Service dial 711

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, you may appeal to the United States Department of Labor (USDOL). If you are dissatisfied with the decision of the State EO Coordinator, you may appeal to the USDOL within 60 days of receipt of the decision. You can contact the Department of Labor, as follows:

Regional Administrator
Employment and Training Administration, U.S. Department of Labor
Sam Nunn Atlanta Federal Center
Room 6M12 – 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

Staff Name (Print)	Service Provider/Operator

INQUIRIES: Direct all inquiries regarding this Instruction to the Lower Savannah Workforce Development Staff, Lower Savannah Council of Governments, Post Office Box 850, Aiken, South Carolina 29802-0850, telephone 803-649-7981 (TTY Relay dial 711) fax 803-649-2248, or e-mail abanderson@lscog.org.

André B. Anderson
Workforce Development Administrator

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Attachment: Rights Handout for Registrants, Applicants, and Participants: Equal Opportunity is the Law FORM

Distribution: LSWIA website page at www.lswia.org

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Name: Chanosha Lawton
Title: Deputy Director
Service Provider/Operator: Aiken Housing Authority
Email: clawton@aikenhousing.org
Telephone Number: 803-649-6673
TTY: 711 TDD TYD: 803-641-5011

If your grievance/complaint is not resolved to your satisfaction, you can contact the local EO Officer, as follows:

Name: Sally Sharpe
Title: Supervisor of Contracting/OneStop Activities/EEO
Address: 2748 Wagener Road/Hwy 302N, Aiken, SC 29801
Email: ssharpe@lscog.org
Telephone Number: 803-649-7981
TTY: 711

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