

U.S. Department of Labor Office of the Assistant Secretary for Administration and Management CIVIL RIGHTS CENTER Room N-4123 200 Constitution Avenue, NW Washington, DC 20210	CRC Directive No.: 2009-01
	Date of Issuance: July 10, 2009

TO: STATE WORKFORCE AGENCY ADMINISTRATORS
STATE PARTNER AGENCY ADMINISTRATORS
JOB CORPS CONTRACTORS
JOB CORPS CENTER DIRECTORS
STATE WORKFORCE AGENCY EQUAL OPPORTUNITY OFFICERS
STATE PARTNER AGENCY EQUAL OPPORTUNITY OFFICERS
JOB CORPS CONTRACTOR EQUAL OPPORTUNITY OFFICERS
JOB CORPS CENTER EQUAL OPPORTUNITY OFFICERS

FROM: RAMON SURIS-FERNANDEZ
Director
Civil Rights Center

SUBJECT: Submission of Fiscal Year 2008 Discrimination Complaint Logs

Purpose. This directive requests that all state workforce agencies, state partner agencies,¹ and Job Corps contractors submit their discrimination complaint logs to the U.S. Department of Labor Civil Rights Center (CRC).

Background. CRC conducts reviews of recipients of Federal financial assistance under the Workforce Investment Act (WIA) to evaluate the recipients' compliance with applicable equal opportunity and nondiscrimination statutes and regulations.

The regulations implementing the nondiscrimination provisions of Section 188 of WIA are published at 29 CFR Part 37. They apply to all recipients of WIA financial assistance, as defined in the regulations. Such recipients include One-Stop partners listed in Section 121(b) of the Workforce Investment Act (WIA). Entities that administer Wagner-Peyser Act programs and unemployment insurance programs are among the One-Stop partners listed in WIA Section 121(b), and are therefore covered by the WIA nondiscrimination regulations. The term "recipients" also explicitly includes Job Corps contractors, including center operators, national training contractors, and outreach and admissions contractors.

¹ State partner agencies are agencies that are partners in the One-Stop service delivery system, as listed in Section 121(b) of the Workforce Investment Act (WIA), 29 U.S.C. 2841(b).

This directive is issued pursuant to the requirement in the WIA nondiscrimination regulations that each recipient maintain and submit to CRC, upon request, a log of complaints filed with the recipient that allege discrimination on the grounds prohibited by Section 188. *See* 29 CFR 37.37(c).

Instructions. States with combined Methods of Administration² are expected to maintain and submit a single discrimination complaint log covering both WIA Title I-financially assisted programs and Wagner-Peyser Act and/or unemployment insurance programs.

In States in which the Wagner-Peyser Act and/or unemployment insurance programs are administered separately, the agencies administering those programs should submit their complaint logs separately from the main complaint log.

Because they are considered recipients, other One-Stop partner agencies are also required to maintain complaint logs. At the State's option, complaints filed involving these entities may either be recorded on the main discrimination complaint log, along with complaints involving WIA Title I-financially assisted programs, or the partner agencies may maintain separate logs. In the latter case, the appropriate State agency shall be responsible for collecting the complaint logs and making a single consolidated submission to CRC.

The appropriate State agency is also responsible for collecting logs and making a consolidated submission in States that have opted to decentralize maintenance of the logs to the Local Workforce Investment Area grant recipient level.

For Job Corps contractors that administer more than one Job Corps center, the contractor must submit a consolidated complaint log for all Job Corps centers. Information in the consolidated complaint log submission must be identifiable by Job Corps center.

Action Required. Pursuant to the instructions above, state workforce agencies, state partner agencies, and Job Corps contractors are requested to submit complaint logs covering the fiscal year 2008 (October 1, 2007 to September 30, 2008) to CRC, on or before **August 31, 2009**.

All discrimination complaint logs are to be submitted electronically using the revised Microsoft Excel Spreadsheet Discrimination Complaint Log provided by CRC and dated September 20, 2004. The spreadsheet and updated instructions are attached to this directive, and are also available on CRC's website at <http://www.dol.gov/oasam/programs/crc/Compassis.htm> (scroll down to "Discrimination Complaint Log Reporting" section). All completed fiscal year 2008 complaint log submissions should be emailed to CRC Equal Opportunity Specialist Pir Ahmad at ahmad.pir@dol.gov.

² The WIA nondiscrimination regulations require each State's Governor to establish and adhere to a Methods of Administration (MOA), a document describing the policies, practices, and procedures established by the State to give a reasonable guarantee of compliance by the State and its recipients with their nondiscrimination and equal opportunity obligations under WIA. In those States in which a single agency administers both Wagner-Peyser Act and/or unemployment insurance programs and WIA Title I-financially assisted programs, the Governor had the option of establishing a combined MOA. *See* 29 CFR 37.54(a)(1).

Inquiries. Questions regarding this request should be addressed to Equal Opportunity Specialist Pir Ahmad by phone at (202) 693-6560 (voice), (202) 693-6516 (TTY), or (800) 877-8339 (Federal Relay Service), or by e-mail at ahmad.pir@dol.gov.

Initials							
Date							
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Ofc Sym	OCAP	OCAP	OCAP	OCAP		CRC DIRECTOR	

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