

Workforce Development Council of Seattle-King County

Policy 01-2003

~ Equal Opportunity Discrimination Complaint Processing Policy & Procedures ~

DRAFT FINAL

Version: R2 06/16/10

Prior Version: R 1 7/01/07

Committee: ECC

Category: Internal External

BACKGROUND

This policy is intended to ensure that program service providers implement [discrimination](#) complaint policies and procedures in compliance with guidelines provided by the Director, Civil Rights Center, U.S. Department of Labor (CRC/USDOL), regarding the nondiscrimination/equal opportunity provisions of the Workforce Investment Act (WIA) of 1998 and 29 CFR Part 37. Section 188 of Title I of WIA prohibits discrimination on the basis of: race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, on the basis of either citizenship as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially assisted program or activity.

The WDC of Seattle-King County has designated a Local Equal Opportunity Officer ([LEOO](#)) who is responsible for adopting and publishing [equal opportunity](#) policies and complaint procedures, and ensuring that they are followed. Per 29 CFR Part 37.29, a service program provider must provide initial and continued notice that it does not discriminate on any prohibited ground. A copy of the "Notice of Rights to File a [Discrimination](#) Complaint" is provided to each participant and made a part of each participant's file per the regulations. If a complaint is filed, a copy of this Equal Opportunity (EO) Discrimination Complaint Processing Policy and Procedures is to be provided to the complainant.

POLICY AND PROCEDURE

1. [Discrimination Complaint and Filing](#)

All service program providers under Title I of WIA are responsible for complying with the discrimination complaint procedures consistent with 29 CFR Part 37, as outlined in this policy:

- Any person who believes that he or she, or any specific class of individuals, has been or is being subjected to discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in WIA, has the right to file a complaint within one hundred and eighty (**180**) calendar days of the alleged discrimination.

- [The Washington Law Against Discrimination, RCW 49.60, prohibits discrimination in public accommodations on these additional bases: sexual orientation or gender identity, honorably discharged veteran or military status, and the use of a trained guide dog or service animal by a person with a disability.](#)

[Discrimination complaints received on these grounds will be processed based on state law and without any references to the U.S. Department of Labor or the Civil Rights Center. The complainant is not able to file a subsequent complaint with the Civil Rights Center but must file a discrimination complaint with the Washington State Human Rights Commission.](#)

- It is recommended, but not required, that the complaint be filed on the Complaint Information Form and Privacy Act Consent Form. (**Attached to this policy**)

- A **written** complaint must be filed **within one hundred and eighty (180) calendar days** of the alleged discrimination. The filing period may be extended for good cause in some limited circumstances. However, only the Director of CRC may extend the filing time.
- Any individual wishing to file a discrimination complaint must be given the option to file the complaint with the Service Provider, the Local WDC EO Officer, the State EO Officer and/or directly with the Director of the Civil Rights Center, United States Department of Labor (CRC/USDOL). [Complaints may be filed with all three simultaneously. Discrimination complaints received at a WorkSource Center/Affiliate or Service Provider should be immediately forwarded to the WDC Equal Opportunity Officer. Contact information for the State EO Officer and the CRC/USDOL:](#)

Kelly Dang (Marie Keele) Local EO Officer WDC of Seattle-King County 2003 Western Avenue, #250 Seattle, WA 98121 206-448-0474	Kintu Nnambi, State EO Officer Employment Security Department PO Box 9046 Mailstop 6000 Olympia, WA 98507-9046 360-902-9530	Director/Civil Rights Center U.S. Department of Labor Room N-4123 200 Constitution Avenue NW Washington, D.C. 20210
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- The [discrimination](#) complaint document must contain the following information:
 - Complainant's name and address, or other means by which the complainant may be contacted;
 - Identification of individual(s) or organization(s) responsible for the alleged discrimination; and
 - A description of the complainant's allegations, which must include enough details to determine:
 - a) recipient's jurisdiction of the complaint;
 - b) if the complaint was filed timely (within 180 days [of the incident](#));
 - c) specific prohibited bases of the alleged discrimination (i.e., race, sex, etc.);
 - d) apparent merit of the complaint;
 - e) complainant's signature or the signature of his/her authorized representative.
- No individual, organization or agency may discharge or retaliate in any manner against any person because that person has filed a [discrimination](#) complaint, instituted any proceeding related to the Act, testified, or is about to testify, in any proceeding or investigation [related to a discrimination complaint](#), or has provided information or assisted in an investigation.

