



**Tulsa Area Workforce Development Board, Inc.**  
*Proudly serving Creek, Osage, Pawnee, and Tulsa Counties in Oklahoma*

## **Equal Opportunity Policy**

**Board Approved: October 25, 2018**

907 South Detroit Ave., Suite 1325 Tulsa OK 74120

Phone: 918-595-8913

[www.workforcetulsa.com](http://www.workforcetulsa.com)

*Workforce Tulsa is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. This presentation was financed in whole or part by funds from the US Department of Labor as administered by the Oklahoma Office of Workforce Development.*

*TDD/TTY: 1-800-722-0353; Voice: 1-8020-522-8506*

*Equal Opportunity Policy TU2018-102018*

# Equal Opportunity Policy Changes Overview

## Most Recent Policy Changes:

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**Implementation by:** 11.08.2018  
**Board Approval:** 10.25.2018  
**Executive Committee Approval:** 10.11.2018

**Reason:** This policy is updated to reflect the PY16 OOWD Annual monitoring findings listed below.

1. Updated contact information for the State Equal Opportunity Officer, and
2. Remove the language "neat and orderly".

The Attachment B Discrimination Complaint Procedures Manual is removed from this policy, as this document is a guide and not an official document of procedure.

**Recessions:** Equal Opportunity Policy TU2017-022018

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**Implementation by:** 03.02.2018  
**Board Approval:** 02.15.2018  
**Executive Committee Approval:** 02.08.2018  
**Oversight Committee Approval:** 01.29.2018

**Reason:** To comply with Office of Oklahoma Workforce Development (OOWD) Oklahoma Workforce Development Issuance (OWDI) #13-2017 and to create policy that reflects the intent of the Workforce Innovation and Opportunity Act (WIOA) nondiscrimination guidance § 188.

**Recessions:** Equal Opportunity Policy BD Approved 12.15.2011

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# Tulsa Area Workforce Development Board

## Equal Opportunity (EO) Policy

Board Approved: 10.25.2018

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### I. Purpose:

To establish a local policy in conformance with the Nondiscrimination and Equal Opportunity requirements of Section 188 of the Federal Workforce Innovation and Opportunity Act (WIOA). Section 188 prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIOA Title I-financially assisted program or activity.

### II. Authority:

- Civil Rights Act of 1964 Titles VI and VII (42 USC §2000d et seq.)
- Education Amendments of 1972 Title IX (20 USC § 1681 et seq.)
- Rehabilitation Act of 1973 (Rehab Act) Title V, Section 504 (29 USC § 794 et seq.)
- Age Discrimination Act of 1975 (42 USC § 6101 et seq.)
- Americans with Disability Act of 1990 (ADA), as amended by American Disabilities Act Amendments Act (ADAAA) (42 USC §12101 et seq., Public Law 110-325, 122 Stat. 3553 (2008))
- Employment and Training Guidance Letter # 37-14 - Update on Complying with Nondiscrimination Requirements: Discrimination Based on Gender Identity, Gender Expression, and Sex Stereotyping are Prohibited Forms of Sex Discrimination in the Workforce Development System
- Workforce Innovation and Opportunity Act (WIOA) Sections 183(c), and 188 (29 USC § 3243(f) and 3248) (Title 29 CFR Part 38)

### III. Background:

Federal regulations require that local workforce development boards carry out specific activities to assure compliance with EO regulations.

### IV. Definitions:

#### A. Alternative Dispute Resolution (ADR)

The preferred form of ADR is mediation. The role of the mediator is to help with communication, so the parties can reach an understanding about how to best resolve their differences. The choice to use ADR rests with the complainant.

#### B. Complaint:

An allegation of a violation of the nondiscrimination and equal opportunity provisions.

#### C. Complainant:

Any participant or other personally interested or personally affected party, group, or agency alleging a non-criminal violation of the requirements of WIOA Title I or a related agreement or service.

#### D. Days:

Calendar days, unless otherwise specified.

