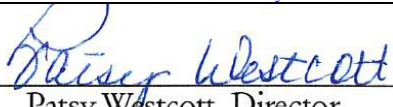


**State of Alaska**  
**Department of Labor and Workforce Development**

<b>Division:</b> Employment and Training Services	<b>Policy:</b> 07-506.3
<b>Subject:</b> Equal Opportunity Discrimination Complaints	<b>Pages:</b> 2
<b>Reference:</b> <a href="#">Title VII of the Civil Rights Act of 1964, as amended</a> ; <a href="#">Title VI of the Civil Rights Act of 1964</a> ; <a href="#">Section 504 of the Rehabilitation Act of 1973</a> ; <a href="#">Executive Order 11246, as amended</a> ; <a href="#">Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended</a> ; <a href="#">Action and Non-discrimination regulations of Contractors and Subcontractors Regarding Protected Veterans</a> ; <a href="#">Alaska Statute 18.80.200 State Commission for Human Rights</a> ; <a href="#">State of Alaska Administrative Order 129</a> ; <a href="#">29 CFR Part 38.12-15 &amp; 40 Implementation of the Nondiscrimination and Equal Opportunity provisions of the Workforce Innovation and Opportunity Act Final Rule</a> ; <a href="#">Training and Employment Notice 24-18</a> ; <a href="#">Updated Promising Practices in Achieving Nondiscrimination and Equal Opportunity</a> ; <a href="#">A section 188 Disability Reference Guide</a>	<b>Effective:</b> 2/1/2016 <b>Revised:</b> 4/15/2019
Approved: <u></u> Patsy Westcott, Director	<u>4/16/19</u> Date

**1. Parties Affected**

This policy applies to the Division of Employment and Training Services (DETS) staff and recipients of public funds from DETS.

**2. Background**

Recipients of public funds must notify customers, applicants, employees, and members of the public about their rights under the laws enforced by the [U.S. Department of Labor, Civil Rights Center \(CRC\)](#). Equal Opportunity is the Law. It is against the law to discriminate against any individual in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin including individuals with limited English proficiency, age, disability, political affiliation or belief, or against any beneficiary of, applicant to, or participant in, a state or federally funded program on the basis of the individual's citizenship status or participation in such state or federally funded program or activity.

The U.S. Department of Labor developed a [Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A section 188 Disability Reference Guide](#) that correlates with specific nondiscrimination and equal opportunity requirements in Section 188 of the Workforce Innovation and Opportunity Act (WIOA). While this reference guide is focused on

Alaska Job Center programs, it also may be used as a resource document for anyone that desires to ensure nondiscrimination and equal opportunity for individuals with disabilities in the workforce development system.

### 3. Policy

DETS staff, subrecipients and service providers will follow the DETS complaint policy and processing procedure as required by [29 CFR Part 38, Implementation of the Nondiscrimination and Equal Opportunity provisions of the Workforce Innovation and Opportunity Act Final Rule](#).

DETS staff, sub recipients and program providers must provide initial and continued notice that it does not discriminate on any prohibited ground. Each program participant is to be provided a copy of the “Program and Equal Opportunity Discrimination Complaint Information” document. If a complaint is filed, the complainant may be referred to or provided the [Equal Opportunity Discrimination Complaint Policy and Equal Opportunity Discrimination Information Procedures & Complaint & Consent Forms](#).

Any person who believes that he or she, or any specific class of individuals, has been or is being subjected to discrimination has the right to file a complaint within one hundred and eighty (180) calendar days of the alleged discrimination.

The confidentiality of complainants must be protected to the maximum extent possible consistent with applicable law and fair determination of the complaint. When consent has been provided for the release of the complainant’s identity, staff, sub recipients and program providers must ensure that such disclosure is made under conditions that ensures the continued receipt of confidential information, including:

- a) the fact that the complaint has been filed;
- b) the identity of the complainant(s);
- c) the identity of individual respondents to the allegations; and
- d) the identity of any person(s) who furnished information relative to, or assisting in, a complaint investigation.

No individual, organization or agency may discharge or retaliate in any manner against any person because that person has filed a complaint, instituted any proceeding related to the Act, testified or is about to testify in any proceeding or investigation, or has provided information or assisted in an investigation.

A complaint that is not based on alleged discrimination or equal opportunity but based on whether staff have applied the law, regulations and professional protocol appropriately while making program decisions is considered a program complaint and the complainant must follow the [Program Complaint and Appeal Policy 07-510](#) when filing a program complaint.

Any provisions contained in the DETS programs or other laws and regulations shall apply, even if they are not explicitly stated in this policy.