

Technical College System of Georgia's Office of Workforce  
Development

# Nondiscrimination Plan

2020



June 30, 2020

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Civil Rights Center  
U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123  
Washington, D.C. 20210

Ms. Barry-Pérez:

The State of Georgia has developed this Nondiscrimination Plan (NDP) in compliance with the Workforce Innovation and Opportunity Act (WIOA) Section 188 and its implementing regulations at 29 C.F.R. Part 38. The NDP describes Georgia's actions to ensure equal opportunity and nondiscrimination in the availability, access, and delivery of WIOA Title I programs and services.

This NDP is structured in compliance with the requirements set forth in 29 C.F.R. § 38.54, with each of the eight primary sections and eight supplementary sections having both narrative responses and associated documentation where necessary.

As the Governor's designee, I certify that this NDP is an accurate depiction of Georgia's current efforts to ensure compliance with nondiscrimination and equal opportunity provisions set forth in WIOA.

If you have questions regarding Georgia's NDP, please contact the Technical College System of Georgia, Office of Workforce Development, at [WIOAcompliance@tcsgeu.edu](mailto:WIOAcompliance@tcsgeu.edu) or (404) 679-1371.

Respectfully,

Gregory C. Dozier, Commissioner  
Technical College System of Georgia

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## Element I: Assurances

[29 CFR 38.25 through 38.27 and 38.54]

The Technical College System of Georgia Office of Workforce Development (OWD), as a recipient of WIOA Title I financial assistance, ensures compliance with 29 CFR Parts 38.25 and 38.54 by requiring that all job-training plans, contracts, MOUs and other agreements between recipients are non-discriminatory and contain the required provisions regarding nondiscrimination and equal opportunity (EO). OWD also includes the required assurances in its Georgia Unified State Plan, as required by the Workforce Innovation and Opportunity Act. The Georgia Unified State Plan, <https://tcsge.edu/worksource/resources-for-practitioners/worksource-plans-reports/>, includes required assurances that comply with Section 188, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972. The plan reflects the State's commitment to ensuring all services are provided in an equal and nondiscriminatory manner throughout Georgia's Workforce System.

Included in the assurances provisions are the parties' commitment to provide the following through the One-Stop delivery system:

- Architecturally and programmatically accessible facilities and programs; and,
- Reasonable accommodations for individuals with disabilities.

The contract assurances are outlined in the Grant Administration section of the Technical College System of Georgia Office of Workforce Development Policy Manual (PM), Attachment A of this document. Assurances may also be incorporated by reference in grants, cooperative agreements, contracts, or other arrangements. The following references may be used:

"The equal opportunity and nondiscrimination assurances at 29 CFR Part 38.25 apply to this contract/agreement."

"The parties to this Grant Agreement assure that each will fully comply with the nondiscrimination and equal opportunity provisions of Section 188 of WIOA and its implementing regulations."

A copy of the Assurances and Certifications are included in any requests for proposal that are issued. OWD's Compliance and Grant Administration Teams provide technical assistance as needed and annually monitor each LWDA to ensure compliance with the applicable EO and nondiscrimination requirements. Additionally, as subrecipients, each LWDA monitors its own subrecipients and contractors. OWD's Equal Opportunity and Nondiscrimination Monitoring Tool,

Attachment B, details the State's process. For further detail on the monitoring process, please refer to Element VIII.

In addition to annual monitoring, OWD actively reviews WIOA funded agreements and proposals to ensure the required assurances are included. All policy issuances and directives are carefully reviewed to ensure they are nondiscriminatory. OWD also issues guidance to local level recipients to ensure that local policy issuances are nondiscriminatory in intent or effect.

- Workforce Implementation Guidance Letter- Contract Assurance, Attachment C
- Workforce Implementation Guidance Letter- Guidance Regarding Training Site Accessibility, Attachment D
- Eligible Training Provider List Application, Attachment E

## Element II: Equal Opportunity Officers

[29 CFR 38.28 through 38.33]

Effective July 1, 2018, The Technical College System of Georgia Office of Workforce Development (OWD) is responsible for administering Georgia's WIOA Title I programs. As such, the Governor designated the Commissioner of the Technical College System of Georgia with the authority to appoint a State-Level Equal Opportunity Officer pursuant to the equal opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA). The associated designation letter is attached as Attachment F, "State-level WIOA Title-I Equal Opportunity Officer Appointment Letter."

In accordance with Section 188 of the Workforce Innovation and Opportunity Act and its implementing regulations found in 29 CFR Part 38, Commissioner Greg Dozier appointed a State-Level Equal Opportunity Officer. Such individual is charged with ensuring the compliant provision of WIOA Title I-funded services through Georgia's Workforce System. This individual coordinates service delivery with State and local partner agencies to ensure effective, inclusive and regulatory complaint service structures are utilized and maintained. In addition, the Georgia Department of Labor, the state's Wagner-Peyser and UI administrator, has appointed Elizabeth Warner as the Equal Opportunity Administrator and designated officer with the responsibility to ensure EO compliance is maintained at GDOL and its career centers. Together, Ms. Warner, the Title-I EO Officer and their other State and local counterparts ensure consistent application of the equal opportunity and nondiscrimination provisions of WIOA.

OWD's Compliance Team supports the State-Level EO Officer and provides supplemental technical assistance, expertise, and coordination on EO and nondiscrimination rules, regulations, guidance, and application. The Compliance Team also assists with administrative duties. When needed, the State-Level EO Officer may also leverage additional staff resources to fulfill EO tasks and obligations. There is sufficient funding to ensure effective implementation of the equal opportunity responsibilities.

The State-Level EO Officer and his/her staff work closely with the Civil Rights Center Administrator to ensure proper administration is maintained.

Georgia Department of Labor  
State Level Equal Opportunity  
Administrator  
Elizabeth Warner  
Suite 276, Sussex Place  
148 International Blvd., NE  
Atlanta, GA 30303-1751  
404-232-3557 (voice)  
404-232-3538 (fax)  
Elizabeth.Warner@dol.state.ga.us  
Georgia Relay Center (TTY/TDD)  
1-800-255-0056 or 711

WIOA Title I Equal Opportunity Officer  
The Technical College System of  
Georgia Office of Workforce  
Development (OWD)  
Britney Singer, Compliance Director  
1800 Century Place N.E., Suite 150  
Atlanta, Georgia 30345-4304  
(404) 679-1371 (voice)  
(404) 679-5460 (fax)  
[wioacompliance@tcsg.edu](mailto:wioacompliance@tcsg.edu)  
Georgia Relay Center (TTY/TDD)  
1-800-255-0056 or 711

## **Position Description for WIOA Title I Equal Opportunity Officer**

The Equal Opportunity Officer:

- Assumes overall responsibility for developing and implementing the Nondiscrimination Plan;
- Coordinates reviews and evaluations for local areas and recipients to ensure conformity to established policies and procedures is maintained;
- Provides guidance to management staff on all matters pertaining to equal opportunity, including highlighting EO responsibilities in all areas of administration within the department;
- Acts as the focal point for EO activities;

- Coordinates developing and publishing procedures for the prompt investigation of discrimination based complaints as well as for the prompt and equitable resolution of general complaints;
- Monitors the delivery of all programs and activities administered by the Department to ensure universal access to include members of varying demographic groups and persons with limited English proficiency;
- Reviews contracts, plans, and agreements to ensure the inclusion of all required EO provisions and nondiscrimination assurances;
- Ensures the collection and maintenance of records consistent with the requirements of Section 188 and 29 CFR 38.28 through 38.33 to determine compliance with nondiscrimination and equal opportunity provisions;
- Coordinates development of procedures to ensure that communications with individuals with disabilities are as effective as communications with others;
- Establishes procedures for obtaining prompt corrective action, negotiating voluntary compliance through negotiation and conciliation activities or, as appropriate, applies sanctions when deemed appropriate if noncompliance is found;
- Serves as the Technical College System of Georgia Office of Workforce Development's (OWD) liaison with the Local Workforce Areas EO Officer; and,
- Serves as the Technical College System of Georgia Office of Workforce Development's (OWD) liaison with the Civil Rights Center.

## **Public Notice of State and Local EO Officers**

The State's Equal Opportunity Officer's name and contact information appears on all communications regarding nondiscrimination and equal opportunity programs. This information has also been made public by the following means: (29 CFR 38.29)

Name and full contact information concerning Equal Opportunity and Grievance Procedure Information is posted on the TCSG EO Notice and English and Spanish Grievance Forms (Attachments G, H, and I) on the Technical College System of Georgia webpage. WIOA Title I Equal Opportunity Officer contact information is made available to all participants enrolled in WIOA funded programs and activities.



Furthermore, each local area's Equal Opportunity Officer's information is made known to applicants, eligible applicants/registrants, participants, employers, employees, applicants for employment. Subrecipients that receive WIOA Title I financial assistance from the recipient and members of the public, including those with impaired vision or hearing and those with limited English proficiency are also provided the local Equal Opportunity Officer's contact information.

Georgia has 19 designated local areas under the Workforce Innovation and Opportunity Act (WIOA). As required, each local area identified an Equal Opportunity Officer responsible for ensuring local level compliance with Section 188 and its associated regulations. The Directory of the 19 local areas and the names of the local area EO Officers are noted in the section below. Every EO Officer publishes their contact information in compliance with 29 CFR Part 38.

Local Equal Opportunity Officers serve as the primary focal point for EO compliance through handling complaints and checking policies and agreements. They are a critical and integral part of the state EO structure. As such, each local area Director has designated a staff person, with the necessary authority and experience, to serve as the Equal Opportunity Officer.

