

TRAINING AND EMPLOYMENT NOTICE	NO. 08-23
	DATE October 10, 2023

TO: REGIONAL ADMINISTRATORS
REGIONAL MONITOR ADVOCATES
STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE MONITOR ADVOCATES

FROM: BRENT PARTON 
Principal Deputy Assistant Secretary

SUBJECT: Required Employment Service and Employment-Related Law Complaint System Posters

1. **Purpose.** To announce the release of updated Employment and Training Administration (ETA) approved posters for the Employment Service (ES) and Employment-Related Law Complaint System (Complaint System), described at [20 CFR 658.410\(d\)](#), and to provide instructions for State Workforce Agencies (SWAs) to prominently display the posters in each one-stop center (American Job Center) and online. This Training and Employment Notice (TEN) rescinds TEN No. 15-09.
2. **Action Requested.** By April 1, 2024, SWAs must distribute this notice and the attached posters to each one-stop center, ES office managers, as well as any interested and potentially interested stakeholders. By April 1, 2024, SWAs must also publish the posters on their ES website's main page.
3. **Summary and Background.**
 - a. Summary – This notice provides updated ETA-approved Complaint System posters in English and Spanish. The posters transmitted through this TEN replace prior versions of the “Job Service Complaint System” poster. The posters are also available on [ETA’s Monitor Advocate System](#) webpage.
 - b. Background – ES regulations at [20 CFR 658.410](#) require each SWA to establish and maintain a uniform system for accepting, investigating, resolving, and referring complaints through the Wagner-Peyser program. State agencies must ensure information pertaining to the use of the Complaint System is publicized, which must include, but is not limited to, the prominent display of an ETA-approved Complaint System poster in each one-stop center. In order to assist SWAs in complying with the language access requirements at [29 CFR 38.9\(g\)](#), ETA has developed posters in English and Spanish. The most recent findings from the [National Agricultural Workers Survey \(NAWS\) for 2019-2020](#) document that 62 percent of NAWS respondents reported that Spanish was the

language in which they were most comfortable conversing. However, if SWAs determine that other languages are spoken by a significant number or portion of the population eligible to be served or likely to be encountered, SWAs must make the translations readily available in hard copy, as appropriate to comply with the requirements at 29 CFR 38.9(g).

4. Distribution and Posting of the Complaint Posters.

- a. SWAs must distribute this notice and the attached posters to each one-stop center, ES office managers, as well as interested and potentially interested stakeholders by April 1, 2024.
- b. Each one-stop center must prominently display the approved Complaint System posters in their facility by April 1, 2024. Each one-stop center poster must contain information for the local office Complaint System Representative and State Monitor Advocate in the designated fields.
- c. By April 1, 2024, SWAs must publish the posters on their ES website's main page. The posters that are published on the website must contain information for the SWA Complaint System Representative and State Monitor Advocate in the designated fields.

5. Inquiries. Direct any questions concerning this TEN to either the ETA Regional Monitor Advocate serving your State or the National Monitor Advocate at NMA@dol.gov. Contact information for Regional Monitor Advocates is available on [ETA's Monitor Advocate System](#) webpage.

6. References.

- *National Agricultural Workers Survey (NAWS) 2019–2020: A Demographic and Employment Profile of United States Farmworkers*, published June 3, 2022
<https://www.dol.gov/sites/dolgov/files/ETA/naws/pdfs/NAWS%20Research%20Report%202016.pdf>

7. Attachments.

- Attachment I: Complaint System Poster (English)
- Attachment II: Complaint System Poster (Spanish)

FILE A COMPLAINT


Employment Service and Employment Related Law Complaint System


IF YOU HAVE A COMPLAINT ABOUT:


- Employment Services at this office, or
- An Employer
 - Any employment-related law, or
 - An employer the Employment Service program referred you to.