2. Receipt of Complaint

- If the complainant elects to file with an employee of the provider [at a WorkSource Center, Affiliate site or elsewhere](#), that employee will immediately accept the complaint and forward the complaint to the local WDC EO Officer.
- The local WDC EO Officer is responsible for providing local intake services for discrimination complaints to determine if the complaint is covered by 29 CFR Part 37, and for resolving jurisdictional issues, if any.
- Upon receipt of a discrimination complaint, the local WDC EO Officer will log it in, and, if necessary, shall confer with the State EO Officer, prior to determining jurisdiction over the matter.

- If the local WDC EO Officer determines s/he does not have jurisdiction over the complaint, s/he must immediately notify the complainant in writing, including reasons for the determination. This Notice of Lack of Jurisdiction must advise the complainant that s/he has a right to file with the Director of CRC within thirty (30) calendar days of the date of the Notice. If the local WDC EO Officer determines that another entity has jurisdiction, s/he will promptly refer the complaint to that entity and also promptly notify the complainant of the referral.

3. Initial Letter/Contents and Timeframes for Processing a Complaint

- Within ten (10) working days of receipt of the complaint, the local WDC EO Officer shall issue an initial written notice to the complainant that contains the following information:

- Acknowledgement of receipt of the [discrimination](#) complaint.
- Advising the complainant of his/her right to seek representation by an attorney or other individual of his/her choice in the [discrimination](#) complaint process.
- A list of each issue raised in the complaint and, for each issue, a statement that the issue is accepted for investigation or is not accepted. The reason(s) must be provided for rejection.
- Advising the complainant of the timeframes for processing the complaint and providing a determination.
- The total time allowed for processing the complaint is ninety (90) calendar days from the date on which the complaint was filed. This process includes sixty (60) days at the local level and thirty (30) days for review at the state level, if warranted.
- If the complainant elects to file with both CRC and the WDC, the complainant shall be informed that the WDC has ninety (90) calendar days to process the complaint and that CRC shall not investigate the complaint until the ninety (90) calendar-day period has expired.
- The complainant will be given an invitation to participate in mediation. [This invitation is sent out with the notice of receipt.](#) If the complainant elects to participate, s/he or the designated representative must respond to the invitation in writing within ten (10) calendar days of the date of the letter. This written acceptance must also include the relief sought. (See item #4 – Alternative Dispute Resolution Mediation Process below.)

- Immediately after issuance of the initial written [Notice of Receipt](#) to the complainant, the WDC EO Officer shall either begin the fact-finding or investigation of the complaint, or arrange to have an investigation conducted.

- ~~If the complainant or designated representative has not responded to the invitation within ten (10) calendar days, the complainant will be considered to have waived the right to mediation.~~

- ~~If the complainant refuses to participate in mediation, and/or mediation is unsuccessful, the local WDC EO Officer continues with the investigation.~~

- The WDC will issue a Notice of Final Action to the complainant by the end of ninety (90) calendar days from the date on which the complaint was filed. If the WDC fails to issue a Notice of Final Action, the complainant may file a complaint with the Director of CRC. This must take place within thirty (30) calendar days of the expiration of the ninety (90) calendar-day period.

- The Director of CRC may extend the time limits for good cause shown if:

- a) the complaint has not been filed within one hundred and eighty (180) calendar days of the alleged discrimination
- b) a complaint has not been filed with CRC within thirty (30) calendar days of receipt of the recipient's determination; or
- c) the complainant has failed to file a complaint with CRC within thirty (30) calendar days after the expiration of the ninety (90) calendar-day period provided to the local WDC EO Officer for a response.