- Included in the required notice of Nondiscrimination, a handout is provided to applicants, eligible applicants/registrants, participants, employers, employees, applicants for employment and subrecipients that receive WIOA Title I financial assistance from the recipient and members of the public.
- The "Equal Opportunity Is the Law" notice/poster is posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on the local area's Web site page. The notice is available in languages other than English that reflect the language spoken by significant portions of the population within the relevant service area. Additionally, each area has developed local policy in conformance with Section 188, 29 CFR 38.28 through 38.33 and State guidance.

## **Support and Training**

OWD develops and disseminates policies, procedures, and guidance to assist local areas in satisfying the regulatory requirements set forth in WIOA's Nondiscrimination and EO procedures for use in equal opportunity and nondiscrimination issues. The State EO Officer and Compliance Team conduct annual compliance monitoring to examine the LWDAs' written materials such as

case files, physical locations, policies, and procedures for items relating to equal opportunity and nondiscrimination issues. During the on-site monitoring visit, the OWD Compliance Team interviews the local EO Officer to ensure that he/she is fulfilling the responsibilities of his/her role in compliance with federal regulations. As a result of issues identified, OWD may provide technical assistance and support with information technology services, administrative planning, budgeting, personnel and facilities, as needed.

State and local EO Officers may attend training and seminars conducted by the Equal Employment & Opportunity Commission (EEOC), Equal Opportunity Conferences hosted by the National Association of State Workforce Agencies (NASWA) and other related training as needed to ensure they stay up-to-date on federal requirements.

### **Designation of the Local EO Officer**

The regulations at 29 CFR §38.28 require every recipient to designate an Equal Opportunity Officer ("EO officer"), except small recipients, as defined in 29 CFR §38.4 (hhh) and service providers, as defined in 29 CFR §38.4(ggg). Although small recipients, as defined in §38.4(hhh), do not need to designate EO Officers who have the full range of responsibilities listed in §38.31, they must designate an individual who will be responsible for adopting and publishing complaint procedures, and processing complaints, as explained in §§38.72 through 38.75. Service providers, as stated in Section 38.33, are not required to designate an EO officer, but must assure compliance with the nondiscrimination and equal opportunity provisions of the WIOA. Compliance is primarily assured by the local level monitoring and contract assurance.

The role of the Equal Opportunity Officer at the local level is critical to local and State compliance with equal opportunity laws and regulations. Their oversight of local programs and resolution of complaints minimizes potentially costly litigation and enhances equitable service delivery.

The duties of a Local EO Officer are as follows:

- Serve as the local entity's Equal Opportunity Officer;
- Complete EO interviews conducted by the Office of Workforce Development (OWD);
- Ensure that Equal Opportunity posters with the notice: "Equal Opportunity is the Law" (see 29 CFR §§38.35 and 38.36) is placed in areas of high visibility;

- Process, resolve or refer complaints of discrimination in the manner prescribed by 29 CFR §§38.72 through 38.73 and the State's Complaint Processing Procedures;
- Collaborate with the WIOA Title I Equal Opportunity Officer when a complainant has selected Alternative Dispute Resolution (ADR) (Only the complainant has the right to decide whether to use ADR or customary/formal process for resolving complaints);
- Ensure all applicants and employees receive a copy of the Equal Opportunity Notice;
- Ensure that facilities, programs, services, information, and equipment (e.g. computer hardware and software) are accessible to individuals with a disability;
- Ensure that programs, services, and information are accessible to individuals whose primary language is not English; and,
- Participate in training that will enhance and maintain the competencies required of an EO Officer.

<b>LOCAL WORKFORCE DEVELOPMENT AREAS (LWDAs) EQUAL OPPORTUNITY OFFICERS</b>	
<p>Area 1 Phyllis Walker WorkSource Northwest Georgia P.O. Box 1798 Rome, GA 30161-1798 Phone: (706) 295-6485 <a href="mailto:pwalker@nwgrc.org">pwalker@nwgrc.org</a></p>	<p>Area 2 Andrea Newsom WorkSource Georgia Mountains P.O. Box 1720 Gainesville, GA 30503 Phone: (770) 538-2624 <a href="mailto:anewsom@gmrc.ga.gov">anewsom@gmrc.ga.gov</a></p>
<p>Area 3 Antrell Tyson WorkSource Atlanta 818 Pollard Boulevard, SW Atlanta, GA 30315 Phone: (404) 416-7991 <a href="mailto:atyson@atlantaga.gov">atyson@atlantaga.gov</a></p>	<p>Area 4 Alisa Jackson WorkSource Cobb 463 Commerce Park Drive, Suite 100 Marietta, GA 30060 Phone: (770) 528-8066 <a href="mailto:ajackson@cobbworks.org">ajackson@cobbworks.org</a></p>
<p>Area 5 Robert D. Davis, III WorkSource DeKalb 774 Jordan Lane, Building #4 Decatur, GA 30033 Phone: (404) 687- 3437 <a href="mailto:rddavis1@dekalbcountyga.gov">rddavis1@dekalbcountyga.gov</a></p>	<p>Area 6 Melissa Washington Cuthrell Diversity and Civil Rights Compliance Officer II Fulton County Government Office of Diversity and Civil Rights Compliance 141 Pryor Street, SW, 5th Floor Atlanta, Georgia 30303 Office: 404-612-8356 <a href="mailto:Melissa.Cuthrell@fultoncountyga.gov">Melissa.Cuthrell@fultoncountyga.gov</a></p>
<p>Area 7 Phyllis B. Jackson WorkSource Atlanta Regional 229 Peachtree Street NE Suite 100 Atlanta, GA 30303 Phone: (470) 371-1118 <a href="mailto:pjackson@atlantaregional.org">pjackson@atlantaregional.org</a></p>	<p>Area 8 Hope Blakely WorkSource Georgia Three Rivers 1210 Greenbelt Drive Griffin, GA 30224 Phone: (678) 692-0510 <a href="mailto:hblakley@threeriversrc.com">hblakley@threeriversrc.com</a></p>
<p>Area 9 Rhonda Keeter, CDF WorkSource Northeast Georgia 305 Research Drive Athens, GA 30606 Phone: (706) 369-5703 <a href="mailto:rkeeter@negrc.org">rkeeter@negrc.org</a></p>	<p>Area 10 Laura Mathis WorkSource Macon-Bibb 175 Emery Highway, Suite C Macon, GA 31201 Phone: (478) 751-6160 <a href="mailto:lmathis@mg-rc.org">lmathis@mg-rc.org</a></p>

<p>Area 11 Tiffany Calloway WorkSource Middle Georgia 124 Osigian Blvd, Suite A Warner Robins, GA 31088 Phone: (478) 953-5389 <a href="mailto:tcalloway@mgwib.com">tcalloway@mgwib.com</a></p>	<p>Area 12 Kiki Murray WorkSource Central Savannah River Area 3626 Walton Way Ext, Suite 300, Augusta, GA 30909 Phone: (706) 210-2000 <a href="mailto:kmurray@csrarc.ga.gov">kmurray@csrarc.ga.gov</a></p>
<p>Area 13 Pecola Wiley WorkSource East Central Georgia 674 Washington Road Thomson, GA 30824 Phone: (706) 595-8941 <a href="mailto:pwiley@ecgwdc.org">pwiley@ecgwdc.org</a></p>	<p>Area 14 Feleshia Marshall WorkSource Lower Chattahoochee 420 Tenth Street Columbus, GA 31901 Phone: (706) 653-4529 <a href="mailto:fmarshall@columbusga.org">fmarshall@columbusga.org</a></p>
<p>Area 15 Tenisha Tookes WorkSource Middle Flint 228 West Lamar Street Americus, GA 31709 Phone: (877)819-6348 <a href="mailto:ttookes@rivervalleyrc.org">ttookes@rivervalleyrc.org</a></p>	<p>Area 16 Sandy Bunton 107 North Duval Street P. O. Box 906 Claxton, Georgia 30417 912-739-7158 <a href="mailto:sandy.bunton@jobtrainingunlimited.com">sandy.bunton@jobtrainingunlimited.com</a></p>
<p>Area 17 Cory Thomas WorkSource Southwest Georgia 154 West St Colquitt, GA 39837 Phone: (229) 758-1000 <a href="mailto:cthomas@colquittga.org">cthomas@colquittga.org</a></p>	<p>Area 18 Amy Baldwin WorkSource Southern Georgia 1725 South Georgia Parkway West West Waycross, GA 31503 Phone: (912) 285-6097 <a href="mailto:abaldwin@sgrc.us">abaldwin@sgrc.us</a></p>
<p>Area 19 Sheron Morgan WorkSource Coastal 7216 Skidaway Road-Suite A Savannah, GA 31406 Phone: (912) 351-6379 <a href="mailto:smorgan@crc.ga.gov">smorgan@crc.ga.gov</a></p>	

## Element III: Notice and Communication

[29 CFR 38.34 through 38.39]

Notifying required parties and effectively communicating their available rights is paramount to the successful implementation of the EO and Nondiscrimination provisions of WIOA. As such, the Technical College System of Georgia (TCSG) Office of Workforce Development (OWD) complies with the requirements of 29 CFR §§38.34 through 38.39 to utilize and enforce a notice and communication system that communicates to individuals their rights and their ability to file a complaint, if necessary. The primary purpose of the system is to ensure OWD and its recipients provide initial and continuing notice, as applicable, that they do not discriminate on any prohibited ground and ensure that communications with persons with disabilities are as effective as communications with others.

