

# **ADA COMPLAINT PROCEDURES**

# WORKFORCE INVESTMENT BOARD

## ADA Complaint Procedure

### Filing Complaints of Discrimination

- (a) Any person who believes that either he or she, or any specific class of individuals, has been or is being subjected to discrimination prohibited by WIA or 29 CFR Part 37 may file a written complaint, either by him/herself or through a representative.
- (b) A complainant may file a complaint with either:
  - (1) State WIA Equal Opportunity Manager, P. O. Box 2981, Little Rock, Arkansas 72203, (501) 682-3106/Local Level WIB Equal Opportunity Officer or
  - (2) The Director of the Civil Rights Center, U.S. Department of Labor, 200 Constitution Ave. NW, Room N-4123, Washington, D.C. 20210, or the address listed in 29 CFR Part 37.
- (c) Complaints shall be filed within 180 calendar days of the alleged violation unless such time limitation is waived by the Director of CRC for good cause shown. The State WIA EO Manager shall not accept complaints filed after the 180-day limit unless the complaint includes written notice of a waiver obtained from the Director of CRC. If a complainant submits a complaint that is untimely (over 180 days) the complaint will be processed as usual and submitted to CRC for an extension of time.
- (d) All complaints shall be submitted in writing and filed in a timely manner. A complainant may file a complaint by:
  - (1) completing and submitting a CRC Complaint Information Form (OMB approval number – deleted)
  - (2) submitting a written document containing the information required by 29 CFR Section 37.73 which includes:
    - (A) the complainant's name and address, or other means of contacting the complainant;
    - (B) the identity of the respondent;
    - (C) a description of the complainant's allegations with sufficient detail to allow the State WIA EO Manager to determine whether the WIB has jurisdiction, whether the complaint was filed on time, and whether the complaint has apparent merit, and
    - (D) the complainant's signature or the signature of complainant's representative.
- (e) Both the complainant and the respondent have the right to representation by an attorney or other individual of their choice. The WIB shall not be responsible for any costs incurred by either the complainant or the respondent in obtaining representation.