4. Alternative Dispute Resolution (ADR)/Mediation Process

During the ninety (90) calendar-day period, complainants may elect to participate in mediation. If the complainant selects mediation, it allows disputes to be resolved in a less adversarial manner. The local WDC EO Officer will process the request and then immediately forward it to the State EO Officer. The State EO Officer will coordinate with the local WDC EO Officer to contract with a preapproved mediator or designate a Human Resources mediator. The individual conducting the mediation must be a neutral and impartial third party who will act as a facilitator. The mediator must be a person who is acceptable to all parties and who will assist the parties in resolving their disputes.

- The local WDC EO Officer or State EO Officer will contact the parties no later than ten (10) calendar days of receipt of the complaint to determine the complainant's willingness to mediate.
- If the complainant chooses to participate in mediation, s/he or the designee must respond in writing within ten (10) calendar days of the date of the request. This written acceptance must be dated and signed by the complainant and must also include the relief sought.
- A written confirmation identifying the date, time and location of the mediation conference will be sent to all appropriate parties.
- A consent form will be signed by all parties at initiation of the mediation process affirming that the contents of the mediation will be kept confidential.
- If resolution is reached under ADR/mediation, the agreement will be in writing. A copy of the signed agreement will be sent to the State EO Officer.
- If an agreement is reached under ADR/mediation but a party to the agreement believes his/her agreement has been breached, the non-breaching party may file a complaint with the CRC Director.
- If the parties do not reach resolution under ADR/mediation, the complainant will be advised of his/her right to file a complaint with the CRC/USDOL; however, the local WDC EO Officer/State EO Officer will continue with the investigation.
- If at all possible, the mediation process should be completed within thirty (30) calendar days of receipt of the complaint. This will assist in keeping within the ninety (90) calendar-day timeframe of the written Notice of Final Action if the mediation is not successful.
- If the complainant refuses to participate in mediation, and/or mediation is unsuccessful, the local WDC EO Officer continues with the investigation.

5. Notice of Final Action

A written Notice of Final Action will be provided to the complainant within ninety (90) calendar days of the date the complaint was filed. It will contain:

- A statement regarding the disposition of each issue raised in the complaint and the reason for the determination.

- Description of the way the parties resolved the issue(s). If the complaint was resolved by mediation, a copy of the agreement will be attached to the Notice of Final Action.
- Notice that the complainant has the right to file a complaint with CRC within thirty (30) calendar days after the date the Notice of Final Action is issued, if s/he is dissatisfied with recipient's final action on the complaint.

The State EO Officer will review complaint data on a routine basis. Should deficiencies be noted in the implementation of these complaint procedures by any local WDC, the State EO Officer will work in conjunction with the Local WDC EO Officer to review the information and/or provide technical assistance in the complaint process, alternative dispute resolution, and/or investigation. Complaint data will be available for review by CRC/USDOL upon request.

6. Corrective Action

If discrimination is found through the process of a complaint investigation, the respondent shall be requested to voluntarily comply with corrective action(s) or conciliation agreement to correct the discrimination.

7. Confidentiality

EO Officers are required to keep the following information confidential to the maximum extent possible, consistent with applicable law and fair determination of the complaint:

- The fact that the complaint has been filed;
- The identity of the complainant(s);
- The identity of individual respondents to the allegations; and
- The identity of any person(s) who furnished information relative to, or assisting in, a complaint investigation.

A separate system will be maintained both locally and at the state level for logging, tracking, and reporting on discrimination complaints.

8. Distinguishing Between Program and Discrimination Complaints

A complaint cannot be processed as both a program complaint and as a discrimination complaint. A discrimination complaint includes as a reason for mistreatment one of the prohibited factors: race, color, national origin, sex, religion, age, disability, political affiliation or belief or, for participants, participation in WIA or citizenship.

9. Monitoring

The State EO Officer will review complaint data on a routine basis and during monitoring visits. Should deficiencies be noted in the implementation of these [discrimination](#) complaint procedures by any local WDC/program provider, the State EO Officer will work in conjunction with the Local WDC EO Officer to review the information and/or provide technical assistance in the [discrimination](#) complaint process, alternative dispute resolution, and/or investigation. [Discrimination](#) complaint data will be available for review by CRC/USDOL upon request.