### **EO Notice**

Technical College System of Georgia Office of Workforce Development's Equal Opportunity Notice, Attachment G, complies with the requirements set forth at 29 CFR 38.35.

### **Communication**

OWD communicates policies, guidelines, and information, including those pertaining to EO, to its local areas and system partners through numbered technical assistance documents, written instructions and announcements, e-mail, intranet, and program and policy manuals. Manuals are updated as needed. TCSG's website is also used to provide current information to staff, clients, partners and the general public. Additionally, the TDD/TTY (800-255-0056) or relay system is available for persons with hearing impairments.

OWD ensures that posters and brochures are up-to-date and provided to all required individuals. Auxiliary aids include translated notice materials, as well as large print posters and Braille brochures. "Tag lines" are used in recruitment brochures, web pages, State publications, and broadcast program information that utilize WIOA Title I funds.

Orientation sessions for participants, employees, and the general public educate individuals on their rights under the nondiscrimination and equal opportunity

provisions of WIOA. These sessions generally include information on an individual's right to file a complaint alleging discrimination with the local area, State, or the Civil Rights Center, if necessary. Individualized technical assistance to subrecipients is also provided upon request. Training for local areas' EO Officers and support staff is also used when instances of noncompliance are identified.

OWD ensures that its subrecipients comply with the following EO Notice requirements:

1. Posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on the recipient's Web site pages;
2. Disseminated in internal memoranda and other written or electronic communications with staff;
3. Included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available; and,
4. Provided to each participant and employee; the notice must be made part of each employee's and participant's file. It must be a part of both paper and electronic files, if both are maintained.

The notice must be provided in appropriate formats to registrants, applicants, and eligible applicants/registrants, applicants for employment and employees and participants with visual impairments. Where notice has been given in an alternate format to registrants, applicants, eligible applicants/registrants, participants, applicants for employment and employees with a visual impairment, a record that such notice has been given must be made a part of the employee's or participant's file.

If necessary, the notice must be provided to participants in appropriate languages other than English as required in §38.9.

### **Publications, broadcasts, and other communications**

Additionally, recruitment brochures, informational materials, and media messages distributed to the public to describe a WIOA program or participation requirements use an abbreviated notice notifying the reader that the program or activity is an "Equal Opportunity employer/program/service" and "auxiliary aids and services are available upon request to individuals with disabilities."

Where telephone numbers are listed, TDD/TTY or relay service number should be provided. Information regarding the Georgia Relay Center is available from the Consumer Hot Line at 1 (800) 682-8706. The number for the Georgia Relay Service is 1(800) 255-0056 (TDD/TTY) or 1(800) 255-0135 (Voice).

## **Services or Information in a Language Other Than English**

If a significant number of the population needs information in a language other than English, efforts are made to provide translated materials.

## **Orientation**

During orientation for new participants, customers, and new employees, local staff will include a discussion of participants and/or employee's rights to nondiscrimination and equal opportunity, including the right to file a complaint of discrimination.

## **Communication with Individuals with Disabilities**

A sign is posted in each comprehensive one-stop center to provide notice to individuals with disabilities that he/she may request an accommodation if necessary.

Signs should be posted at all inaccessible entrances of the one-stops and career centers directing individuals to an accessible entrance or address of the nearest accessible office and the telephone number to call if an accommodation is needed to receive services.

## **On-line Notice to Applicants**

The state utilizes an online platform known as the WorkSource Georgia Portal (formerly the Georgia Work Ready Online Participant Portal (GWROPP)). This website is an online tool designed to provide informational access to services for individuals, on career and training services, and labor market information within the State.

This site is a powerful online tool designed to assist job seekers or students in searching for the right job. The site is also a valuable resource for policy makers, researchers, and others seeking to explore and analyze local labor markets.

As a Georgia state agency, OWD uses Careers, the Internet-based information system for state employees and those seeking a career in Georgia state government available at: <http://team.georgia.gov/careers/>. Information about current job vacancies is available by position classification, by agency and by county in the state. Each on-line position listing for OWD includes the 'tag lines' discussed in 2 and 5, as well as the notice Equal Employment Opportunity is The Law.

## **Training Activities**

The State EO WIOA officer provides information regarding available training opportunities, which may address EO policy and procedure updates, diversity in



the workplace, sexual harassment, ADA issues, and complaint processing as related to discrimination on an as needed/requested basis.

### **Communication with LEP Individuals**

The purpose of this policy is to establish effective guidelines consistent with Section 188 of the Workforce Innovation and Opportunity Act and Title VI of the Civil Rights Act of 1964 which require all recipients of federal financial assistance to provide individuals who are Limited English Proficient meaningful access to all services and programs.

It is the policy of OWD to provide meaningful access to all individuals applying for, participating in, or receiving services or benefits administered by the State.

Meaningful access involves the State in promoting effective communication with LEP individuals seeking or receiving services, benefits or participation in programs funded in part or whole by federal funds. Georgia will continue to comply with the federal requirements regarding LEP data collection that went into effect January 3, 2019.

## Element IV (and VI): Data and Information Collection and Maintenance and Recordkeeping

[29 CFR 38.41 – 38.45 and 38.53]

Georgia complies and will continue to comply with the requirements for data and information collection and maintenance. Information is made available, as allowable to ascertain a recipient's compliance with non-discrimination/equal opportunity requirements of WIOA. Data and information collection and maintenance policies are developed and communicated to all recipients.

Data information is collected and maintained to monitor recipients' EO performance, identify instances or areas of discrimination, and identify individuals or groups of individuals who have been discriminated against. Four pieces of demographic information are gathered in individual records for each applicant, eligible applicant, participant, terminated employee, employee, and applicant for employment: sex, race/ethnicity, age, and disability status, as appropriate.

An individual is considered an applicant at the point at which they submit personal information (e.g. name, address or SSI, etc.) for WIOA Title-I services.

Effective July 1, 2013, applicant data is maintained through the Work Ready System and can only be retrieved by staff members with privileged access for certain allowable duties

Beginning on January 3, 2019, each recipient must also record LEP and preferred language information.

Certain participant records, such as those containing medical information, are secured and kept separate from other information to ensure confidentiality. All participant data collected is retained for a period of three years from the date of application.

The State and each LWDA utilizes a formal Complaint Log to record complaints filed that allege discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship status and/or participation in a WIOA Title I-financially assisted program or activity. Complaint forms, investigation notes, disposition letters, and other pertinent information on each complaint filed, as well as complaint logs, must be maintained by recipients or subrecipients for a period of three years from the close of the applicable program year, unless a complaint has been filed and is not yet resolved in which it will be a period of three years from the closure of the open complaint, in accordance with 29 CFR 38.43.

## Element V: Affirmative Outreach

[29 CFR 38.40]

It is the Technical College System of Georgia Office of Workforce Development's (OWD) intent to provide access to all programs/services and benefits of the State. As such, outreach and recruitment efforts are meant to broaden the composition of the applicant pools to include members of both sexes, LGBT, of the various racial and ethnic groups and of various age groups, as well as individuals with disabilities and limited English speaking ability.

Leveraging WIOA's unified service delivery system and required partners, OWD is able to provide access to all job seekers, including those with special needs, such as dislocated homemakers, Migrant & Seasonal Farm workers, public assistance recipients, women and minorities, individuals training for nontraditional employment, veterans, individuals with multiple barriers to employment, older individuals, individuals with limited English speaking ability, and persons with disabilities.

In addition to physical presence, technology is a key outreach tool. Technology supports:

- Increased communication;
- Broaden message delivery to a dispersed population; and,
- Increased data exchange amongst system partners.

The public can go online and access their specific local workforce development area's website to view information regarding programs, services, training, upcoming job fairs, special events, and employment opportunities. These websites are linked on TCSG OWD's website at <https://tcsgeu/worksource/worksource-georgia-services/>. An example is available as Attachment J.

OWD's outreach efforts also aim to enhance the employability and increase the earning potential of individuals with multiple barriers to employment. To enhance the employability of individuals with disabilities, and other populations faced with employment barriers as identified in the Workforce Innovation and Opportunity Act, local boards, one-stop operators, and providers may utilize targeted outreach and other tactics to reach those populations. Such tactics include:

1. Staffing service sites with a diverse and cross-trained workforce able to serve any population;
2. Providing disability awareness for staff;
3. Hosting outreach programs for individuals with disabilities;

4. Designating staff to serve certain population groups; and,
5. Providing technical assistance to Georgia employers including information regarding ADA requirements.

In addition to staff outreach efforts and leveraging the workforce system network, the comprehensive One-Stop Centers, which must be physically and programmatically accessible to individuals with disabilities, as described in 29 CFR Part 38, serve as the State's strongest outreach tool. Each one-stop center in Georgia shall designate at least one person whose duties include providing services and assistance for individuals with disabilities. The Department will cooperate with the Governor's Council on Disabilities, the Vocational Rehabilitation specialist, and the Georgia Radio Reading Service Inc. (GARRS) to provide services. The Georgia Alliance for Workforce Development (GAWD), an affiliate of the national Workforce Alliance, is an association of community-based organizations, businesses, and concerned individuals that work together to strengthen community, individual, and family self-sufficiency. This group has sponsored networking and contracting opportunities and promotes state-level advocacy in support of member organizations.

Some Local Workforce Development Areas (LWDA) have Mobile Career Centers, which are state-of-the-art, fully accessible, computer labs on wheels. The public can access the mobile units for free for the following services:

- Computer stations for resume writing and job search;
- High-speed satellite internet connection for online job searching;
- Printer, scanner, and copy services;
- Resume and cover letter review;
- Resource and research materials; and
- Fully accessible ADA workstation with movable table and auxiliary equipment.

