



Subject: Discrimination Complaint Processing Policy

Policy No: 2015-61

Effective Date: 4/28/21, 8/9/23

1. Purpose:

To establish minimum requirements and to give procedural guidance to subrecipients of the Workforce Innovation and Opportunity Act (WIOA) Title I grant funds, service providers and centers within the One-Stop System, regarding the processing of discrimination complaints, including the development, maintenance, and implementation of local-level discrimination complaint procedures. All grant recipients/program providers under Title I of WIOA are responsible for complying with the discrimination complaint procedures at [29 CFR Part 38](#), as outlined in this policy and attached handbook.

2. Background:

Federal laws and regulations require procedures for handling complaints alleging violations of nondiscrimination laws. This policy provides standard expectations for processing discrimination complaints within the One-Stop System.

Policy and Procedures

A. The Benton-Franklin Workforce Development Council (BFWDC)

1. Establishes the responsibility of tracking and processing all local discrimination complaints;
2. Inform the system of the minimum discrimination complaint processing requirements contained in Attachment A-Discrimination Complaint Processing Handbook; and
3. Establishes a system to log and track discrimination complaints.

B. Complaint Jurisdiction

All partners located at WorkSource Columbia Basin (WSCB) and Tri-Cities Futures (TC Futures) are responsible for the outcomes of program complaints that fall within their jurisdiction. Determinations of jurisdiction will be made based on the specific funding stream that supports the function tied to the complaint allegations, not based on associations other than funding sources. However, collaboration is essential when a complaint presents allegations that cross jurisdictional boundaries. All partners are expected to collaborate and be responsive to the needs of all WSCB and TC Futures customers.

If a discrimination complaint is filed that contains allegations against individuals, WorkSource centers, TC Futures, etc., that are in more than one local area, the local Equal Opportunity (EO) Officer may collaborate with their counterpart in the other areas or with the State-Level EO Officer to process the complaint.

C. Discrimination Complaint Processing Handbook

Attachment A- Discrimination Complaint Processing Handbook- establishes minimum requirements and gives procedural guidance to local areas, subrecipients of the Workforce Innovation and Opportunity Act (WIOA) Title I grant funds, service providers and centers within the One-Stop system, regarding the development, maintenance, and implementation of local-level discrimination complaint processing procedures. All grant recipients/program providers under Title I of WIOA are responsible for complying with the discrimination complaint procedures at [29 CFR Part 38](#) and as outlined in this handbook.

D. Confidentiality

The identity of complainants and any persons who furnish information relating to or assisting in an investigation of a complaint must be kept confidential to the maximum extent possible, consistent with applicable law and a fair determination of the complaint.

E. Definitions

Complaint Contact: Staff designated by the BFWDC as responsible for processing complaints. A contact may also be designated by the One-Stop Operator that initially assists all customers interested in filing a complaint at a local WorkSource office and determines partner(s) program's complaint jurisdiction if a complaint is subsequently filed.

Complaint Coordinator: The BFWDC designated single point(s) of contact for one-stop center, affiliate or connection site. The site's Complaint Coordinator is responsible for facilitating the initial process, promoting coordination to resolve all program complaints, and for forwarding discrimination complaints to the Local EO Officer or State-Level EO officer for processing.

Concern: Any verbal expression of dissatisfaction or any written expression of dissatisfaction other than alleged violations of program or non-discrimination rules or laws. Concerns must be referred but do not require the same formal process as a complaint (i.e., logging, tracking, etc.). Local processes may include additional requirements.

Program Complaints: The submission of a written and signed allegation falls under the jurisdiction of WIOA Title I, Wagner-Peyser and Trade Adjustment Assistance (TAA) requirements as noted in the WorkSource Program Complaint Handbook (Attachment A). Program complaints allege a violation of a law, regulations, or policy connected to Wagner Peyser, WIOA, or TAA programs but do not allege discrimination. All program complaints must be filed within one year of the alleged date of the incident (except Wagner-Peyser, which requires the complaint be filed within two years of an incident).

Discrimination Complaints: Alleged violations of law(s) that prohibit discrimination against any individual 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 for any beneficiary of, applicant to, or participant in programs financially assisted under Title I of WIOA, on the basis of the individual's citizenship status, or participation in any WIOA Title I—financially assisted program or activity. Washington State law also prohibits discrimination in employment and public accommodation based on citizenship or immigration status, families with children, marital status, sexual orientation, honorably discharged veteran or military status, and the use of a trained guide dog or service animal by a person with a disability.

F. Attachments

[Attachment A: Discrimination Complaint Processing Handbook](#)