10. Record Keeping

The local EO Officer must maintain a log of [discrimination](#) complaints filed that allege discrimination based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship, and/or participation in a WIA-financially assisted program or activity. The log must include the name and address of the complainant; basis of complaint; description of complaint; date filed; disposition and date; and any other pertinent information. All records regarding [discrimination](#) complaints and actions taken on [discrimination](#) complaints must be maintained for a period of not less than three (3) years from the final date of resolution of the complaint.

DEFINITIONS

- Recipient/Program Provider
“Recipient” means any entity to which financial assistance under WIA Title I is extended, either directly from the U.S. Department of Labor or through the Governor or another recipient, excluding the ultimate beneficiaries of WIA Title I funded programs and activities.
- State Equal Opportunity (EO) Officer
The State EO Officer is the individual designated at the state level with the oversight responsibility for coordinating, implementing, maintaining and monitoring the nondiscrimination and equal opportunity requirements.
- WDC Equal Opportunity (EO) Officer
The WDC EO Officer is the WDC’s designated staff person responsible for administration of the Area’s and its subrecipients’ and service providers’ discrimination complaint processing as outlined in this policy and procedures. This person is also known as the Local Equal Opportunity Officer (~~LEOO~~).
- Civil Rights Center (CRC)
The CRC is the federal enforcement agency with the United States Department of Labor (USDOL) located in Washington D.C., with jurisdiction over discrimination complaints alleging violations of Title VI of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act, as amended, and the Workforce Investment Act of 1998, and similar laws.
- ~~Office of Civil Rights (OCR/DOE)
OCR/DOE is the federal enforcement agency within the Department of Health and Human Services located in Washington D.C., with jurisdiction over discrimination complaints alleging violations of the Title IV of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Title V of the Older Americans Act.~~
- Title VI Discrimination Complaints
Complaints alleging discrimination on the basis of race, color, or national origin in a federally assisted program. CRC is responsible for enforcement.
- Section 504 – Disability Complaints
Complaints alleging discrimination based on the presence of any sensory, mental, or physical disability, in violation of Section 504 of the Rehabilitation Act of 1973. CRC is responsible for enforcement.
- Americans with Disabilities Act
Complaints alleging discrimination on the basis of disability in employment, public accommodation and services, transportation, state and local government operations and communication are covered under the Americans with Disabilities Act of 1990, as amended. The U.S. Equal Employment Opportunity Commission (EEOC) as well as CRC and the U.S. Department of Justice (DOJ) are responsible for enforcement.
- Title VII Discrimination Complaints
Complaints alleging employment discrimination on the basis of race, color, national origin, sex, religion, or age in violation of Title VII of the Civil Rights Act of 1964, as amended or disability. The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcement. In complaints of violations of Title VI and VII, Title VI takes precedence over Title VII, thus affording CRC jurisdiction.
- Title IX Discrimination Complaints

Complaints alleging sex discrimination in education or education-related employment in violation of Title IX of the Educations Amendments of 1972, as amended. The CRC has jurisdiction through an agreement with the Office of Civil Rights (OCR) U.S. Department of Education, is responsible for enforcement.

- Alternative Dispute Resolution (ADR) Mediation Process
Mediation is a form of alternative dispute resolution (ADR) attempted in a conference between the parties to the complaint (Complainant and Respondent) that is facilitated by a neutral/disinterested third party. Both parties must agree to participate; it is on a voluntary basis. The intended outcome is an agreement between the parties that resolves the issues raised in the complaint. The agreement will be reduced to writing, signed by all parties, and thereby becomes an enforceable contract designed to resolve identified issues and preserve the rights of a complainant.

