

DATE ISSUED: July 1, 2015

FOR:

Mark A. Kern, Chief Elected Official LWDA 24  
David Holder, Chairman, Randolph County Board of Commissioners  
Bob Fix, Chairman, Clinton County Board of Commissioners  
David Meyer, Chairman, Washington County Board of Commissioners  
Terry Liefer, Chairman, Monroe County Board of Commissioners  
Terry Beach, Executive Director, St. Clair County Intergovernmental  
Grants Department  
Mid American Workforce Innovation Board (MAWIB) Members  
Richard Sauget, Jr., Chair  
Darlene Roy  
Matt Gomric  
Joe Heinzmann  
Carol Foreman  
Cassandra Williams  
Susan Chapman-Schultz  
Tony White  
Larry McLean  
Everett Stuckey  
Georgia Costello, Ph.D.  
Lisa Atkins  
Donna Richter  
Susan Sarfaty  
Ken Keeney  
Theresa Kurwicki  
Matthew W. Wagner  
Keith Nordike  
William Riechmann  
Dale Stewart  
Vicky Watts McElroy  
Jeff Huch  
Delbert Wittenauer  
Cindy Jones  
Larry McCulley  
James Rakers  
Kevin Riggs  
Jill Van Zandt  
Glyn Ramage

FROM: Linda Franks  
LWIA 24 Equal Opportunity Officer

RE: **EQUAL OPPORTUNITY DIRECTIVE 2015-EO-1,  
Procedures for Referring Complaints**

"Equal Opportunity Employer/Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"

We administer, oversee, and/or operate a variety of federally-assisted programs and activities. Of relevance here, we operate certain workforce development programs and activities funded by the U.S. Department of Labor under Title I of the Workforce Innovation Opportunity Act (WIOA) of 2014, at 29 U.S.C. § 2938. In this capacity, we are required to comply with WIOA's nondiscrimination and equal opportunity provisions. Specifically, we must ensure nondiscrimination and equal opportunity on the basis of race, color, national origin, disability, gender, religion, political affiliation, WIOA participant status, citizenship, and age. These are known as "prohibited bases" of discrimination under WIOA. Moreover, we are prohibited from retaliating against any individual (1) filing a discrimination complaint under WIOA, (2) assisting another person in filing a complaint, or (3) serving as a witness to a complaint.

Also, under WIOA, we must have discrimination complaint procedures developed and published to address allegations of discrimination in the delivery of our WIOA Title I-financially assisted programs and activities. The procedures for LWIA 24 are located at [www.mawib.com](http://www.mawib.com) and [www.co.st-clair.il.us](http://www.co.st-clair.il.us). Each of you must understand how to assist, and refer, any member of the public who seeks to file a complaint.

The purposes of this directive are to: (1) inform you of WIOA's nondiscrimination and equal opportunity requirements; (2) inform you of the location of our published discrimination complaint procedures and forms; (3) assist you in understanding the various types of complaints that may be filed; and (4) direct you to assist and properly refer any individual seeking to file a complaint so that we may ensure prompt consideration of the complaint by the appropriate official.

For these reasons, EQUAL OPPORTUNITY DIRECTIVE 2013-EO-1 is being issued, and **is effective immediately**.

"Equal Opportunity Employer/Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"

✓ **What type of complaint is at issue?**

The following procedures shall apply to referral of (1) discrimination complaints in WIOA Title I-financially assisted programs and activities, (2) WIOA-related program complaints (not involving allegations of prohibited discrimination), (3) private sector employment-related discrimination complaints, and (4) employment-related discrimination complaints by former, current, or potential employees against St. Clair County. We are providing the following information to assist you in properly referring complaints.

