

Regional Program Standards

Focus: ☒ WorkSource Centers ☒ Youth Program Services ☒ Economic Opportunity Program
☒ Other: All Discretionary Grants

Topic: Grievance – Complaints Related to Discrimination

Date: July 1, 2025

☐ New

☒ Revised

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Purpose

These Regional Program Standards implement the Portland Metro workforce development system nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA).

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Policy Statement

It is against the law for Worksystems or a Worksystems subrecipient to discriminate against any individual in the United States on the basis 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, political affiliation or belief, an individual's citizenship status or, against any beneficiary of, applicant to, or participant in programs or activities financially assisted under Title I of the Workforce Innovation and Opportunity Act.

Worksystems and Worksystems subrecipients 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.

Worksystems and Worksystems subrecipients must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

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Worksystems subrecipients must have systems in place to provide access to services to persons with Limited English Proficiency (LEP) and take reasonable steps to ensure that LEP persons have meaningful access to programs. Meaningful access must entail providing access to language assistance services, including oral and written translation, where necessary to provide program services. Translation and interpretation services must be provided free of charge and in a timely manner, using qualified and competent translators and interpreters.

If a participant, program administrator or staff person of the Portland Metro Workforce Development system believes they have been denied services or discriminated against due to any of the above reasons, they have a right to file a grievance as noted below in these Regional Program Standards.

Customer Notification

The *Equal Opportunity (EO) is the Law Poster Notice* (Notice) with the contact information of Worksystem's Equal Opportunity Officer (EOO), identified below in these Regional Program Standards, is to be posted in the public area of the organization where all customers and participants can easily access it.

The Notice with the contact information of Worksystem's Equal Opportunity Officer (EOO) is to be provided to each applicant at the time of initial eligibility determination. Reasonable efforts should be made to assure that the information and complaint procedures are understood by applicants. These efforts must comply with the language requirements of 29 CFR 37.35 regarding the provision of services and information in languages other than English therefore, the notice is available in six languages. The applicant's signature on the Application for program services acknowledges receipt and understanding of the notice. No copies of the form need to be maintained in the applicant file.

An EO statement must be present on printed materials given publicly and/or given to customers, applicants and participants. The EO tagline to be used: In accordance with Federal Law providers are prohibited from discriminating on the basis 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, political affiliation or belief, an individual's citizenship status or, against any beneficiary of, applicant to, or participant in programs or activities financially assisted under Title I of the Workforce Innovation and Opportunity Act. Worksystems providers are an equal opportunity program/employer. Auxiliary aids are available upon request to individuals with disabilities. TTY 1-800-735-2900. To place a free relay call in Oregon, dial 711.

Worksystems Equal Opportunity Officer

Kari Brenk, Compliance and Procurement Manager
Worksystems
1800 SW First Avenue, Suite 110
Portland, OR 97201
503-478-7300

The Equal Opportunity Officer (EOO) conducts the complaint resolution process. When a complaint is filed against a co-located partner in a WorkSource Center, the EOO will notify the co-located partner that a complaint has been received.

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Complaint Process

Any person or the person's representative who believes that they have been subjected to discrimination may file a written complaint within 180 days from the date of the alleged violation with either:

- Worksystems EOO as listed above in these Regional Program Standards
- The Director, Civil Rights Center (CRC), U.S. Department of Labor – 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210

OR

- Electronically as directed on the CRC website at www.dol.gov/crc.

Each complaint must be filed in writing, either electronically or in hard copy, and must contain the following information:

- 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. This description must include enough detail to allow Worksystems or the CRC Director, as applicable, to decide whether:
 - Worksystems or the CRC, as applicable, has jurisdiction over the complaint;
 - The complaint was filed in time;
 - The complaint has apparent merit; in other words, whether the complainant's allegations, if true, would indicate noncompliance with any of the nondiscrimination and equal opportunity provisions of WIOA or this part; and
- The written or electronic signature of the complainant or the written or electronic signature of the complainant's representative.

Jurisdiction

Upon receipt of the written complaint, Worksystems EOO will review it for jurisdiction. Any complaint alleging discrimination must meet the following criteria to be considered:

- The individual making the complaint believes that they, or any class of individuals, have been subjected to discrimination on a basis prohibited by the WIOA Title I.
- The individual or entity against which the complaint is filed receives financial assistance under WIOA Title I or other Federal or discretionary grants overseen by Worksystems.
- The written complaint is filed within 180 calendar days of the alleged discriminatory act. If received later than 180 days from when the discriminatory action took place, the complaint may be closed as being untimely.

If there is no jurisdiction, or multiple jurisdictions, Worksystems EOO must notify the complainant in writing within five business days of making such determination the reason(s) why this determination was made, and note the complainant has the right to file a complaint with the CRC within 30 days of the date on which the complainant receives the notice from Worksystems EOO.

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If the complaint does not involve a program that falls under a WIOA Title 1, Federal or discretionary grant-funded program, the Worksystems EOO will assist the complainant in forwarding the complaint to the most appropriate agency for resolution.

Initial Written Notice

Upon receipt of a complaint Worksystems must immediately issue an initial written notice to the complainant that includes the following information:

- An acknowledgment that Worksystems has received the complaint;
- A list of the issues raised in the complaint and for each such issue, a statement whether Worksystems will accept the issue for investigation or reject the issue, and the reasons for each rejection;
- A complaint process timeline, including that a written Notice of Final Action is due 90 calendar days after the complaint is filed;
- Information about alternative dispute resolution options;
- Notice that the complainant has the right to be represented in the complaint process;
- Notice of the complainant's rights contained in CFR 38.35 – Equal Opportunity Notice/Poster; and
- Notice that the complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that the notice will be translated into non-English languages if required.

Complaint Resolution

Worksystems has 90 days to conduct an investigation of the circumstances underlying the complaint and issue a Notice of Final Action.

Alternative Dispute Resolution

The first choice for complaint resolution is Alternative Dispute Resolution (ADR). The complainant must be offered ADR options immediately upon receipt of the written complaint. The choice of whether to use ADR rests with the complainant. The complainant may attempt ADR at any time after the complainant has filed a written complaint, but before a Notice of Final Action has been issued. The preferred form of ADR is mediation. The Oregon Dispute Resolution Commission operates a clearinghouse to point disputants toward ADR resources. The ODRC website can be found at: <http://www.odrc.state.or.us/mediators.php>

A party to any agreement reached under ADR may notify the CRC Director in the event the agreement is breached. In such circumstances, the following rules will apply:

- The non-breaching party may notify with the CRC Director within 30 days of the date on which the non-breaching party learns of the alleged breach; and
- The CRC Director must evaluate the circumstances to determine whether the agreement has been breached. If the CRC Director determines that the agreement has been breached, the complaint will be reinstated and processed in accordance with the recipient's procedures.

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If the parties do not reach an agreement under ADR, the complainant may file a complaint with the CRC Director.

Notice of Final Action

Within 90 days of receipt of a complaint Worksystems must issue a written Notice of Final Action that includes the following information:

- Worksystems' decision on each issue and an explanation of the reasons underlying the decision; or
- A description of the way the parties resolved the issue; and
- Notice that the complainant has a right to file a complaint with CRC within 30 days of the date on which the Notice of Final Action is received if the complainant is dissatisfied with Worksystems' final action on the complaint.

Resolution may include such actions as:

- Disciplinary action against the party found responsible for discriminatory action(s).
- Corrective actions.
- Sanctions, including the withdrawal of Federal funding.

References

WIOA Public Law Section 188
29 CFR Part 38