#### E. Recipient:

Any entity to which financial assistance under the WIOA Title I is extended, either directly from the Department of Labor (DOL) or through the Governor or another recipient (including any successor, assignee, or transferee of a recipient), but excluding the ultimate beneficiaries of the WIOA Title I funded program or activity. In addition, One-Stop partners, as defined in Section 121(b) of WIOA, are treated as "recipients" and are subject to the nondiscrimination and equal opportunity requirements of 29 CFR Part 38, to the extent that they participate in the One-Stop delivery system (29 CFR § 38.4(z)).

#### F. Mediation:

A voluntary process during which a neutral third party assists both parties (complainant and respondent), communicates their concerns, and comes to an agreement about how to resolve a dispute.

**G. Undue burden or undue hardship<sup>1</sup>:**

This term has different meanings, depending upon whether it is used with regard to reasonable accommodation of individuals with disabilities, or with regard to religious accommodation.

1. Reasonable accommodation of individuals with disabilities:
  - a. In general, “undue hardship” means significant difficulty or expense incurred by a recipient.
  - b. Factors to be considered in determining whether an accommodation would impose an undue hardship on a recipient include:
    - 1) The nature and net cost of the accommodation needed, taking into consideration the availability of tax credits and deductions, and/or outside funding, for the accommodation;
    - 2) The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, including:
      - a) The number of persons aided, benefited, served, or trained by, or employed at, the facility or facilities; and
      - b) The effect the accommodation would have on the expenses and resources of the facility or facilities.
  - c. The overall financial resources of the recipient, including:
    - 1) The overall size of the recipient;
    - 2) The number of persons aided, benefited, served, trained, or employed by the recipient; and
    - 3) The number, type, and location of the recipient's facilities.
  - d. The type of operation or operations of the recipient, including:
    - 1) The geographic separateness and administrative or fiscal relationship of the facility or facilities in question to the recipient; and
    - 2) Where the individual is seeking an employment-related accommodation, the composition, structure and functions of the recipient's workforce.
  - e. The impact of the accommodation upon the operation of the facility or facilities, including:
    - 1) The impact on the ability of other participants to receive aid, benefits, services, or training, or of other employees to perform their duties; and
    - 2) The impact on the facility's ability to carry out its mission.
2. Religious accommodation. For purposes of religious accommodation only, “undue hardship” means anything more than a de minimis cost or operational burden that a particular accommodation would impose upon a recipient.

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<sup>1</sup> 29 CFR § 38.4(rrr)(1)

**V. Local Policy:**

**A. Designation of Local EO Officers**

OWDI 13-2017 requires the Local Workforce Development Board (LWDB) designate a local Equal Opportunity Officer for its workforce development area. The Equal Opportunity Officer for the Tulsa Area Workforce Development Board is:

Workforce Tulsa  
Nicole Cue, Compliance & Outreach Manager  
(918) 595-8913  
[ncue@workforcetulsa.com](mailto:ncue@workforcetulsa.com)

**B. EO Roles and Responsibilities**

1. Serving as the liaison with the State EO Officer and OOWD.
2. Investigating and monitoring the board and its sub recipients' WIOA Title I funded activities and programs.
3. Reviewing the board and its sub recipient's written policies.
4. Developing, publishing, and enforcing the board's discrimination complaint procedures, including a complaint logging system.
5. Conducting outreach and education about equal opportunity and nondiscrimination requirements consistent with 29 CFR § 38.40, and how an individual may file a complaint consistent with 29 CFR § 38.69.
6. Participating in continuing training and education and ensuring that assigned staff receives the necessary training and support to maintain competency.
7. Informing participants, employees, and program beneficiaries of their equal opportunity rights and responsibilities, and how the discrimination complaint process works.
8. Attending periodic training is recommended for the LWDB EO Officer and assigned staff to keep abreast of equal opportunity issues. Resources for nondiscrimination and equal opportunity are available on the U.S. Department of Labor and Civil Rights Center (CRC) websites and through the state EO Officer.
9. LWDB will assign sufficient staff and resources to the EO Officer to ensure compliance with the nondiscrimination and equal opportunity provisions of the WIOA and 29 CFR Part 38. Local Areas must submit a copy of their EO Officer's position description and organizational chart showing the relationship of EO Officer to their Local Area Executive Director. Please mail required documents to the following address: [eoofficer@osuokc.edu](mailto:eoofficer@osuokc.edu)
10. Notify the OOWD or Civil Rights Center when any administrative enforcement actions or lawsuits are filed against it alleging discrimination
11. Maintain a log of complaints filed with the recipient that allege discrimination. This log must be provided to the State EO Officer on a quarterly basis. The log must include the following:
  - a. Name and address of complainant;
  - b. Basis of the complaint;

- c. Description of the complaint;
- d. Date complaint was filed;
- e. Disposition and date of disposition of the complaint; and
- f. Other relevant information.