OWD also uses census statistics and State and local market trends to stay abreast of the populations served. Among the populations, OWD is aware of the significant increase in size of the LEP population in the State and is taking reasonable steps to ensure that our policies and procedures do not deny or have the effect of denying persons with limited programs, activities, and services to customers with limited English proficiency, as appropriate.

OWD is responsible for monitoring all WIOA recipients and ensuring compliance with the universal access element of nondiscrimination and equal opportunity provisions of Section 188 of the WIOA. OWD continually stresses to recipients the importance of their obligation to expand the diversity of the participant pool and

staffing selections. OWD takes reasonable steps to ensure that policies and procedures do not deny equal access to individuals with Limited English Proficiency (LEP). In the selection of one-stops, consideration is given to accessibility members of the general population for all programs, services, and benefits. OWD implements, evaluates and documents programs, activities, and services to customers with LEP.

OWD annually monitors the LWDA's to measure the effectiveness of the LWDA's efforts to serve and employ a diverse population, including members of both genders, LGBT, various racial, ethnic and age groups, and individuals with disabilities. Summary reports of LWDA EO visits are kept in the LWDA monitoring files.

OWD also encourages, LWDA's to develop relationships with various local organizations and community service groups that may target certain populations to ensure affirmative outreach. Some examples include, but are not limited to the following:

- Publicity materials (brochures, letters) designed to provide an overview of employment services to the general public. These materials can be mass-mailed, used as handouts, or provided to libraries and schools;
- Participation in local and statewide job-related events. Among these are job fairs, school career days, media feature stories, seminars and networking groups;
- Coordination and involvement with various agencies, committees, task forces, and projects which deal with any employment-related functions. (Examples: Vocational Rehabilitation, School to Work, Governor's Council on Disabilities, etc.);
- WorkSource Georgia Academy provides consistent and timely training to local area staff and to educate board members and partners on the provision of WIOA services in the State of Georgia;
- Partnership with GVRA and 'Transition from School to Work' programs;
- Employment Services special programs for targeted groups such as Migrant and Seasonal Farmworkers, Veterans, Youth, Job Corps, etc. These programs mandate outreach – both to the target population and a one-to-one basis;
- If a significant number of eligible populations need services or information in a language other than English in order to be effectively informed of or able to participate in the program or activity, local offices will provide to such persons, in appropriate languages, the information needed;

- The EO notice of nondiscrimination handout, poster and audio cassette recording are available in English and Spanish, and are provided as needed;
- In the selection of site locations, satellite offices, and outstations, consideration must be given to whether all members of the general population for all programs, services and benefits including Employment Services/Unemployment Insurance are given access. The Executive Director reviews all department facilities to ensure accessibility; and,
- Services to provide sign language and Braille are available upon request.
- LWDA's have signs posted to inform customers of telephone numbers to call or to see the manager if an accommodation is needed to receive services;
- All LWDA managers have identified individuals and/or organizations available if assistance is needed to provide services or information in a language other than English, and written procedures have been distributed to staff;
- State employees who have skills in languages other than English have identified themselves and offered their services in assisting agency customers by providing instruction, conveying information, or assisting with completing forms. The local area manager includes the names of these individuals in memorandum distributed to staff;
- All local area managers maintain a current list of local community organizations specific to their community that serve or represent the various ethnic, gender and age group segments and individuals with disabilities;
- All local area managers maintain routine ongoing contact with advocacy groups and community based organizations to ensure that their center meets the specific needs of each constituency;
- All local area managers coordinate with, and develop linkages among other local, state, and federal agencies serving the various segments of the populations;
- Participate in community employment events such as job fairs, employment seminars, and public recruitment for employers to publicize the services of the local area;
- Serve on the advisory boards of, or offer technical assistance to advocacy groups and community based organizations;
- Place advertisement to recruit participants for Employment Service programs in newspapers, radio, and television, and participate in the development and airing of public service announcements, and appear on local radio and television shows to promote the use of the Technical College System of Georgia's Office of Workforce Development programs, services and benefits by substantial segments of the population;

- Employer Relations- On-site visits with employers and community agencies; participation in job fairs, special recruitment efforts, Employer Committee meetings; employer seminars, and public relations campaigns, to encourage employer use of Employment Services;
- Provide career center office space, where available, to local groups and organizations for recruitment, promotional efforts and other appropriate organizational activities; and,
- The Technical College System of Georgia's Office of Workforce Development continuously examines the services provided for and to those individuals with limited English proficiency (LEP). The Department has developed and implemented a broad-base system to ensure LEP persons having meaningful access.

## Element VII: Complaint Processing Procedures

[CFR 38.72 and 38.73]

These procedures are designed to ensure complaints alleging violations of any of the provisions of WIOA, including the equal opportunity and nondiscrimination provisions, are properly processed and resolved. The provided definitions apply to all types of complaints and grievances. There are three basic types of complaints.

1. A Complaint that involves suspected fraud, waste, abuse, misconduct, or other wrong doing in a WIOA-funded program shall follow the guidelines titled Reporting Suspected Fraud, Waste, Abuse, Misconduct, or Other Wrongdoing.
2. A General Complaint alleging a programmatic violation of WIOA shall follow the guidelines titled General Nondiscriminatory Complaints.
3. A Complaint which alleges discrimination shall follow the guidelines titled Complaints Alleging Discrimination.

### **Type 1: Reporting Suspected Fraud, Waste, Abuse, Misconduct, or Other Wrongdoing**

In the event that a Complaint involves allegations of fraud, abuse, waste, misconduct, or illegal activity stemming from a WIOA-funded program, the Complainant shall immediately contact one of the following entities:

#### **Technical College System of Georgia, Office of Workforce Development**

Tel: 404-679-1371

Mailing Address: TCSG, Office of Workforce Development

Attn: Britney Singer, Compliance Director

1800 Century Place NE, Suite 150

Atlanta, GA 30345

#### **Georgia Office of Inspector General**

Tel: 1-866-435-7644 (1-866-HELPOIG)

Mailing Address: 2 M.L.K. Jr. Dr., SW 1102 West Tower

Atlanta, Georgia 30334

Complaint Form: <https://oig.georgia.gov/report-fraud-waste-and-abuse> available as Attachment K

#### **United States Department of Labor, Office of Inspector General**

Tel: 202-693-6999 or 1-800-347-3756

Mailing Address: Attn: Hotline, Office of Inspector General U.S. Department of Labor  
200 Constitution Ave., NW Room S-5506



Washington, D.C. 20210

Complaint Form: <https://www.oig.dol.gov/hotlinecontact.htm>

In the event the Complainant contacts OWD, OWD shall document the allegations and assist the Complainant in contacting the appropriate entity. OWD may document the Complainant's allegations using the United States Department of Labor Office of Inspector General's Incident Report Form 1-156, Attachment L. For further information regarding what procedures shall be adhered to, please reference the United States Department of Labor's Employment and Training's (ETA) TEGL No. 02-12, Attachment M.

## **Type 2: General Nondiscriminatory Complaints**

The process for general complaints is intended to allow for resolution of the complaint at the most local level possible. Therefore, if a general complaint alleges that a LWDA or local service provider violated the requirements of WIOA, then such complaint must be filed in compliance with the LWDA's complaint policies. Such complaints will not be resolved by the State until such time that there has been a written ruling issued by the LWDA. The exception to this rule is if the Complainant alleges OWD violated the provisions of WIOA. Such complaints must be directly filed with OWD. While local complaint policies may vary among LWDA's, OWD sets forth the following guidelines which local policies must follow.

29 U.S.C. § 3241 (c)(1) requires that States and LWDA's receiving funding authorized under WIOA provide the opportunity for a hearing and resolve any complaint within sixty (60) days of the complaint's filing. Any entity within the workforce system, including, but not limited to, customers, participants, recipients, subrecipients, contractors, and service providers may file a Complaint.

### **General Nondiscriminatory Complaint Guidelines for Local Recipients and Subrecipients**

Notice – LWDA's shall make complaint procedures along with instructions on how to file a complaint available to the public. This includes posting such procedures on a LWDA's website, if one exists. Complaint procedures shall inform the public of any interested party's right to file a complaint as well as inform the public that an interested party has the opportunity to receive technical assistance in filing such complaint as described below. So as to ensure additional notice to likely interested parties, LWDA's shall also include a statement in each participant's case file which contains a summary of the LWDA's complaint process or information on where to find the process and a statement that the participant has the opportunity to receive technical assistance from the LWDA in filing such a complaint. The participant shall also be required to sign an acknowledgment form evidencing their receipt of the complaint process. If any information is updated on the complaint form, the recipient and its subrecipients shall ensure current participants are made aware of the update.

Assistance – LWDA's shall provide assistance to any Complainant, including those Complainants filing a complaint against the LWDA. Such assistance may include, but shall not be limited to, providing instructions on how to file a complaint; providing reasonable accommodations to Complainants with disabilities in accordance with Federal law; providing relevant copies of documents such as WIOA, regulations, local rules, contracts, etc.; and providing clarifications on the relevant provisions. This requirement shall not be interpreted as requiring LWDA's to release personally identifiable information.

