

**Region 4 Workforce Development Board
Equal Opportunity Policy Complaint Procedures**

Equal Opportunity Is the Law

**Region 4 Workforce Development Board
Nondiscrimination and Equal Opportunity Policy Complaint Procedures**

The Complaint Resolution Process by Investigation

A written complaint must be signed and dated by the complainant must sign and include his/her name and address, the identity of the person the complaint is made against, and a detailed description of the Complainant's allegations. The Recipient's Equal Opportunity (EO) Officer will assist the Complainant in filing his/her complaint. The Recipient will provide a written acknowledgement of receipt of the complaint to the Complainant within 7 calendar days from the date the complaint is filed. The Recipient will notify the Complainant of the following:

- His/her right to be represented in the complaint process;
- A list of the issues raised in the complaint; for each issue, a statement that the Recipient will accept the issue for investigation or reject it; and, if rejected, the reason for each rejection;
- The option of resolving the complaint by the *Alternative Dispute Resolution (ADR) or Mediation Process* instead of an investigation (see below);
- That there will be a period of 15 calendar days (Days 8 – 22) during which the EO Officer will investigate the facts underlying the complaint;
- That there will be a period of 8 calendar days (Days 23 – 30) during which the Recipient will attempt to resolve the complaint, including the ADR Process; and
- A statement that the Complainant is due a decision or *Notice of Final Action* within 60 days after receipt of the complaint.

The *Notice of Final Action* will contain, for each issue raised in the complaint, either a statement of the Recipient's decision on the issue and an explanation of the reasons underlying the decision, or a description of the way the parties resolved the issue. The *Notice of Final Action* will advise the Complainant that if he/she is dissatisfied with the decision, he/she must appeal the local decision to the Indiana Department of Workforce Development (IDWD) EO Officer within 5 days of receipt of the decision. The IDWD EO Officer will issue a response to the appeal within 25 days after receipt or 90 days after the initial filing date of the complaint, whichever is later. The *Notice of Final Action* will also advise the Complainant of his/her right to file a complaint with the Civil Rights Center within 30 days of the date on which the IDWD EO Officer issues a response to the his/her appeal if he/she is dissatisfied with that response.

The Complaint Resolution Process by Alternative Dispute Resolution or Mediation

If the Complainant chooses to have his/her complaint resolved by the Alternative Dispute Resolution (ADR) or Mediation process rather than by investigation, the Recipient will provide the following:

- An impartial mediator who is trained in mediation techniques and the principles of equal opportunity;
- That both parties to the complaint must sign a consent form affirming that the contents of the mediation will be kept confidential and that both parties agree not to involve the mediator in any litigation;
- That any successful resolution obtained shall be recorded in a written settlement agreement and signed by both parties. There should be no written record or other recording made of the meeting; and
- That if the parties cannot reach agreement under the ADR process, the Complainant may file directly with the Civil Rights Center (at the address provided herein) within 180 days of the alleged act of discrimination. In the event the agreement is breached, the non-breaching party may file the complaint directly with the Civil Rights Center within 30 days of the date on which the non-breaching party learns of the alleged breach.

The Recipient's EO Officer, Ms. Mellisa Leaming, can be contacted at (765) 807-0888 (Voice), Relay Indiana 800-743-3333 (TTY) for assistance in filing a complaint.