### C. Notice and Communication

Affirmative Outreach shall be taken into consideration when communicating with participants, employees, and/or the public. Examples of such actions are:

- Advertising the recipient's programs and/or activities in media such as newspapers or radio programs that specifically target various populations<sup>2</sup>.
  - Sending notices about openings in the recipient's programs and/or activities to schools or community service groups that serve various populations.
  - Consulting with appropriate community service groups about ways in which the recipient may improve its outreach and service to various populations.
1. The EO Officer must ensure appropriate EO notice posters are distributed and displayed in a high traffic area of each American Job Center or affiliate site. The LWDB EO Officer's identity and contact information must appear on all internal and external communications related to equal opportunity issues.
    - a. This notice/poster must meet the following criteria:
      - 3) Posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on the recipient's website pages.
      - 4) Disseminated in internal memoranda and other written or electronic communications with staff.
      - 5) Included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available.
      - 6) Provided to each participant and employee; the notice must be made part of each employee's and participant's file. It must be a part of both paper and electronic files, if both are maintained (29 CFR § 38.36(a)).

The notice must be provided in appropriate formats to registrants, applicants, eligible applicants/registrants, and applicants for employment and employees and participants with visual impairments. Where notice has been given, a record of such notice must be made part of the employee or participant file. The notice must also be provided in appropriate languages other than English (29 CFR § 38.36(b)).

All recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper to staff, clients, or the public at large, to describe programs financially assisted under WIOA Title I or the requirements for participation by recipients and participants must have the following language in the footer or another appropriate place within the document:

Workforce Tulsa is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.  
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TDD/TTY: 1-800-722-0353; Voice: 1-8020-522-8506

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<sup>2</sup> OWDI 13-2017

Alignment: Centered

Font: Corbel

Size: Generally, in a work document "7", however adjustment to size may be needed if fitting into a different kind of document.

2. Where such materials indicate that the recipient may be reached by voice telephone, the materials must also provide the TTY number or equally effective communications system, such as a videophone, captioned telephone, or a relay service. This would include business cards, along with other documents and items.
3. All published or broadcasted program information in the news media must ensure that such publications and broadcasts state that the WIOA Title I-financially assisted programs or activities in question are an equal opportunity employer/program (or otherwise indicate that discrimination in the WIOA Title I-financially assisted program or activity is prohibited by Federal law) and indicate that auxiliary aids and services are available upon requests to individuals with disabilities.
4. A recipient must not communicate any information that suggests, by text or illustration, that the recipient treats beneficiaries, registrants, applicants, participants, employees, or applicants for employment differently on any prohibited basis, except as such treatment is otherwise permitted under federal law or regulation.
5. During each presentation to orient new participants, new employees, and/or the public to its WIOA Title I-financially assisted programs or activity a recipient must include a discussion of rights and responsibilities under the nondiscrimination and equal opportunity provisions of WIOA Section 188 and 29 CFR Part 38. This must include the right to file a complaint of discrimination with the recipient or the Director of the Civil Rights Center (CRC). This information must be communicated in appropriate languages as required in 29 CFR § 38.9 and in formats accessible for individuals with disabilities as required in 29 CFR Part 38 and specified in Section 38.15.
6. Per 29 CFR § 38.42, each recipient must promptly notify the CRC Director, State EO Officer, and Executive Director of OOWD when any administrative enforcement actions or lawsuits are filed against it alleging discrimination. This notification must include the information required by 29 CFR § 38.42(a).
  - a. The names of the parties to the action or lawsuit;
  - b. The forum in which each case was filed; and
  - c. The relevant case numbers.