In accordance with 29 U.S.C. § 3241 (c)(1), each LWDA is required to establish a process for receiving, reviewing, and resolving general, non-discriminatory complaints. These procedures must include an opportunity for the Complainant to make a written request for a hearing with such hearing occurring within sixty (60) days of the filing of the complaint. LWDA's may require that complaints be filed within a reasonable timeframe from the date of the alleged action which gave rise to the complaint. However, reasonable time shall not be more than one hundred and twenty (120) days from the date of the action which gave rise to the complaint. The LWDA's general complaint form shall at a minimum request the following information:

- The Complainant's contact information;
- The contact information for the entity or individual against whom the complaint has been alleged (i.e., respondent);
- A brief, clear statement of the facts and dates describing the alleged violation;
- Any additional, pertinent documentation supporting the complaint;
- A notice stating that the Complainant has the opportunity to request a hearing in writing;
- A field for the resolution the Complainant seeks;
- A notice of where the LWDA's complaint policies may be found;
- A notice that the Complainant may request assistance with the complaint process; and
- A certification to be signed by the Complainant that the information contained within the complaint is true and accurate.

A complaint may be amended to correct a technical deficiency at any time up until the date of resolution or the date of a hearing, if a hearing is requested in writing prior to the issuance of a resolution. Complaints may be withdrawn by the Complainant at any time prior to the issuance of a resolution.

In the event a complaint is received which does not contain enough information to enable the LWDA to resolve the issue, the LWDA shall make reasonable efforts to contact the Complainant and gather additional, necessary information.

In the event that a complaint is filed and the LWDA lacks jurisdiction to resolve, the LWDA shall immediately issue written notice to the Complainant informing him/her of their lack of jurisdiction.

LWDAs shall also record all complaints in the LWDA's Complaint Log. At a minimum, the following information shall be collected: complainant's name and contact information; the date the complaint was filed; the date the LWDA issued a formal or informal resolution; and a brief description of the complaint.

As the Complaint Log may contain personally identifiable information, only authorized staff may view it. For guidance on the federal requirements for protecting personally identifiable information, please reference ETA's Training and Employment Guidance Letter Number 39-11.

LWDAs shall issue a written resolution for each complaint received no later than sixty (60) days from the date the complaint is filed. The written resolution shall contain the following, at a minimum:

- A recitation of the issues alleged in the complaint;
- A summary of any evidence and witnesses presented by the Complainant and the respondent;
- An analysis of the issues as they relate to the facts; and,
- A decision addressing each issue alleged in the complaint.

Hearing Procedures – As required by WIOA, every Complainant shall have the opportunity for a hearing for any complaint that is filed. A request for a hearing must be made in writing by the Complainant, preferably at the time the complaint is initially filed. However, a Complainant may file a written request for a hearing within sixty (60) days of the date the complaint was filed. If a request for a hearing is made, then the hearing shall be held as soon as reasonably possible to enable a resolution of the complaint no later than sixty (60) days from the day the complaint is filed. The LWDA shall use the following procedures if a hearing is requested:

Upon receiving written notice of the Complainant's request for a hearing, the LWDA shall respond in writing acknowledging the Complainant's request and notifying the Complainant and the respondent of the date of the hearing. Such acknowledgment and notice shall be transmitted to the Complainant and the respondent within ten (10) business days of receipt of the Complainant's request. The notice shall include, at a minimum:

- The date of issuance;
- The name of the Complainant;
- The name of the Respondent against whom the complaint has been filed;

- A statement reiterating that the Complainant and Respondent may be represented by legal counsel at the hearing;
- The date, time, and place of the hearing, including the name of the hearing officer serving as an impartial party;
- A statement of the alleged violations of WIOA, (This may include clarification of the original complaint, but must accurately reflect the content of the submitted documentation of the Complainant);
- A copy of any policies or procedures for the hearing or identification of where such policies may be found; and
- The name, address, and telephone number of the contact person issuing the notice.

The hearing shall be conducted in compliance with federal regulations. At a minimum, the hearing must include:

- An impartial hearing officer selected by the LWDA;
- An opportunity for both the Complainant and Respondent to present an opening statement, witnesses, and evidence;
- An opportunity for each party to cross-examine the other party's witnesses; and
- A record of the hearing which the LWDA shall create and retain.

The hearing officer, considering the evidence presented by the Complainant and Respondent, shall issue a written decision which shall serve as the LWDA's official resolution of the complaint. The decision shall include the following information, at a minimum:

- The date, time, and place of hearing;
- A recitation of the issues alleged in the complaint;
- A summary of any evidence and witnesses presented by the Complainant and the respondent;
- An analysis of the issues as they relate to the facts; and
- A decision addressing each issue alleged in the complaint.

Remedies – Per 29 U.S.C. § 3241(c)(3), a LWDA receiving an allotment or allocation under WIOA may only impose the following remedies for a violation of any requirement of WIOA:

- Suspend or terminate payments made available under WIOA;
- Prohibit the placement of a participant with an employer that violated any requirement under WIOA;
- Where applicable, reinstate an employee, require the payment of lost wages and benefits, and reestablish other relevant terms, conditions, and privileges associated with the employee's employment; and

- Where appropriate, other equitable relief.

Process for Appealing to OWD – As to general complaints, the Complainant must first file at the local level unless the complaint alleges a violation of the provisions of WIOA by OWD. OWD shall not have jurisdiction over general complaints until a LWDA has issued a written resolution on a complaint. Once a LWDA has issued a written resolution on a complaint, a Complainant may file an appeal of the LWDA's resolution with OWD by attaching the local resolution to the OWD complaint form. Any appeal to OWD of a LWDA's resolution must be filed within sixty (60) days of the date the LWDA issued its written resolution. However, a LWDA that fails to issue a written resolution of a locally filed complaint within sixty (60) days shall give the Complainant the automatic right to file a complaint with OWD. Once OWD has received the complaint form and the local resolution, OWD shall issue its own resolution on the issue being appealed within sixty (60) days of receipt. Any resolution reached by OWD may be appealed to the United States Department of Labor's Employment and Training Administration.

### **General Nondiscriminatory Complaint Guidelines for OWD**

Overview – As the State's WIOA Title-I grant recipient, OWD established a complaint procedure in compliance with 29 U.S.C. § 3241(c) which shall govern how OWD responds to complaints alleging violations of the requirements of WIOA from participants and other interested parties or affected parties. In order to resolve grievances at the most local level possible, OWD shall address general complaints as follows:

#### Locally Filed Complaints Not Resolved in 60 Days

- A LWDA must resolve complaints within sixty (60) days of filing. In the event a LWDA fails to resolve a complaint within the required timeframe, the Complainant may contact OWD for assistance.
- Upon notice that a LWDA has failed to timely resolve a complaint, OWD shall document the complaint and issue written notice to the LWDA that the complaint was not resolved in a timely fashion. The notice shall require the LWDA to respond in writing within ten (10) calendar days explaining the basis for the delay. The Complainant shall not complete an OWD complaint form as the LWDA shall still be responsible for resolving the complaint locally.
- Upon receipt of the LWDA's response, OWD shall instruct the LWDA to proceed with resolving the complaint.

## Appeal of resolved Local Complaint

- If a party is dissatisfied with a LWDA's resolution of a complaint, the party may appeal to OWD.
- OWD's Compliance Team shall document the party's information in their Complaint Log and request the party to complete an OWD complaint form.
- Scope of Review – OWD's review shall be limited to ensuring the LWDA adhered to its own policies in reaching its decision regarding the complaint and that the resolution issued by the LWDA correctly applied the applicable regulation, policy, or law.
- Upon receipt of the appeal, OWD shall notify the LWDA, and the LWDA shall send OWD a copy of any and all documents the LWDA collected or relied upon in investigating and ruling on the complaint.
- OWD shall then review the submitted documentation, and issue a ruling within sixty (60) days of filing.
- If OWD finds fault with the process used by the LWDA or the resolution, OWD shall identify the issue and remand the complaint back to the LWDA. The LWDA shall then re-open the complaint and issue a new resolution correcting the issue identified by OWD.
- If OWD finds no fault with the process used by the LWDA or with the resolution, OWD shall notify the LWDA and the Complainant of its decision to affirm the resolution. Additionally, OWD shall notify the Complainant of their right to appeal OWD's decision to the United States Department of Labor Employment and Training Administration.

## General Complaint Made Against OWD

- Any party may file a complaint directly with OWD if the complaint alleges that OWD, not a LWDA or local service provider, violated a requirement of WIOA within the last one hundred and twenty (120) days using the OWD complaint form.
- In the event a complaint is received which does not contain enough information to enable OWD to resolve the issue, OWD shall make reasonable efforts to contact the Complainant and gather additional, necessary information. In the event that a complaint is filed which OWD does not have jurisdiction, OWD shall immediately issue written notice to the Complainant of the lack of jurisdiction.

- Upon receipt of the complaint, OWD shall conduct an investigation and resolve the complaint within sixty (60) days of the filing.
- OWD's written resolution shall contain the following:
  - A recitation of the issues alleged in the complaint;
  - A summary of any evidence and witnesses presented by the Complainant;
  - An analysis of the issues as they relate to the facts; and
  - A decision addressing each issue alleged in the complaint.