ATTACHMENTS

- U.S. Department of Labor Complaint Information Form and the attached Privacy Act Consent Form
- Notice of Right to File a Discrimination Complaint Filing Rights

REFERENCES

- Section 188 of the Workforce Investment Act (WIA) of 1998
- ~~Workforce Investment Act—Interim Final Rule effective: May 17, 1999~~
- ~~Workforce Investment Act—Final Rules effective: September 11, 2000~~
- 29 CFR Part 37 – Regulations promulgating Section 188 of the WIA Implementation of the Nondiscrimination and Equal Opportunity
- ~~Provisions of the Workforce Investment Act of 1998—Final Rule November 12, 1999~~
- ~~Title VI & VII of the Civil Rights Act of 1964, as amended;~~
-
- Section ~~503 and~~ 504 of Rehabilitation Act of 1973, as amended;
- The Age Discrimination Act of 1975, as amended;
- ~~Age Discrimination in Employment Act of 1967, as amended;~~
- Titles ~~I, II, and III~~ of the Americans with Disabilities Act of 1990, as amended;
- ~~Vietnam Era Veterans' Readjustment Assistant Act of 1974~~
- Equal Pay Act of 1963
- ~~Title IX of Education Amendments of 1972~~
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- ~~Immigration & Nationality Act~~
- Title I of the Workforce Investment Act of 1998
- President's Executive Order 11246
- ~~Chapter 49.60~~ Revised Code of Washington (RCW) 49.60

WEBSITE: <http://www.wa.gov/esd/>

SUPERCEDES: ~~Policy 3450 in the Methods of Administration document approved in~~
~~—October, 2001.~~

DIRECT INQUIRIES TO ONE OF THE FOLLOWING:

~~Lisa McCormick, Program Coordinator OR Kintu Nnambi, State EO Officer~~
~~Employment Security Department Employment Security Department~~
~~Employment and Training Division Administrative Services Division~~
~~Workforce Investment Act—Title B P.O. Box 9046, Mailstop 6000~~

~~P.O. Box 9046, Mailstop 6000 Olympia, WA 98507-9046~~
~~Olympia, WA 98507-9046~~ ~~Knnambi@esd.wa.gov~~
~~Email: Lmccormick@esd.wa.gov~~ ~~Telephone: (360) 902-9530~~
~~Telephone: (360) 438-4713~~ ~~Fax (360) 902-9431~~
~~Fax: (360) 438-4619~~ ~~TDD: (360) 902-9569 Relay Service:711~~

Complaint Information Form

U.S. Department of Labor Civil Rights Center



1. Complaint Information: Your telephone number(s)
 State your name and address:

 Home _____
 Area Code Number
 Work _____
 Area Code Number

Social Security Number: _____
 (disclosure of Social Security Number is voluntary)

2. Respondent Information: Telephone Number:
 Provide name and address of agency involved

 Area Code Number

3. What is the most convenient time for us to contact you about this complaint?

4. To your best recollection, on what date(s) did the discrimination take place?

 Date of first occurrence Date of most recent occurrence

5. Have you ever attempted to resolve this complaint at the local level?
 _____ No _____ Yes

a. Have you been provided with a final decision at the local level regarding your complaint?
 _____ No _____ Yes
 Date of final decision (if any) _____

b. Have 90 days elapsed since you filed or attempted to file your complaint at the local level?
 _____ No _____ Yes
 Date you filed or attempted to file your complaint at the local level: _____

6. Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining to your case.

7. To the best of your knowledge, which of the following DOL programs were involved? (Check One)

<input type="checkbox"/> Workforce Investment Act (WIA)	<input type="checkbox"/> MSHA
<input type="checkbox"/> Job Training	<input type="checkbox"/> OSHA
<input type="checkbox"/> Job Corps	<input type="checkbox"/> WIN
<input type="checkbox"/> Youth	<input type="checkbox"/> WtW
<input type="checkbox"/> Unemployment Insurance	<input type="checkbox"/> HOPE VI
<input type="checkbox"/> Apprenticeship	<input type="checkbox"/> Homeless
<input type="checkbox"/> Older Americans	<input type="checkbox"/> HUD
<input type="checkbox"/> New Directions	
<input type="checkbox"/> Displaced Worker	
<input type="checkbox"/> Other. Specify _____	

*At the local level, these programs may be known by a different name.