**Discrimination Complaint Involving  
WIOA Title I-Financially Assisted Programs and Activities**

Defined: The individual alleges discrimination in a WIOA Title I-financially assisted program or activity on a "prohibited basis" (i.e. race, color, national origin, and so on). The complaint is processed pursuant to 29 C.F.R. Part 37. A discrimination complaint may be filed by any beneficiary, or potential beneficiary (such as an applicant or registrant for aid, services, benefits, and/or training, or an eligible service provider).

Location of WIOA Title I-related discrimination complaint procedures and forms:

[www.mawib.com](http://www.mawib.com) and [www.co.st-clair.il.us](http://www.co.st-clair.il.us)

Refer to:

Linda Franks  
LWIA 24 Equal Opportunity Officer  
St. Clair County Intergovernmental Grants Department  
19 Public Square, Suite 200  
Belleville, IL 62220  
Telephone: (618) 825-3266  
FAX: 618-236-1190  
TTY (English): (800) 526-0844  
TTY (Spanish): (800) 501-0864  
Voice/ITRC: (800) 501-0865  
[lfranks@co.st-clair.il.us](mailto:lfranks@co.st-clair.il.us)

"Equal Opportunity Employer/Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"

**WIOA-Funded Program Complaint  
Not Alleging Discrimination**

Defined: The individual alleges a problem or issue in a WIOA Title I-related program or activity, but does not relate it to a "prohibited basis" of discrimination. The complaint is processed pursuant to 20 C.F.R. subpart F, § 667.600[a] and [b].

As an example, you offer a WIOA Title I-funded on-the-job training program. Under the written procedures for the program, an individual is allowed to participate in the program for up to one year. At the end of one year, the individual is no longer allowed to participate. Jane participated in the program and, after one year, she was notified that she was no longer eligible to participate. Jane files a complaint stating, in these difficult economic times, the training program should be extended for two years. Here, Jane is not alleging she was afforded different, lesser, or segregated treatment on a prohibited basis (*i.e.* race, gender, age, or the like); rather, she seeks a change in the program's eligibility requirements for reasons unrelated to discrimination.

Location of WIOA-related program complaint procedures:

[www.mawib.com](http://www.mawib.com) and [www.co.st-clair.il.us](http://www.co.st-clair.il.us)

Refer to:

Linda Franks  
LWIA 24 Equal Opportunity Officer  
St. Clair County Intergovernmental Grants Department  
19 Public Square, Suite 200  
Belleville, IL 62220  
Telephone: (618) 825-3266  
FAX: 618-236-1190  
TTY (English): (800) 526-0844  
TTY (Spanish): (800) 501-0864  
Voice/ITRC: (800) 501-0865  
[lfranks@co.st-clair.il.us](mailto:lfranks@co.st-clair.il.us)

"Equal Opportunity Employer/Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"

## Private Sector Employment-Related Discrimination Complaint

Defined: The individual alleges discrimination on a "prohibited basis" (*i.e.* race, color, national origin, and so on) against a private employer that does not (1) receive federal funding, or (2) operate a federally assisted program or activity. The complaint is processed pursuant to Title VII of the Civil Rights Act of 1964 and related laws, see [www.eeoc.gov](http://www.eeoc.gov).

Location of private sector discrimination complaint procedures and forms:

<http://www.eeoc.gov/field/stlouis/charge.cfm>.

Refer to:

U.S. Equal Employment Opportunity Commission  
St. Louis District Office  
Robert A. Young Federal Building  
1222 Spruce Street, Room 8.100  
St. Louis, MO 63103  
Telephone: (800) 669-4000  
FAX: (314) 539-1894  
TTY: (800) 669-6820  
Director: James R. Neely, Jr.  
Regional Attorney: Barbara Seely

"Equal Opportunity Employer/Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"

## Employment Discrimination Complaint Against St. Clair County

Defined: A former or current employee, or an applicant for employment with St. Clair County, alleges discrimination on a "prohibited basis" (*i.e.* race, color, national origin, and so on) against St. Clair County. This complaint is processed according to St. Clair County's employee grievance procedures; see St. Clair County's Personnel Code, Chapter 28, Article XIV.