Hearing Procedure – A Complainant shall have the opportunity for a hearing if the Complainant makes a written request within sixty (60) days of the date the complaint was filed. Such a request can only be made if the complaint was made directly against OWD. Hearings shall not be permitted on appeals from LWDA resolutions or from locally filed complaints which have not been handled in a timely manner. Hearings shall be conducted as follows:

- Upon receiving written notice of the Complainant's request for a hearing, OWD shall respond in writing acknowledging the Complainant's request and notifying the Complainant of the date of the hearing. Such acknowledgment and notice shall be transmitted to the Complainant within ten (10) business days of receipt of the Complainant's request. The notice shall include, at a minimum:
  - The date of issuance;
  - The name of Complainant;
  - A statement reiterating that the Complainant may be represented by legal counsel at the hearing;
  - The date, time, and place of the hearing, including the name of the hearing officer serving as an impartial party;
  - A statement of the alleged violations of WIOA, which may include clarification of the original complaint, but must accurately reflect the content of the submitted documentation of the Complainant;
  - A copy of any policies or procedures for the hearing; and
  - The name, address, and telephone number of the contact person issuing the notice.
- The hearing shall be conducted in compliance with federal regulations. At a minimum the hearing must include:
  - An impartial hearing officer selected by OWD;

- An opportunity for the Complainant to present an opening statement, witnesses, and evidence;
- An opportunity for each party to cross-examine the other party's witnesses; and
- A record of the hearing which the LWDA shall create and retain.
- The hearing officer, considering the evidence presented by the Complainant and OWD, shall issue a written decision which shall serve as OWD's official resolution of the complaint. The decision shall include the following information, at a minimum:
  - The date, time, and place of hearing;
  - A recitation of the issues alleged in the complaint;
  - A summary of any evidence and witnesses presented by the Complainant and OWD;
  - An analysis of the issues as they relate to the facts; and
  - A decision addressing each issue alleged in the complaint.

Remedies – Per 29 U.S.C. § 3241(c)(3), OWD may impose only the following remedies for a violation of any requirement of WIOA:

- Suspend or terminate payments made available under WIOA;
- Prohibit the placement of a participant with an employer that violated any requirement under WIOA;
- Where applicable, reinstate an employee, require the payment of lost wages and benefits, and reestablish other relevant terms, conditions, and privileges associated with the employee's employment; and
- Where appropriate, other equitable relief.

Process for Appealing to United States Department of Labor's Employment and Training Administration –

Any complaint or appeal resolved by OWD may be appealed to the United States Department of Labor's Employment and Training Administration. Federal appeals must be made within 60 calendar days of the receipt of OWD's complaint resolution. USDOL will make a final decision no later than one hundred and twenty (120) days after receiving the Complainant's formal appeal. USDOL shall only investigate grievances arising through the established procedures. WIOA does not allow for federal intervention until the formal procedure has been followed.

### **Type 3: Complaints Alleging Discrimination**

As a recipient of federal funds, OWD is prohibited from, and does not engage in, discriminating against any individuals in the United States on the basis of race,



color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA funded program or activity. Further, any entity which receives funds authorized under WIOA is prohibited from discriminating against any individual on the grounds previously stated. Pursuant to 29 U.S.C. § 3248, the Secretary of the United States Department of Labor shall issue regulations governing and implementing the nondiscrimination provisions of WIOA. Such federal regulations shall govern the process for reviewing and resolving any complaints or grievances alleging discriminatory action. Furthermore, the Complainant or grievor reserves the right to directly file their discrimination-based complaint with the United States Department of Labor's Civil Rights Center on their website at: <http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm>. The United States Department of Labor Civil Rights Center Equal Opportunity Complaint Form is attached as Attachment N.

In compliance with the regulations implementing Section 188 of WIOA, OWD adheres to the following discrimination-based complaints procedure for filing complaints and grievances alleging discrimination:

- Every WIOA grantee, subrecipient, or contractor shall notify customers, applicants, employees, and interested parties of their rights under the laws enforced by the USDOL's CRC, including where and when to file discrimination complaints under the state or local process where applicable. All discrimination-based complaints must be filed within one hundred and eighty (180) days of the alleged discriminatory act.
- The Complainant may submit their discrimination complaint to either the LWDA, OWD, or the United States Department of Labor's Civil Rights Center.
- Federal regulations require the retention and recording of any complaint alleging discrimination for at least three years from the date of final action.
- LWDA's are required to adhere to the applicable federal regulations which govern the information which shall be recorded and retained in conjunction with their reception and processing of any complaint alleging discrimination.
- If the Complainant chooses to file the discrimination complaint with the LWDA or OWD, a response shall be issued within ninety (90) days of the Complaint's filing. The resolution shall be the written Notice of Final Action. Options for resolving the complaint shall include alternative dispute resolution (ADR), at the Complainant's election.
- The Complainant has the right to be represented in the complaint process by an attorney or other representative.
- If the Complainant is dissatisfied with the resolution of their complaint by the LWDA or OWD, the Complainant may file a new complaint with CRC within thirty (30) days of the date on which the Complainant receives the Notice of Final Action. If the State or LWDA fails to issue the Notice within ninety (90)

days of the date on which the complaint was filed, the Complainant may file a new complaint with CRC within thirty (30) days of the expiration of the ninety (90) day period (in other words, within one hundred and twenty (120) days of the date on which the original complaint was filed).

- Further, OWD shall fully cooperate with any local, state, or federal investigation in accordance with the aforementioned proceedings or with any criminal investigation.

### **Relevant Contact Information:**

WIOA Title I Equal Opportunity Officer  
The Technical College System of Georgia Office of Workforce Development (OWD)  
Britney Singer, Compliance Director  
1800 Century Place N.E., Suite 150  
Atlanta, Georgia 30345-4304  
(404) 679-1371 (voice)  
[\(404\) 679-5460 \(fax\)](tel:4046795460)  
[wioacompliance@tcsg.edu](mailto:wioacompliance@tcsg.edu).  
Georgia Relay Center (TTY/TDD)  
1-800-255-0056 or 711

If resolution is not sufficient, contact Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW Room-N4123, Washington, DC 20210 or electronically as directed on the CRC Web site at <http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm>.

Each complaint must be filed in writing, either electronically or in hard copy and must contain the following information:

- The complainant's name, mailing address, and, if available, email address (or another means of contacting the complainant).
- The identification of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination). A clear description of the allegations in sufficient detail including the date(s) and timeline that the alleged violation occurred to allow the recipient, as applicable, to decide whether:
  - What agency 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 indicate noncompliance

with any of the nondiscrimination and equal opportunity provisions of WIOA or part 29 CFR Part 38.

- The written or electronic signature of the complainant or the written or electronic signature of the complainant's representative.

## **EO Complaint Guidelines for Local Recipients and Subrecipients**

LWDAs shall make complaint procedures along with instructions on how to file a complaint available to the public. This includes posting on a LWDA's website, if one exists. Complaint procedures shall inform the public of any interested party's right to file a complaint as well as inform the public that an interested party has the opportunity to receive technical assistance in filing such complaint as set forth below. So as to ensure additional notice to likely interested parties, LWDAs shall also include a statement in each participant's case file which contains a summary of the LWDA's complaint process or information on where to find the process and a statement that the participant has the opportunity to receive technical assistance from the LWDA in filing such a complaint.

The participant shall also be required to sign an acknowledgment of the complaint process. If any information is updated on the complaint form, the recipient and subrecipients shall ensure current participants are made aware of the update.

Assistance – LWDAs shall provide assistance to any Complainant, including those Complainants filing a complaint against the LWDA. Such assistance may include, but shall not be limited to, providing instructions on how to file a complaint; providing reasonable accommodations to Complainants with disabilities in accordance with Federal law; providing relevant copies of documents such as WIOA, regulations, local rules, contracts, etc.; and providing clarifications on the relevant provisions. This requirement shall not be interpreted as requiring LWDAs to release personally identifiable information.

The notice will include the following information pursuant to part 29 CFR §38.72:

- Acknowledgement of complaint received including date received; notice that the complainant has the right to be represented in the complaint process; notice of rights contained in §38.35; and notice that the complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that this notice will be translated into the non-English languages as required in §§38.4(h) and (i), 38.34, and 38.36.

- A written statement of issue(s) which includes a list of the issues raised in the complaint; for each issue, a statement of whether or not the issue is accepted for investigation or rejected and the reasons for each rejection after performing a period of fact-finding.
- Notice that the complainant may resolve the issue Alternative Dispute Resolution (ADR) any time after the complaint has been filed, but before a Notice of Final Action has been issued.

### **Alternative Dispute Resolution**

Complainants must be given a choice as to the manner in which they wish to have their complaint processed, which include; an investigation conducted by the WIOA Title I Equal Opportunity Officer or local Equal Opportunity Officer; or through Alternative Dispute Resolution (ADR). The choice whether to use ADR or the customary process of conducting an investigation rests entirely with the complainant.

Mediation is the recommended Alternative Dispute Resolution method and will be conducted by impartial mediator(s) utilizing a list provided by the Office of Workforce Development

Complainants must notify the WIOA Title I Equal Opportunity Officer within ten (10) calendar days after receiving the letter acknowledging their complaint of their choice of complaint processing through Alternative Dispute Resolution. The State will provide a list of impartial mediator(s) and will provide interested parties information regarding the manner in which the mediation will be conducted; and the date, time and place for mediation.

The period for attempting to resolve the complaint through mediation is twenty (20) calendar days from the date the complainant chooses mediation.

Upon completion of successful mediation the complainant and respondent will both sign a conciliation agreement attesting that the complaint has been resolved.

### **Mediation**

Mediation is a form of Alternative Dispute Resolution (ADR) that is offered by the Office of Workforce Development and the LWDA's as an alternative to the traditional investigative or litigation process.

Mediation is an informal process in which a neutral third party assists the opposing parties to reach a voluntary, negotiated resolution of a charge related to WIOA. Mediation gives the parties the opportunity to discuss the issues raised in the

charge, clear up misunderstandings, determine the underlying interests or concerns, find areas of agreement and ultimately, to incorporate those areas of agreements into solutions. A mediator does not impose a decision on the parties. Instead, the mediator helps the parties to agree on a mutually acceptable resolution.