8. Basis of Complaint. Which of the following best describes why you believe you were discriminated against? (Check)

Race: Specify _____
 Color: Specify _____
 Religion: Specify _____
 National Origin: Specify _____
 Gender: Specify [] Male [] Female
 Age: Specify Date of Birth _____
 Disability: Specify _____
 Political Affiliation: Specify _____
 Citizenship: Specify _____
 Reprisal/Retaliation _____
 Other: Specify _____

9. Do you think the discrimination against you involved (Check One)

Your job or seeking employment? or
 Your using facilities or someone providing/not providing you with services or benefits?

If so, which of the following are involved?

Hiring
 Transition
 Wages
 Job Classification
 Discharge/Termination
 Promotion
 Training
 Qualification/Testing
 Grievance Procedure
 Layoff/Furlough
 Recall (from Layoff/Furlough)
 Seniority
 Intimidation/Reprisal
 Harassment
 Access/Accommodation
 Union Activity
 Application
 Enrollment
 Referral
 Exclusion
 Placement
 Benefits
 Performance Appraisal
 Discipline/Reprimand
 Other (Specify _____)

For DOL Use Only
 CIF received by CRC _____ Accepted _____ Not Accepted _____ Case Number
 By _____ Date _____

10. Why do you believe these events occurred?

11. What other information do you think is relevant to our investigation?

12. If this complaint is resolved to your satisfaction, what remedies do you seek?

13. Please list below any persons (witnesses, fellow employees, supervisors, or others) that we may contact for additional information to support or clarify your complaint.

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Complainant's Signature (**NOT VALID** unless signed) _____ Date _____

14. Do you have an attorney?

_____ Yes _____ No
If yes, please provide name, address and phone

15. Have you filed a case or complaint with any of the following?

- Civil Rights Division US Dept. of Justice
- US Equal Employment Opportunity Commission
- Federal or State Court
- Your State or local Human Relations/Rights Commission

16. For each item checked in #15 above, please provide the following information:

Agency _____
Date Filed _____
Case or Docket Number _____
Date of Trial or Hearing _____
Location of agency or Court _____
Name of Investigator _____
Status of Case _____

Comments _____

Agency _____
Date Filed _____
Case or Docket Number _____
Date of Trial or Hearing _____
Location of agency or Court _____
Name of Investigator _____
Status of Case _____

Comments _____

NOTICE ABOUT INVESTIGATORY USES OF PERSONAL INFORMATION

Two Federal laws govern personal information to Federal Agencies, including the Civil Rights Center (CRC: the Privacy Act of 1974 (5 U.S.C. 552) and the Freedom of Information Act (5 U.S.C. 552) or "FOIA". Please read this description of how these laws apply to information connected with your complaint. After reading this notice, please sign and return the consent agreement printed on the back of this notice, along with your complaint form.

The PRIVACY ACT protects individuals from misuse of personal information held by the Federal government. The law applies to records that are kept and can be located by the individual's name, social security number, or other personal identification system. Anyone who submits information to CRC in connection with a discrimination complaint should know the following:

- CRC has been authorized to investigate complaints of discrimination on the basis of race, color, national origin, age, and handicap, and in some programs on the basis of sex, religion, citizenship, and political affiliation or belief, in programs that receive Federal funds through the Department of Labor. CRC is also authorized to conduct reviews of federally funded programs to assess their compliance with civil rights laws.
- Information that CRC collects is analyzed by authorized personnel within CRC. This information may include personnel or program participant records, and other personal information. CRC staff may want to reveal some of the personal information to individuals outside the office in order to verify facts related to the complaint, or to discover new facts which will help CRC determine whether the law has been violated. Such information could include, for example, the physical condition or age of a complainant. CRC may also have to reveal personal information to a person who submits a request for disclosure authorized by the Freedom of Information Act.
- Information submitted to CRC may also be revealed to persons outside of CRC because it is necessary in order to complete enforcement proceedings against a program that CRC finds to have violated the law or regulations. Such information could include for example, the name, income, age, marital status or physical condition of the complainant.
- Any personal information you provide may be used only for the specific purpose for which it was requested. CRC requests personal information only for the purpose of carrying out authorized activities to enforce, and determine compliance with, civil rights laws and regulations. CRC will not release personal information to any person or organization unless the person who submitted the information gives written consent, or unless release is required by the Freedom of Information Act.
- No law requires that a complainant reveal personal information to CRC, and no action will be taken against a person who denies CRC's request for personal information. However, if CRC cannot obtain the information needed to fully investigate the allegations in the complaint, CRC may close the case.
- Any person may ask for, and receive, copies of all personal materials CRC keeps in his or her file for investigatory use.

