

**WORKFORCE INVESTMENT ACT (WIA)
STATE INFORMATION NOTICE NO. 47-00**

**SUBJECT: WIA PARTICIPANT NOTIFICATION OF CIVIL RIGHTS AND
COMPLAINT/GRIEVANCE RESOLUTION PROCEDURES**

1. **PURPOSE.** To inform WIA participants of their civil rights, the WIA Local Boards of complaints/grievance resolution procedures, and to document that this has been effected.
 2. **BACKGROUND.** Federal law prescribes that all participants in WIA programs be informed of their civil rights and their right to have program-related complaints and grievances addressed. A form has been developed to accomplish this requirement. It is being WIA updated and issued effective July 1, 2000.
 3. **DEFINITIONS.** Definitions pertinent to discrimination, Equal Opportunity (EO) and non-EO/non-criminal complaints and grievances are contained in 11.2.15 NMAC. The document describes and includes the procedures to be followed in the review and processing of such complaints and grievances at different levels of program operation.
 4. **ACTION.** The attached WIA Participant Notification of Civil Rights and Complaint/Grievance Resolution Procedures, Exhibit 1 is to be provided and explained to each participant receiving WIA services and is to be read and signed by each participant. One signed copy is to be given to the participant and the original is to be filed in the participant's folder. A copy of 11.2.15 NMAC "Workforce Investment Act Grievance Procedures" is to be given to the participant, upon request when a participant wishes to file a complaint.
- EFFECTIVE DATE.** This State Information Notice is effective July 1,2000 and will remain in effect until further notice.
6. **RESCISSIONS.** The JTPA-11 form, dated July 1, 1992 is to be replaced with the new attached form.

DISTRIBUTION:

State, NMWDA and LWDB Chairpersons
NMWDA/LWDB Administrative Entities
SAE Subrecipients
USDOL Federal Representative

SAE/NMWDA/LWDB Legal Counsel
SAE/NMWDA/LWDB EO Office
NMWDA/LWDB Subrecipients

7. **CONTACT PERSON.** Inquiries regarding this Notice may be addressed to the New Mexico Department of Labor, State Policy, Planning and Technical Assistance Bureau (SPPTA) in Santa Fe at (505)827-6827.

CLINTON D. HARDEN, JR.
Secretary

EXHIBITS: (1) WIA Participant Notification of Civil Rights and Complaint/Grievance Resolution Procedures

**WIA PARTICIPANT NOTIFICATION OF CIVIL RIGHTS
AND
COMPLAINT/GRIEVANCE RESOLUTION PROCEDURES**

The following will inform you of your **CIVIL RIGHTS** and **COMPLAINT AND GRIEVANCE PROCEDURES** as prescribed by **FEDERAL LAW**:

The New Mexico Department of Labor (NMDOL) on behalf on the Local Workforce Investment Act Board, has assured the United States Department of Labor (USDOL) that no one enrolled in the Workforce Investment Act (WIA) program will be discriminated against because of race, color, religion, gender or sexual preference, national origin, age, handicap (disability,) political affiliation or belief; reprisal for filing a grievance, testifying or agreeing to testify in any investigation or proceeding related to the WIA; or denying benefits to any individual to which that individual is entitled.

This means:

- That no benefits or services may be denied you for any of the above reasons;
- That you may not be segregated or treated any differently from other participants while you are being registered, interviewed, counseled, or tested; or while you are working or attending classes as part of the project; and,
- That you must be provided an equal opportunity to use all facilities available on the project.

If you feel you have been discriminated against for any of the above reasons or denied equal opportunity, you should seek resolution by talking to your local worksite supervisor and/or the WIA Service Provider staff. If you feel the matter has not been resolved, you may write to the Equal Opportunity Officer, Department of Labor, P.O. Box 1928, Albuquerque, New Mexico, 87103 or request a copy of the Service Provider's **Equal Opportunity (EO) Complaint and Non-EO, Non-Criminal Grievance Procedures**.

The Age Discrimination Act of 1975, the American with Disabilities Act of 1990, the Rehabilitation Act of 1973, the Civil Rights Act of 1964, and certain amendments to Education Acts (Carl Perkins, Adult, Higher Education, etc.), all as amended, guarantee you the right to make a complaint. You cannot in any way be penalized for talking to your employer, writing to the Equal Opportunity Officer, or filing a written complaint/grievance per available procedures. Pursuant to Federal law, the filing of a formal written Equal Opportunity (EO) or Handicap (Disability) discrimination complaint must be made within 180 days of the alleged occurrence, with the exception of complaints alleging fraud or criminal activity. All complaints will be handled **CONFIDENTIALLY**.

I, _____, a WIA participant, have received an orientation on my Civil Rights and may request the Participant's Complaint and Grievance Procedures.

Signature

Date