



WORKFORCE IMPLEMENTATION GUIDANCE (WIG) LETTER

DATE: July 1, 2019

NO: WIG LS-18-001R

TO: LOCAL WORKFORCE SYSTEM STAKEHOLDERS

FROM: BRITNEY SINGER, OWD Compliance Director

SUBJECT: UPDATED CONTACT INFORMATION FOR STATE-LEVEL WIOA TITLE-I EQUAL OPPORTUNITY OFFICER

1. **Purpose.** To provide updated contact information for the State-level Equal Opportunity Officer resulting from a change in staff at the Technical College System of Georgia's Office of Workforce Development.

2. **References.** 29 C.F.R. 38

3. **Definitions.**

WIOA – Workforce Innovation and Opportunity Act

LWDA – Local Workforce Development Area

TCSG OWD – Technical College System of Georgia, Office of Workforce Development

EO Officer – Equal Opportunity Officer

4. **Background.** The Nondiscrimination and Equal Opportunity provisions of WIOA require that EO Officer contact information be kept up-to-date to ensure covered parties are able to file a complaint if necessary.

5. **State-Level Equal Opportunity Officer Guidance.** A change in staff at TCSG OWD requires documents to be updated to include the new WIOA Title-I Equal Opportunity Officer. Per 29 C.F.R. §38.29, "all recipients have the following obligations related to their EO officers:

(c) Making the EO Officer's name, position title, address, and telephone number (voice and TDD/TTY) public;

(d) Ensuring that the EO Officer's identity and contact information appear on all internal and external communications about the recipient's nondiscrimination and equal opportunity programs;"

Additionally, 29 C.F.R. § 38.34 requires the following:



(a) A recipient must provide initial and continuing notice as defined in § 38.36 that it does not discriminate on any prohibited basis. This notice must be provided to:

- (1) Registrants, applicants, and eligible applicants/registrants;*
- (2) Participants;*
- (3) Applicants for employment and employees;*
- (4) Unions or professional organizations that hold collective bargaining or professional agreements with the recipient;*
- (5) Subrecipients that receive WIOA Title I financial assistance from the recipient; and*
- (6) Members of the public, including those with impaired vision or hearing and those with limited English proficiency.*

(b) As provided in § 38.15, the recipient must take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with others and that this notice is provided in appropriate languages to ensure meaningful access for LEP individuals as described in § 38.9.

29 C.F.R. § 38.35

The notice must contain the following specific wording:

Equal Opportunity Is the Law

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, or 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, 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 (or the person whom the recipient has designated for this purpose); or

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 Web site at www.dol.gov/crc.

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 Civil Rights Center (see 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.

6. **Action Requested.** TCSG-OWD is hereby notifying all LWDAs and Local Equal Opportunity Officers that complaint forms and contact information need to be updated as soon as possible to include the contact information detailed below. LWDAs and Local EO Officers must timely update their EO-complaint forms and EO-related policies and procedures to ensure the new address, telephone number, and email address are included. Updated contact information:

State EO Officer: Britney Singer, TCSG OWD Compliance Director

Address: 1800 Century Place N.E., Suite 150, Atlanta GA 30345-4304

Phone: 404-679-1371

Email: wioacompliance@tcsgeu.edu

7. **Inquiries.** Inquiries regarding this guidance should be directed to OWD Compliance Team.
8. **Expiration.** Continuing
9. **Authorization.**