If the position at issue is WIOA Title I-financially assisted, then a discrimination complaint may be filed (1) pursuant to St. Clair County's grievance procedures, and/or (2) LWIA 24's discrimination complaint procedures applicable to our WIOA-funded programs and activities (see the information above related to filing a "Discrimination Complaint Involving WIOA Title I-Financially Assisted Programs and Activities").

Location of St. Clair County employment-related grievance procedures and forms:

[www.co.st-clair.il.us/government/Documents/PERSONNELCODECHAPTER28.txt](http://www.co.st-clair.il.us/government/Documents/PERSONNELCODECHAPTER28.txt)

Refer to:

Attorney Laura Beasley, St. Clair County Equal Opportunity Officer  
10 Public Square, Belleville, IL 62220-1623  
PHONE: (618) 235-2020  
FAX: (618) 235-9632  
TTY (English): (800) 526-0844  
TTY (Spanish): (800) 501-0864  
Voice/ITRC: (800) 501-0865  
E-mail: [lbeasley@ilmoattorneys.com](mailto:lbeasley@ilmoattorneys.com)

Steven Johnson, Special Operations Coordinator  
Victim/Witness Program  
St. Clair County State's Attorney's Office  
10 Public Square, Belleville, IL 62220-1623  
PHONE: 618-277-3892  
FAX: 618-277-6748  
TTY (English): (800) 526-0844  
TTY (Spanish): (800) 501-0864  
Voice/ITRC: (800) 501-0865  
E-mail: [steven.johnson@co.st-clair.il.us](mailto:steven.johnson@co.st-clair.il.us)

"Equal Opportunity Employer/Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"

On request of an individual, you are obliged to download and print any of the foregoing complaint procedures. And, if requested by the individual, you shall provide assistance in completing a complaint form and/or referring the individual to the proper official for such assistance.

✓ **Persons With Disabilities.**

We are obliged to provide persons with visual, hearing, cognitive, and/or mobility impairments effective access to our programs and activities, and an effective and equal opportunity to participate in those programs and activities. If any person requests auxiliary aids and/or services to have access to, or participate in, WIOA Title I-financially assisted programs and activities (including filing a complaint), follow the procedures set forth in EQUAL OPPORTUNITY DIRECTIVE 2015-EO-3, Procedures for Serving Persons With Disabilities, a copy of which is located at [www.mawib.com](http://www.mawib.com) and [www.co.st-clair.il.us](http://www.co.st-clair.il.us).

✓ **Persons Who Are Limited English Proficient (LEP).**

We are obliged to provide persons, whose native language is not English, meaningful and effective access to our programs and activities. To properly serve any LEP person in WIOA Title I-financially assisted programs and activities (including filing a complaint), follow the procedures set forth in EQUAL OPPORTUNITY DIRECTIVE 2015-EO-2, Procedures for Serving Persons with Limited English Proficiency, a copy of which is located at [www.mawib.com](http://www.mawib.com) and [www.co.st-clair.il.us](http://www.co.st-clair.il.us).

✓ **Requests for Religious-Based Accommodation.**

It is our policy to adhere to WIOA's prohibition against religious-based discrimination. To that end, we shall comply with the nondiscrimination provisions of WIOA in serving any individual regardless of the individual's religious belief or practice, or lack thereof. If an individual seeks to file a request for religious-based accommodation in the delivery of our WIOA Title I-financially assisted programs and activities, follow the procedures set forth in EQUAL OPPORTUNITY DIRECTIVE 2015-EO-4, Procedures for Handling Religious-Based Accommodation Requests, a copy of which is located at [www.mawib.com](http://www.mawib.com) and [www.co.st-clair.il.us](http://www.co.st-clair.il.us).

"Equal Opportunity Employer/Program" and "Auxiliary aids and services are available upon request to individuals with disabilities"