



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*



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 this 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, the State Equal Opportunity Officer. Upon receipt of a discrimination complaint filed at the local workforce area, the equal opportunity officer will issue a written notice to the complainant containing the following information:

- Acknowledgment 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 investigation or reject the issue, and the reasons for each rejection;
- Establishing a 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.

against a person for the filing of a complaint or the rendering of testimony in any proceeding or investigation.

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 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