Clackamas Workforce Partnership
WORKFORCE DEVELOPMENT BOARD
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POLICY #: **P-04**
Nondiscrimination and Equal Opportunity Requirements

ISSUED: **September 20, 2018**
REVISED: **February 17, 2022**
June 20, 2024
October 30, 2025
October 15, 2026

PURPOSE:
To implement the requirements and procedures to ensure compliance with the nondiscrimination and equal opportunity (EO) provisions of the Workforce Innovation and Opportunity Acti (WIOA) Title I for the Clackamas Workforce Partnership (CWP) local area.

REFERENCES:
- WIOA Section 188
- 29 Code of Federal Regulations Parts 37 & 38

POLICY:
Section 188 of WIOA prohibits discrimination against any individual in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or against beneficiary of, or applicant to, or participant in programs financially assisted under Title I of the WIOA, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

CWP has designated an Equal Opportunity Officer to coordinate the organization's obligations, and the officer's name and contact information is included in the Equal Opportunity is the Law Notice, as provided in **Attachment A** to this policy. CWP's Equal Opportunity Officer also serves as the liaison with the Civil Rights Commission.

Service providers in CWP's local area must provide the Equal Opportunity is the Law Notice to WIOA Title I participants during enrollment processes. The Notice must also be included in the participant's file, as required at 29 CFR Part 38.6(a)(4).

Service providers are also required to ensure that Equal Opportunity is the Law Notice is posted prominently, in reasonable numbers and places, in available and conspicuous physical locations, as required at 29 CFR Part 38.36(a)(1). Service providers are to contact CWP to request additional posters if needed.

CWP will ensure that any brochures, handouts, and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and /or on paper will indicate that the WIOA Title I-financially assisted program or activity in question is an "equal opportunity employer/ program. Auxiliary aids and services are available upon request to individuals with disabilities."

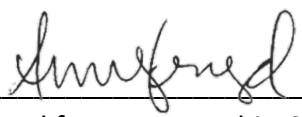
Mechanisms are established in CWP operations and WIOA Title I programs and activities that ensure that equal opportunity data is collected and maintained for applicants, registrants, eligible applicants and registrants, terminees, employees, and applicants for employment. Records denoting race/ethnicity, sex, age, and where known, disability status, limited English proficiency, and preferred language are to be maintained and stored in manners to ensure confidentiality. These records will be maintained for at least three years from the close of the applicable program year. Records related to discrimination complaints are to be retained no less than three years from the date of final action related to resolution of the complaint.

Subrecipient monitoring and oversight activities for WIOA Title I programs and service in the CWP area are conducted by CWP staff. Those activities include processes to ensure that nondiscrimination and equal opportunity obligations are being satisfied, and that reviews of policies are conducted to ensure that they are nondiscriminatory.

CWP's Program Director serves as the Equal Opportunity Officer and has established a discrimination complaint process provided in **Attachment B**. The discrimination complaint process provides for investigation and resolution of written complaints that any person or the person's representative believe they have been or are being discriminated against or has been or is being retaliated against. The discrimination complaint process ensures that the identity of any individual who files a complaint, furnishes information relating to, or assists in, an investigation, remains confidential.

Attachment A - Equal Opportunity is the Law Notice
Attachment B - Discrimination Complaint Processing Procedures

Approved:



10/15/2026

Clackamas Workforce Partnership Chair Date

Attachment A

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I–financially assisted program or activity.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I–financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIOA Title I–financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose):

Equal Opportunity Officer: Josie Majuri, Senior Program Manager of Adult Services
Clackamas Workforce Partnership
Contact Josie Majuri by phone at 503-657-6644 ext. 103 or
Josie.Majuri@clackamasworkforce.org

or

Director, Civil Rights Center (CRC), U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123, Washington, DC 20210
or electronically as directed on the CRC website at www.dol.gov/crc

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

Attachment B

Clackamas Workforce Partnership (CWP)
Procedure for Processing Discrimination Complaints

Any person who believes that he or she or any specific class of individuals has been or is subjected to discrimination prohibited by the nondiscrimination and equal opportunity provisions of the WIOA Title I may file a written complaint. Any person who believes that he or she or any specific class of individuals has been or is being retaliated against for filing a complaint, participating in the investigation, or furnishing information relating to, or assists in, an investigation, may file a complaint.

Discrimination complaints may be filed with CWP's Equal Opportunity Officer or the Civil Rights Center Director.

- CWP's Equal Opportunity Officer can be reached at amy.oakley@clackamasworkforce.org or 503-657-6644 extension 103.
- Complaints filed with the Director should be sent to The Director, Civil Rights Center (CRC), US Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington DC 20210, or electronically as directed on the CRC website at www.dol.gov/crc.