A LWDA's Equal Opportunity Officer or an Office of Workforce Development (OWD) representative will contact the participant concerning their participation in the program. If both parties agree, a mediation session conducted by a trained and experienced mediator is scheduled. While it is not necessary to have an attorney or other representation in order to participate in the Mediation Program, only the complainant has the right to decide whether to use ADR or customary/formal process for resolving complaints. It is important that persons attending the mediation session have the authority to resolve the dispute.

### **Time Frame**

The period for attempting to resolve the complaint through mediation will be thirty (30) days from the date the complainant chooses mediation; but must be performed within ninety (90) days of the initial filing date.

### **Advantages of Mediation**

Free – Mediation is available at no cost to the parties

Fair and Neutral – Parties have an equal say in the process and decide settlement terms, not the mediator. There is no determination of guilt or innocence in the process.

Saves Time and Money – Mediation usually occurs early in the charge process, and many mediations are completed in one meeting. Legal or other representation is optional but not required.

Confidential – Information disclosed during mediation will not be revealed to anyone, including applicable Office of Workforce Development staff.

### **Fact-Finding Investigation Process**

If the complainant requests an investigation as their choice of resolution the State WIOA Title I Equal Opportunity Officer will have sixty (60) calendar days from the date the complaint was filed, in which to conduct an investigation.

The investigation may include interviewing the complainant and respondent, interviewing witnesses, and reviewing pertinent files and records.

In order to meet the ninety (90) day time frame for issuing decisions and allow the State WIOA Title I Equal Opportunity Officer adequate time to conduct an investigation should the mediation fail, the State will have thirty (30) calendar days in which to investigate the complaint. The mediator will notify the State WIOA Title I Equal Opportunity Officer immediately that the mediation process was unsuccessful.

### **Complainant Responsibility**

The complainant may amend the complaint at any point prior to:

- The beginning of mediation; or
- The fact-finding investigation

The complainant may withdraw the complaint at any time.

If at any time during the process the complainant fails to cooperate, they shall be given notice that the complaint will be administratively closed within ten (10) calendar days, unless good cause is shown.

### **Breach of Agreement**

Any party to any agreement reached under ADR may file a complaint with the Director of the Civil Rights Center in the event the agreement is breached. The non-breaching party may file a complaint with the Director within thirty (30) calendar days of the date that party learns of the alleged breach.

If the parties do not reach an agreement under ADR, the complainant may file a complaint with the Director of the Civil Rights Center. The address for filing in the event of a breach in the agreement or lack of agreement follows:

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

## Element VIII: Governor's Oversight and Monitoring Responsibilities for State Programs

[29 CFR Part 38.51 and 38.53]

The Office of Workforce Development's (OWD) WIOA Title I EO Officer developed a system for evaluating the extent to which recipients are complying with the administrative obligations of 29 CFR Part 38, including, but not limited to assurances, Equal Opportunity Officers, notice and communication, data and information collection and maintenance, affirmative outreach, recordkeeping, and complaint processing procedures, along with performing the responsibilities assigned to such recipients through grant awards. The responsibilities include conducting equal opportunity monitoring/evaluation reviews, including monitoring assurance and programmatic and architectural accessibility, imposing sanctions and corrective actions for violations, ensuring policy development, communication and training are carried out, ensuring programs and activities are operating in a nondiscriminatory manner and ensuring equal opportunity.

As part of its monitoring of recipients, OWD reviews Local Workforce Development Areas' (LWDA) policies and procedures to ensure they are nondiscriminatory in nature and practice. This review includes checking to ensure the LWDA's EO policy and grievance procedure complies with the federal and state regulations. While interviewing the LWDA's EO Officer, OWD monitors ensure that the LWDA is following their own EO policies. Depending on the location of the on-site monitoring, OWD monitors will confirm that the federally-required EO Notice is posted in conspicuous locations. OWD's monitoring procedure may include checking for the presence of the EO Notice on the LWDA's website, in employee and participant files, and in employee and participant handbooks. Additionally, OWD monitors may review recruitment brochures, outreach materials, and publications to confirm that the LWDA has specified that it is an Equal Opportunity Employer and that auxiliary aids and services are available upon request to individuals with disabilities.

OWD ensures that LWDAs provide access to nondiscriminatory programs by confirming that LWDAs are aware of their responsibility to create job training plans, contracts, assurances, and other similar agreements that are nondiscriminatory and that include the federally required language regarding nondiscrimination and equal opportunity. As part of the EO questionnaire sent to each LWDA's EO Officer, OWD asks whether the EO Officer makes its EO policies known to its service providers. The local areas will perform on site monitoring visits

to assure their One-Stops, affiliates, and service providers are in compliance and submit a record to OWD.

OWD also reviews the LWDA's One-Stop MOU to ensure that an assurance is made that the One-Stop is ADA accessible and that individuals with disabilities receive equitable services to those individuals without disabilities. Since the One-stop serves as the primary service delivery mechanism for Title-I services, all One-stops must be accessible for certification purposes. Furthermore, One-Stop Certification requires a one-stop be inspected for accessibility prior to being authorized to serve the public.

The monitoring system reviews recipients at least once every twelve months. Any issues or deficiencies are outlined in the LWDA's Final Monitoring Report. OWD then ensures that the LWDA resolves those Findings through prompt corrective action or, as necessary, applying sanctions when noncompliance is found.

OWD's Equal Opportunity and Nondiscrimination Monitoring Tool and OWD's Equal Opportunity and Nondiscrimination Questionnaire are attached to this document as Attachment B and Attachment O, respectively.



## Additional Element I: System of Policy Communication and Training

The Office of Workforce Development (OWD) has created a system of policy communication and training to ensure that EO Officers and their staff are aware of their responsibilities under the nondiscrimination and equal opportunity provisions of WIOA. As a key component of this communication and training system, The State Workforce Development Board authorizes the Office of Workforce Development to provide interpretive guidance and technical assistance to the LWDA's regarding the implementation and administration of WIOA. These technical assistance and policy guides are referred to as "Workforce Implementation Guidance" or "WIGS". WIGs serve a purpose similar to the Training and Employment Guidance Letters (TEGLs) and Training and Employment Notices (TENs) issued by USDOL ETA. WIGS provide further guidance and clarity on ambiguous federal rules and/or regulations which govern the implementation of the State and local workforce service delivery systems required under WIOA. The WIGs are hosted on the TCSG OWD website at <https://tcsgeu/workforce-development/worksource-georgia/technical-assistance/>.

As an example, two EO specific WIG's are linked on the website and listed below:

1. Workforce Implementation Guidance Letter- Guidance Regarding Training Site Accessibility, Attachment D
2. Workforce Implementation Guidance Letter- Updated Contact Information for State-level WIOA Title-I Equal Opportunity Officer, Attachment P

In addition to written technical assistance, OWD provides training to service providers and local areas. The WorkSource Georgia Training Academy is the primary training platform for OWD. The goal of the academy is to provide consistent and timely training to local area staff and to educate board members and partners on the specifics of WIOA services. It also provides the State Title-I EO Officer and staff an avenue to train and communicate policies and procedures to local EO Officers and staff.

## Additional Element II: Supporting Documentation Showing the Execution of the Commitments Made in the Nondiscrimination Plan

To demonstrate OWD's compliance with the nondiscrimination and equal opportunity requirements of WIOA, copies of pertinent policies are posted below:

### 1.6 PROVIDING NOTICE OF EQUAL OPPORTUNITY AND NONDISCRIMINATION

#### I. General Prohibitions on Discrimination

"No individual in the United States may, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries, applicants, and participants only, citizenship or participation in any WIOA Title I-financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIOA Title I financially assisted program or activity."

29 C.F.R. § 38.5

#### II. Providing Initial and Continuing Notice

A. All recipients receiving financial assistance under Workforce Innovation and Opportunity Act (excluding the beneficiaries of WIOA programs or activities) must provide initial and continuing notice that it does not discriminate on any prohibited basis.

B. For the purpose of equal opportunity and nondiscrimination regulations, recipients include but are not limited to, the following:

1. State level agencies that administer, or are financed in whole or in part by WIOA Title I funds;
2. State Workforce Agencies;
3. State and Local Boards;
4. Local grant recipients;
5. One-Stop operators;
6. Service providers, including eligible training providers;
7. On-the-Job training (OJT) employers;

8. Job Corps contractors and center operators;
9. Job Corps national training contractors;
10. Outreach and admissions agencies, including Job Corps contractors that perform these functions;
11. Placement agencies, including Job Corps contractors that perform these functions; and,
12. Other National Program recipients.

C. "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.

Recipients must take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with others.

*29 C.F.R. § 38.34; 29 C.F.R. § 38.4; 29 C.F.R. § 38.15*

D. The Equal Opportunity is the Law poster, which is available in English, Arabic, Chinese, and Spanish, must be posted prominently, in a reasonable numbers of places, and available in conspicuous physical locations and on the recipient's website.

*29 C.F.R. § 38.35; 29 C.F.R. § 38.36*

E. The international symbol for accessibility should be shown directing individuals to an accessible entrance or address of the nearest accessible office and the telephone number to call if an accommodation is needed to receive services and the information incorporated in the Methods of Administration Element V.

F. If the customer needs language assistance and is unable to identify the language in which he/she needs assistance, the Network Omni Language Line can help to identify the language the customer is speaking.

