

Merced Office
1205 W. 18th Street
Merced, CA 95340
(209) 724-2100

MERCED COUNTY
WORKFORCE DEVELOPMENT BOARD

Los Banos Office
800 7th Street
Los Banos, CA 93635
(209) 710-6140



Erick Serrato - Director
www.worknetmerced.com

EQUAL OPPORTUNITY IS THE LAW

TO: WIOA Applicants, Participants, Staff, Subrecipients, and Other Interested Parties

It is against the law for this recipient of federal financial assistance to discriminate on the following bases: 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; or against any beneficiary of, applicant to, or participant in, programs financially assisted under Title I of the *Workforce Innovation and Opportunity Act* (WIOA), on the basis of the individual's citizenship status or 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 a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance 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.

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 Linda Gutierrez
1205 W. 18th St.
Merced, CA 95340
(209) 724-2000

Or

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.



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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 CRC (see the 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 may file a complaint with CRC before receiving that notice. 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 filed 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*.

Signature of Participant: _____ Date: _____



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You have the right to file a complaint if you feel that a violation of the Workforce Innovation and Opportunity Act, regulations, grants or other agreements has had an adverse effect on you.

All formal complaints must be submitted, in writing, within one year of the alleged violation and must contain the following information: 1) Full name, address, and telephone number of person filing complaint; 2) Full name, address, and telephone number of person/agency that complaint is about; 3) Clear and concise statement of facts and dates describing the alleged violation; 4) The provision(s) of the law, regulations, grant, or other agreement believed to have been violated; 5) Grievances or complaints about individuals must indicate how the individual did not comply with the law, regulations, or contract; and 6) The remedy sought by the person filing.

If you need help or have questions about filing a complaint, please contact:

Ms. Linda Gutierrez
Equal Opportunity Officer
Merced County Department of Workforce Investment
1205 W. 18th St.
Merced, CA 95340
(209) 724-2000

The Local Area shall notify all parties of the opportunity to informally resolve the complaint. If the complaint is not resolved informally, the complainant has the right to a hearing within 30 days of filing the complaint. All parties will receive written notice of the hearing at least 10 days prior to the hearing date. A written decision will be mailed to all parties within 60 days of the date the complaint was filed. If a complainant does not receive a written decision within 60 days, or is not satisfied with the decision received, the complainant may file an appeal. The request for an appeal must be submitted, in writing, to:

Equal Employment Opportunity Office
Employment Development Department
800 Capitol Mall, MIC 49
Sacramento, CA 94280-0001

If the State Review Panel has issued an adverse decision regarding a grievance or complaint, or has not issued a decision within 60 days of receipt of a local level appeal, request for EDD review, or grievance or complaint, the complainant may file an appeal with the Secretary. This appeal process applies to grievances and complaints that originated at the local or state level.



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Appeals of an adverse decision must be filed within 60 days of receipt of the adverse decision from the State Review Panel. In cases where the State Review Panel did not issue a decision, the complainant must file an appeal within 120 days of either of the following:

- The date on which the complainant filed the appeal of a local level decision or request for EDD review with the state.
- The date on which the complainant filed the grievance or complaint with the state.

All appeals to the Secretary must be sent to the DOL National Office via certified mail with return receipts requested. Copies of the appeal must simultaneously be provided to the DOL Employment and Training Administration (ETA) Regional Administrator and the respondent. Mailing addresses for the DOL National Office and ETA Regional Administrator are included below:

DOL National Office

Secretary of Labor
Attn: Assistant Secretary of ETA
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

ETA Regional Administrator

Office of Regional Administrator
U.S. Department of Labor
P.O. Box 193767
San Francisco, CA 94119-3767

Grievances or complaints filed directly with the Secretary that were not previously filed with the Local Area and/or state will be remanded to the Local Area or state, as appropriate.

The Secretary shall issue a final determination no later than 120 days after receiving the appeal.

I have received the information on both sides of this form. It has been reviewed with me and I understand it.

Signature of Participant: _____ Date: _____