If complaints are filed with CWP, the complainant must wait either until CWP issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center. If CWP does not issue a written Notice of Final Action within 90 days of the day on which the complaint is filed, the complainant may file a complaint with CRC before receiving that Notice. However, the complainant must file the CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which the complainant filed the complaint with CWP). If CWP does issue a written Notice of Final Action, but the claimant is dissatisfied with the decision or resolution, the claimant may file a complaint with CRC. The claimant must file the CRC complaint within 30 days of the date on which the Notice of Final Action was received.

Generally, discrimination complaints must be filed within 180 days of the alleged discrimination or retaliation. The Director may extend the filing time for good cause.

Discrimination complaints must be filed in writing, either electronically or in hard copy, and must contain the following information:

- The complainant's name, mailing address, and if available, email address (or another means of contacting the complainant).
- The identify of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination).
- A description of the complainant's allegations. This description must include enough detail to allow CWP or the Director, as applicable, to decide whether:
    - The CRC or CWP, as applicable, has jurisdiction over the complaint;

    - The complaint was filed in time; and
    - The complaint has apparent merit: in other words, whether the complainant's allegations, if true, would indicate noncompliance with any of the discrimination and equal opportunity provisions of WIOA or 29 CFR Part 38.

- The written or electronic signature of the complainant or the written or electronic signature of the claimant's representative.

Both the complainant and the respondent have the right to be represented by an attorney or another individual of their choice.

When CWP receives a discrimination complaint, it will issue a written Notice of Final Action within 90 days of the date on which the discrimination complaint was filed.

When a discrimination complaint is received, CWP will issue an initial, written notice to the claimant which contains the following elements:

- An acknowledgement that CWP has received the complaint
- Notice that the complainant has the right to be represented in the compliant process;
- Notice of and a copy of the Equal Opportunity is the Law Notice (38.35); and
- Notice that the complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that this notice will be translated into the non-English languages as required in 38.4(h), and (i), 38.34, and 38.36.
- A written statement and information listing the issues raised in the complaint, and for each issue, a statement whether or not CWP will accept the issue for investigation or reject the issue, and the reason for each rejection.
- Establishment of a period for fact-finding or investigation of the circumstances underlying the complaint, and confirmation that alternative dispute resolution (ADR) opportunities are available.
- Establishment of a time period during which CWP attempts to resolve the complaint.
- Confirmation that CWP will issue a written Notice of Final Action to the complainant within 90 days of the date on which the complaint was filed.

Resolution may be initiated utilizing alternative dispute resolution (ADR) at any time after the complainant has filed a written discrimination complaint with CWP, but before a Notice of Final Action has been issued. The complainant has the choice whether to use ADR, or the structured, informal resolution process employed by CWP. A party to the agreement reached under ADR may notify the Director, Civil Rights Center in the event the agreement is breached. In such circumstances, the non-breaching party may notify the Director, Civil Rights Center within 30 days of the date on which the non-breaching party learns of the alleged breach. The Director, Civil Rights Center must evaluate circumstances to determine whether the agreement has been breached. If the Director, Civil Rights Center determines that the agreement has been breached, the complaint will be reinstated and processed in accordance with CWP's procedures. If the parties do not reach agreement under ADR, the complainant may file a complaint with the Director, Civil Rights Center.

If CWP determines that it does not have jurisdiction over a discrimination complaint, it will notify the claimant within five business days of making such a determination. The Notice of Lack of Jurisdiction will include a statement of the reasons for the determination and notice that the complainant has a right to file a complaint with the Civil Rights Center within 30 days of the date on which the complainant receives the Notice of Lack of Jurisdiction.

Once CWP completes the fact-finding and information gathering related to the discrimination complaint, a written Notice of Final Action will be issued to the complainant. This Notice of Final Action will be issued within 90 days of the date on which the discrimination complaint was filed. The Notice of Final Action will include:

- For each issue raised in the discrimination complaint, a statement of either:
    - CWP'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; and
- Notice that the complainant has a right to file a complaint with the Civil Rights Center within 30 days of the date on which the Notice of Final Action is received if the complainant is dissatisfied with CWP's final action on the discrimination complaint.

If CWP issues the Notice of Final Action before the 90-day period ends, but the complainant is dissatisfied with CWP's decision on the complaint, the complainant or the complainant's representative may file a complaint with the Director, Civil Rights Center, within 30 days after the date on which the complainant receives the Notice of Final Action.

If CWP fails to issue the Notice of Final Action by the end of 90 days from the date on which the complainant filed the complaint, the complainant or the complainant's representative may file a complaint with the Director, Civil Rights Center, within 30 days of the expiration of the 90-day period. In other words, the complaint must be filed with the Director, Civil Rights Center, within 120 days of the date on which the complaint was filed with CWP.