



# Workforce Development System Technical Advisory



December 4, 2007

## Workforce Development System Technical Advisory #02-6.1

- TO:** Chairpersons of Local Workforce Investment Boards  
Chief Elected Officials  
WIA Grant Recipients  
WIA Fiscal Agents  
WIA Local Area Contact Persons  
Regional Administrators  
Local EO Officers
- Subject:** **Revised:** Implementation of the Equal Opportunity and Nondiscrimination Policy and Complaint Processing Procedures of the Workforce Investment Act of 1998, Revised December 2007
- Purpose:** To advise Local Workforce Investment Areas (LWIAs) and other WIA recipients of the "Revised" Equal Opportunity and Nondiscrimination Policy and Complaint Processing Procedures established by the New York State Department of Labor (NYSDOL), and to provide for the joint adoption of the policy and procedures by NYSDOL and the Local Workforce Investment Areas (LWIAs).
- Revisions have been made, and are noted in red, to the following:
- Attachments: Attachment A, Please note: new State EO Officer, Ms. Omoye Cooper;
  - Attachment B: Revised Complaint Procedure Overview, and
  - Attachment C.
- Note:** Attachments D & E must be re-submitted with updated signatures to the New State EO Officer as indicated below.
- This Technical Advisory, #02.6.1, revises information contained in Technical Advisory #02-6, issued April 3, 2002.
- Background:** NYSDOL and the Civil Rights Center (CRC) of the U.S. Department of Labor (USDOL) held a Workforce Investment Act/Equal Opportunity Methods of Administration Training Conference December 4-6, 2002 at the Crowne Plaza Hotel, White Plains, NY. The purpose of the training was to familiarize the LWIA EO Officers, WIB Chairpersons/ Directors, One-Stop Operators and others with the requirement under Section 188 of the Workforce Investment Act of 1998 and 29 CFR Part 37 to implement the equal opportunity and nondiscrimination provisions. Those in attendance were informed of NYSDOL's Methods of Administration (MOA) which provides for a uniform discrimination complaint procedure for all WIA Title I recipients. NYSDOL has drafted the attached "Workforce Investment Act Equal Opportunity and Nondiscrimination Policy and Complaint Processing Procedures" which are to be jointly adopted by the LWIAs and NYSDOL (Attachment A). NYSDOL has also drafted the following informational materials regarding the complaint procedures: "Complaint Procedures Overview" and "Procedures for Handling Complaints Referred for Mediation" (Attachments B and C).
- Action:** The "Workforce Investment Act Equal Opportunity and Nondiscrimination Policy and Complaint Processing Procedures" are to be jointly adopted by all Local Workforce Investment Areas and the New York State Department of Labor. All WIA Board Chairpersons, Chief Elected Officials, WIA Grant Recipients, WIA Fiscal Agents and WIA Local Area Contacts are responsible for making the Local Workforce Investment Area Equal Opportunity Officers aware of the complaint processing procedures. Additionally, individuals to be included in the notification may include, but are not limited to, the following:
1. One-Stop Operators/Partners
  2. Providers of Services, Aid, Benefits, or Training
  3. On-the-Job Training Employers (OJT) Employers and
  4. Placement Agencies

The Workforce Investment Board Chairperson and the Chief Elected Official are to complete the information required in Attachment A, [page 1, paragraph 1 and page 4, Section V.A.(4)] of the procedures and sign the accompanying signature pages (Attachments D & E) providing updated signatures to the new State EO Officer indicating that they agree to adopt and abide by the procedures. The LWIA EO Officers should publish supplemental complaint procedures consistent with this procedure for distribution to recipients within the Local Areas. **Please note: New completed signature pages are to be returned to the State-level EO Officer by December 18, 2007 at the address shown below:**

**Omoye Cooper  
Director  
Division of Equal Opportunity Development (DEOD)  
New York State Department of Labor  
Building 12, Room 540  
State Campus Building  
Albany, NY 12240**

If you have any questions, please call DEOD at (518) 457-1984.

**Attachments:**

- A. [Workforce Investment Act Equal Opportunity and Nondiscrimination Policy and Complaint Processing Procedures](#)
- B. [Complaint Procedure Overview](#)
- C. [Procedures for Handling Complaints Referred for Mediation](#)
- D. [Signature Sheet - Chief Local Elected Official](#)
- E. [Signature Sheet - Local Workforce Investment Board](#)