AS A POLICY, CRC DOES NOT REVEAL NAMES AND OTHER IDENTIFYING INFORMATION ABOUT INDIVIDUALS UNLESS IT IS NECESSARY TO COMPLETE INVESTIGATION OR ENFORCEMENT ACTIVITIES AGAINST A PROGRAM WHICH HAS VIOLATED THE LAW. CRC never reveals to the program under investigation the identity of the person who filed the complaint, unless the complainant first gave CRC written permission to do so.

The FREEDOM OF INFORMATION ACT (FOIA) gives the public maximum access to Federal government files and records. Persons can request, and receive, information from many types of records kept by the Government-not just materials that apply to them personally. The Civil Rights Center must honor most requests for information submitted under FOIA, but there are exceptions.

- CRC is usually not required to release information during an investigation or an enforcement proceeding if that release would limit CRC's ability to do its job effectively and
- CRC can refuse to disclose information if release would result in a "clearly unwarranted invasion" of a person's privacy.

PLEASE READ AND SIGN SECTION A OR SECTION B OF THE CONSENT FORM, PRINTED ON THE BACK OF THIS NOTICE, AND RETURN IT TO THE CIVIL RIGHTS CENTER WITH YOUR SIGNED, COMPLETED COMPLAINT INFORMATION FORM.

CONSENT FORM

I have read the Notice about Investigatory Uses of Personal Information, printed on the front of this form. I understand the following provisions of the Privacy Act and Freedom of Information Act, which apply to personal information I reveal to the Civil Rights Center in connection with my complaint:

In the course of investigating my complaint, CRC may have to reveal my identify to staff of the program named in my complaint in order to obtain facts and evidence regarding my complaint;

I do not have to reveal any personal information to CRC, but CRC may close my complaint if I refuse to reveal information needed to fully investigate my complaint;

I may request and receive a copy of any personal information CRC keeps in my complaint file for investigatory uses; and

Under certain conditions, CRC may be required by the Freedom of Information Act to reveal to others personal information I have provided in connection with my complaint.

SECTION A

- YES, CRC MAY DISCLOSE MY IDENTITY IF NECESSARY TO INVESTIGATE MY COMPLAINT. I have read and understand this notice, and I consent for CRC to process my complaint.

(Signature)

(Date)

SECTION B

- NO, CRC MAY NOT DISCLOSE MY IDENTITY, EVEN IF NECESSARY TO PROCESS MY COMPLAINT. I have read and understand the notice, and I do not consent for CRC to disclose my identity during investigation of my complaint. I request that CRC process my complaint, however, I understand that CRC may cancel my complaint if it cannot fully investigate without disclosing my identity. I also understand that CRC may close my complaint if it cannot begin an investigation because I have not consented for CRC to reveal my identity.

(Signature)

(Date)

Notice of Right to File a Discrimination Complaint

EQUAL OPPORTUNITY IS THE LAW

It is against the law for the Seattle/King County WDC and its service providers, as recipients 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, national origin, age, disability, political affiliation or belief; and 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.

The Seattle/King County WDC and its service providers 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 believe 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:

Equal Opportunity Officer
Seattle/King County WDC
Market Place One, Suite 250
2003 Western Avenue
Seattle, WA 98121-2162

or

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

If you file your complaint with the Seattle/King County WDC, you must wait either until a written Notice of Final Action is issued, or until 90 days have passed, (whichever is sooner), before filing with the Civil Rights Center (see above address). If the Seattle/King County WDC 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 that Notice to be issued before filing a complaint with CRC. However, you must file your CRC complaint 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the Seattle/King County WDC).

If the Seattle/King County WDC 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: _____

Date: _____