

Career Link Discrimination Complaint Procedure

29 CFR 37.54 (d) (I) (V)

Who may file a discrimination complaint?

Any person who believes that he or she, or any specific class of individuals, has been or is being subjected to discrimination prohibited by Section 188 of the Workforce Investment Act of 1998, which prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation, citizenship or belief may register a complaint.

Where should a discrimination complaint be registered?

A complaint may be registered in any one of four jurisdictions at any time as long as the complaint is filed within the allowable timeframe associated with the entity to which the complaint is filed. Complainants are encouraged to begin complaint resolution at the local level.

1. EO Officer of Career Link (Complaints must be filed within 180 days from the date of the alleged occurrence)
2. The Illinois Department of Commerce and Economic Opportunity, Director, 500 E. Monroe, Springfield, IL 62701
3. The Director of the Civil Rights Center, U.S. Department of Labor, 200 Constitution Ave. NW, Room N-4123, Washington, DC 20210
4. Illinois Department of Human Rights, 222 S. College, Springfield, IL 62701

Starting at the local level, the complainant should discuss their situation with the Career Link EO Officer. Every effort will be made to resolve the issue(s) informally, although the complainant is not required to participate in this step. If the complainant is not satisfied with the results of the informal resolution, or wishes to skip this step, then he or she may proceed with filing a formal, written complaint.

Formal Written Complaint Procedure (29 CFR 37.73)

Career Link will provide a written complaint form to the complainant. A Complaint Information and Privacy Act Consent form will also be provided. Resolution of the issue(s) between the complainant and Career Link is encouraged at each step of the complaint process.

Upon receipt of a formal, written complaint, the Career Link Equal Opportunity officer will provide written notice to the complainant including:

1. Acknowledgment of receipt of the complaint within five working days of the receipt of the complaint.
2. Notice that the complainant has the right to legal representation in the complaint process
3. A statement of the issues raised in the complaint
4. Whether Career Link will accept the issue for resolution and provide a reason for any rejection of an issue
5. State the relevant timelines and
6. Indicate that the use of Alternative Dispute Resolution is available, but not required, and provide a copy of the ADR brochure.

If the complainant is interested in the Alternative Dispute Resolution process i.e coaching, facilitation, mediation, or arbitration, additional information will be provided with more specific

information. If the complainant accepts the ADR process, a written confirmation will be prepared.

If the complaint directly involves the Career Link EO Officer, the case will be handled by the Assistant Director.

Career Link will have 90 days to investigate the circumstances and events that are relative to the issues raised in the complaint and issue a Notice of Final Action. The Notice of Final Action will include a summary of the issues presented and a decision on the merits of each issue and any corrective action that is recommended. At any time during the formal complaint process, and as facts are uncovered, the issues may be resolved and the process will stop at that point. All parties involved shall have the right to be accompanied by an attorney or other duly authorized representative. In the Notice of Final Action issued to the complainant, a statement will be included that the complainant, if dissatisfied with the finding, has the right to appeal to the Department of Labor CRC within 30 days of the issuance of the Notice of Final Action.

The Director of the Civil Rights Center, U.S. Department of Labor, 200
Constitution Ave. NW, Room N-4123, Washington, DC 20210

Career Link has a policy that prohibits retaliation, intimidation, or reprisal during the course of any protected activity in the course of complaint investigations. Individuals have the right to file complaints if they believe they have been subjected to intimidation, coercion, or other threatening behavior because they:

- Filed or threatened to file a complaint;
- Opposed a practice prohibited by the non-discrimination and equal opportunity provisions of WIA; or,
- Exercised any rights and privileges, including furnishing information to, or assisting in any manner, an investigation, review, hearing, or any other activity related to the provisions under 29 CFR 37.

It is also Career Link's policy not to disclose the identity of any person who has furnished information or assistance in the investigation of a complaint, unless absolutely necessary.

Record Keeping:

The Career Link EO Officer shall maintain records regarding complaints and actions taken for three (3) years from the date of resolution of the complaint.

Authorized and adopted on 1/18/2011 by the United Workforce Development Corporate Board.

David Vaughn, EO Officer
406 Elm Street
Peoria, IL 61605
309-321-0293
dvaughn@careerlink16.com