G. The following should be observed concerning the Equal Opportunity is the Law Signature Form:

1. All individuals registered in WIOA should read, understand and sign the complaint procedure signature form with a copy given to the individual and a copy in their file;
2. LWDA's are required to provide the complaint procedure signature form to all current employees (WIOA partially or fully funded positions) and ensure that all new employees receive this form when they begin employment (again WIOA partially or fully-funded positions). All employees should read, understand and sign the complaint procedure form which should then be placed in their personnel files;
3. Applicants for WIOA services or applicants for employment with the recipient are covered by the appropriate display of posters;
4. The complaint signature forms are printed in English only. This office will have a Spanish version that can be duplicated for service providers in an area that has a substantial number of participants that would require notification in that language; and,
5. Orientation presentations to new participants, new employees and/or the general public to its WIOA financially funded program must include a discussion of rights under the nondiscrimination and equal opportunity provisions of the WIOA.

### III. Publications

"Recipients must indicate that the WIOA Title I-financially assisted program or activity in question is an "equal opportunity employer/program," and that "auxiliary aids and services are available upon request to individuals with disabilities," in recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or the public at large, to describe programs financially assisted under Title I of WIOA or the requirements for participation by recipients and participants. Where such materials indicate that the recipient may be reached by voice telephone, the materials must also prominently provide the telephone number of the text telephone (TTY) or equally effective telecommunications system, such as a relay service, used by the recipient."

*29 C.F.R. § 38.38 (a)*

"Recipients that publish or broadcast program information in the news media must ensure that such publications and broadcasts state that the WIOA Title I-

financially assisted program or activity in question is an equal opportunity employer/program (or otherwise indicate that discrimination in the WIOA Title I-financially assisted program or activity is prohibited by Federal law), and indicate that auxiliary aids and services are available upon request to individuals with disabilities.”

29 C.F.R. § 38.38 (b)

### 1.3.3 PROCESS FOR COMPLAINTS ALLEGING DISCRIMINATION

- As a recipient of federal funds, OWD is prohibited from, and does not engage in, discriminating against any individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA-funded program or activity. Further, any entity which receives funds authorized under WIOA is prohibited from discriminating against any individual on the grounds previously stated. Pursuant to U.S.C. § 3248, the Secretary of the United States Department of Labor shall issue regulations governing and implementing the nondiscrimination provisions of WIOA. Such federal regulations shall govern the process for reviewing and resolving any complaints or grievances alleging discriminatory action. Furthermore, the Complainant or grievor reserves the right to directly file their discrimination-based complaint with the United States Department of Labor’s Civil Rights Center at: <http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm>.

#### I. Procedure for Filing Complaints and Grievances Alleging Discrimination:

A. Every WIOA grantee, subrecipient, or contractor shall notify customers, applicants, employees, and interested parties of their rights under the laws enforced by the USDOL’s CRC, including where and when to file discrimination complaints under the state or local process where applicable. All discrimination-based complaints must be filed within one hundred and eighty (180) days of the alleged discrimination.

B. The Complainant may submit their discrimination complaint to either the LWDA, OWD, or the United States Department of Labor’s Civil Rights Center.

- Federal regulations require the retention and recording of any complaint alleging discrimination.
- LWDA’s are required to adhere to the applicable federal regulations which govern the information which shall be recorded and retained

in conjunction with their reception and processing of any complaint alleging discrimination.

C. If the Complainant chooses to file the discrimination complaint with the LWDA or OWD, a response shall be issued within ninety (90) days of the complaint's filing. The resolution shall be the written Notice of Final Action. Options for resolving the complaint shall include alternative dispute resolution (ADR), at the Complainant's election.

D. The Complainant has the right to be represented in the complaint process by an attorney or other representative.

E. If the Complainant is dissatisfied with the resolution of their complaint by the LWDA or OWD, the Complainant may file a new complaint with CRC within thirty (30) days of the date on which the Complainant receives the Notice of Final Action. If the State or LWDA fails to issue the Notice within ninety (90) days of the date on which the complaint was filed, the Complainant may file a new complaint with CRC within thirty (30) days of the expiration of the ninety (90) day period (in other words, within one hundred and twenty (120) days of the date on which the original complaint was filed).

F. Further, OWD shall fully cooperate with any local, state, or federal investigation in accordance with the aforementioned proceedings or with any criminal investigation.

Training is available to all relevant individuals as it relates to equal opportunity and nondiscrimination at both the state and local levels to ensure that recipients understand and implement the requirements of the equal opportunity provisions of the WIOA, Section 188 and 29 CFR Part 38. The State EO Officer provides links to LWDA EO Officers on relevant webinars related to equal opportunity and nondiscrimination issues, policies and training opportunities. Specific trainings that are offered and have been attended include Americans with Disabilities Act (ADA) Conferences, Equal Employment and Opportunity Commission (EEOC) Conferences, Civil Rights Commission (CRC) Conferences, Workforce GPS webinars and state specific conferences with Equal Opportunity and Nondiscrimination break-out sessions.

## Additional Element III: Monitoring Reviews and Corrective Actions

Below is a list of EO Findings and the corrective actions performed by the Local Workforce Development Areas (LWDAs) in Program Year 2017 (PY17) and Program Year 2018 (PY18). Since all corrective actions were completed for EO findings, no sanctions were necessary regarding EO.

PY17:

LWDA 5 failed to implement a local policy regarding separating and securing medical and disability-related information from a participant's case file. For their corrective action, LWDA 5 conducted an internal case file review, updated their policy regarding personally identifiable information, and conducted staff training to ensure that staff were knowledgeable of the updated policy.

LWDA 7 lacked required language and contact information in their EO Notice as specified by 29 C.F.R. § 38.35, and failed to publish the EO Notice in all required locations as specified by 29 C.F.R. § 38.36. For their corrective action, LWDA updated their EO Notice to include the federally required language and contact information, and published it in all federally required locations. Additionally, LWDA 7 lacked required provisions in their EO Policy and Procedure as specified by 29 C.F.R. § 38.72. For their corrective action, LWDA 5 updated their policies and procedure to include all of the required provisions, and conducted staff training, as necessary, to ensure that staff were knowledgeable on the provisions of the updated policies and procedures.

LWDA 8 failed to publish the EO Notice in all required locations as specified by 29 C.F.R. § 38.36. For their corrective action, LWDA 8 published the EO Notice in all federally required locations.

LWDA 10 lacked required provisions in their EO Policy and Procedure as specified by 29 C.F.R. § 38.72. For their corrective action, LWDA 10 updated their policies and procedure to include all of the required provisions, and conducted staff training, as necessary, to ensure that staff were knowledgeable on the provisions of the updated policies and procedures.

LWDA 14 failed to separate medical and disability-related information from the participant case file and store it as specified by 29 C.F.R. § 38.41. For their corrective action, LWDA 14 conducted an internal case file review and conducted staff training to ensure that staff were knowledgeable of the file maintenance requirement.

LWDA 15 lacked required provisions in their EO Policy and Procedure as specified by 29 C.F.R. § 38.71 and 29 C.F.R. § 38.72. For their corrective action, LWDA 10 updated their policies and procedure to include all of the required provisions, and conducted staff training, as necessary, to ensure that staff were knowledgeable on the provisions of the updated policies and procedures.

PY18:

LWDA 4 failed to implement a local policy regarding separating and securing medical and disability-related information from a participant's case file. For their corrective action, LWDA 4 conducted an internal case file review and conducted staff training to ensure that staff were knowledgeable of the local policy.

LWDA 12 lacked required provisions in their EO Policy and Procedure as specified by 29 C.F.R. § 38.72 and 29 C.F.R. § 38.74. For their corrective action, LWDA 12 is required to update their policies and procedure to include all of the required provisions, and conduct staff training, as necessary, to ensure that staff are knowledgeable on the provisions of the updated policies and procedures.



Additional Element IV: Copies of Any Notices Made Under §§38.34 through 38.40.

- Technical College System of Georgia Office of Workforce Development Equal Opportunity Notice, Attachment G
- Technical College System of Georgia Office of Workforce Development English Grievance Form, Attachment H
- Technical College System of Georgia Office of Workforce Development Spanish Grievance Form, Attachment I

## Attachment Appendix

Attachment A: Technical College System of Georgia Office of Workforce Development Policy Manual (PM)

Attachment B: Technical College System of Georgia Office of Workforce Development Equal Opportunity and Nondiscrimination Monitoring Tool

Attachment C: Workforce Implementation Guidance Letter- Contract Assurance

Attachment D: Workforce Implementation Guidance Letter- Guidance Regarding Training Site Accessibility

Attachment E: Eligible Training Provider List Application

Attachment F: State-level WIOA Title-I Equal Opportunity Officer Appointment Letter

Attachment G: Technical College System of Georgia Office of Workforce Development Equal Opportunity Notice

Attachment H: Technical College System of Georgia Office of Workforce Development English Grievance Form

Attachment I: Technical College System of Georgia Office of Workforce Development Spanish Grievance Form

Attachment J: Technical College System of Georgia Office of Workforce Development Webpage with Links to Local Workforce Development Areas

Attachment K: Georgia Office of Inspector General Complaint Form

Attachment L: United States Department of Labor Office of Inspector General Incident Report Form 1-156

Attachment M: United States Department of Labor Training and Employment Guidance Letter No. 02-12

Attachment N: United States Department of Labor Civil Rights Center Equal Opportunity Complaint Form

Attachment O: Technical College System of Georgia Office of Workforce Development Equal Opportunity and Nondiscrimination Questionnaire

Attachment P: Workforce Implementation Guidance Letter- Updated Contact Information for State-level WIOA Title-I Equal Opportunity Officer