Contact the manager or the following Complaint System Representative:

Complaint System Representative Contact Information:

 Attention: First and Last Name _____

 Telephone: (XXX) XXX-XXXX _____ Extension XX _____

 Email Address: _____

 Mailing Address: _____

Examples:

- | | | |
|------------------------|---|--------------------------------------|
| ✓ Wages | ✓ Employer-Provided Transportation or Housing | ✓ Discrimination |
| ✓ Working Hours | ✓ Child Labor | ✓ Trafficking |
| ✓ Workplace Crimes | ✓ Pesticides | ✓ Sexual Harassment/Coercion/Assault |
| ✓ Wrongful Termination | ✓ Health/Safety | ✓ Other |
| ✓ Contract Compliance | | |

***Any individual, employer, organization, association, or other entity can file a complaint. A complainant may choose an individual to act as their representative.**

This Employment Service office can also help you to find other employment, training, and supportive services to obtain food, shelter, clothing, and other necessities.

PROTECTIONS FOR COMPLAINANTS:

- If you make a complaint or give information related to, or assist in, an investigation of a complaint, your identity will be kept confidential to the fullest extent possible under current law and as necessary to determine the complaint fairly.
- Federal laws prohibit employers from retaliating (taking negative actions) against employees who report employment-related complaints. If you experience retaliation from an employer, notify the complaint representative.

If you have any concerns about this complaint process, please contact your State Monitor Advocate:

State Monitor Advocate Name: _____
Email Address: _____ Telephone: _____

***Language assistance is available free of charge.**

For information on interpretation and translation services, contact:

Name: _____ Telephone: _____

PRESENTAR UNA QUEJA

Sistema de reclamaciones del servicio de empleo y de la ley de empleo

SI TIENE UNA QUEJA SOBRE:

- Los servicios de empleo de esta oficina, o
- Un empleador
 - Cualquier ley relacionada con el empleo o
 - Un empleador al que lo refirió el programa de Servicio de Empleo.

Contacto el gerente o con el siguiente Representante del Sistema de Denuncias:

Información de contacto del representante del sistema de reclamaciones:

Atención: Nombre y apellidos _____

Teléfono: (XXX) XXX-XXXX _____ Extensión XX _____

Dirección de correo electrónico: _____

Dirección postal: _____

Ejemplos:

- | | | |
|-------------------------|---|------------------------------------|
| ✓ Salarios | ✓ Cumplimiento del contrato | ✓ Salud/seguridad |
| ✓ Horas Laborales | ✓ Transporte o vivienda proporcionada por medio de el empleador | ✓ Discriminación |
| ✓ Delitos laborales | ✓ Trabajo infantil | ✓ Trata de personas |
| ✓ Despido injustificado | ✓ Pesticidas | ✓ Acoso sexual/ coacción/ agresión |
| | | ✓ Otro |

***Cualquier individuo, empleador, organización, asociación u otra entidad puede presentar una queja. El denunciante puede elegir a una persona para que actúe como su representante.**

Esta oficina del Servicio de Empleo también puede ayudarle a encontrar otros empleos, formación y servicios de apoyo para obtener alimentos, refugio, ropa y otras necesidades.

PROTECCIONES PARA LOS DENUNCIANTES:

- Si presenta una queja o proporciona información relacionada con o ayuda en una investigación de una queja, su identidad se mantendrá confidencial en la mayor medida posible bajo la ley vigente y según sea necesario para determinar la queja justa.
- Las leyes federales prohíben a los empleadores tomar represalias (tomar medidas negativas) contra los empleados que informan Quejas relacionadas con el empleo. Si experimenta represalias de un empleador, notifique la queja representante.

Si tiene alguna duda sobre este proceso de queja, comuníquese con su Defensor del Monitor Estatal:

Nombre de Defensor del Pueblo: _____

Correo electrónico: _____ Número de teléfono: _____

***La asistencia lingüística está disponible de forma gratuita.**

Para obtener información sobre servicios de interpretación y traducción, póngase en contacto con:

Nombre: _____ Teléfono: _____