## VI. Program Access

All WIOA Title I-financially assisted programs and activities must be programmatically accessible. This includes providing reasonable accommodations for individuals with disabilities, making reasonable modifications to policies, practices, and procedures, administering programs in the most integrated setting appropriate, communicating with persons with disabilities as effectively as with others, and providing appropriate auxiliary aids or services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity. Under a WIOA Title I-financially assisted program or activity, whether directly or through contractual, licensing, or other arrangements, no qualified individual shall be denied services or benefits due to a disability.<sup>3</sup>

With regard to any aid, benefit, service, training, and employment, a recipient must provide reasonable accommodations to qualified individuals with disabilities who are applicants, registrants, eligible applicants/registrants, participants, employees, or applicants for employment, unless providing the accommodation would cause undue hardship. Additionally, the entity must also make reasonable modifications in policies, practices, or procedures when the

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<sup>3</sup> OWDI 13-2017

modifications are necessary to avoid discrimination based on a disability, unless making the modifications would fundamentally alter the nature of the service, program, or activity, which would constitute a fundamental alteration<sup>4</sup>.

In those circumstances where a recipient believes that the proposed accommodation would cause undue hardship, or the proposed modification would fundamentally alter the program, the recipient has the burden of proving that compliance with this section would result in such hardship and alteration. The decision must be accompanied by a written statement of the recipient's reasons for reaching that conclusion. The recipient must provide a copy to the State EO Officer of the statement of reasons to the individual(s) who requested the accommodation or modification. The One-Stop Operator in collaboration with the board staff would prepare the written statement.

**VII. Complaint Processing Procedures**

Information regarding the complaint process should be made available publicly. Posters informing and instructing applicants on complaint procedures should be posted throughout the One-Stop System, as well as other recipient, sub-recipient, and affiliate sites. During the intake interview, applicants are provided information on the complaint processing procedures. The acknowledgement of receiving the complaint process must be captured and documented.

Any person who believes that he, she, or any specific class of individuals has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provisions of the WIOA may file a written complaint by using the Equal Opportunity and Nondiscrimination Complaint Form.

The complaint may be filed with the LWDB's EO Officer (or the person designated for this purpose), the State EO Officer of the Office of Workforce Development, Oklahoma Employment Security Commission EO Officer, or directly with the CRC. Each organization has authority over a complaint if the follow criteria are met.

Organization	Criteria
<p><b>U.S. Department of Labor's Civil Rights Center</b>  <b>Department of Labor</b>                      200 Constitution Avenue N.W., Room N 4123                      Washington, D.C. 20210.</p>	<p>90 calendar days has passed from the date of receipt of a WIOA Section 188 discrimination complaint.</p>
<p><b>Oklahoma Office of Workforce Development</b>                      Lindsey Workman Gilbert, J.D., State Equal Opportunity Officer                      Oklahoma Office of Workforce Development                      900 N. Portland Ave.,                      Oklahoma City, OK 73107</p>	<p>Either upon (1) recusal or unavailability of the Local EO Officer, or (2) at any time the State EO Officer determines it is appropriate to assume jurisdiction of a discrimination complaint investigation.</p>
<p><b>Oklahoma Employment Security Commission</b>  <b>Unemployment Insurance</b>                      Emma Woodford - Civil Rights Administrator                      P.O. BOX 52003. Oklahoma City, OK 73152-2003</p>	<p>All complaints alleging discrimination in UI policies, practices, procedures, or determinations, including failure to provide language interpretation or translation services for limited English proficient persons, or auxiliary aids and services for individuals with disabilities. For complaints alleging an adverse UI determination in violation of WIOA Section 188, all UI appeals must be exhausted prior to assuming jurisdiction of the complaint.</p>
<p><b>Tulsa Area Workforce Development Board</b>                      Nicole Cue, Equal Opportunity Officer                      907 S. Detroit Ave., Suite 1325                      Tulsa, Oklahoma 74120</p>	<p>All non-UI complaints alleging discrimination under WIOA Section 188 and arising in the LWDB service area, e.g. complaints arising from services provided in an American Job Center.</p>

<sup>4</sup> 29 CFR § 38.4(z)

A complaint filed, pursuant to 29 CFR Section 38.69, must be filed within 180 days of the alleged discrimination. The CRC, if shown good cause, may extend the filing time. To receive an extension, the complainant must be notified that a waiver letter is to be filed with the CRC. The waiver letter should include the reason the 180-day time period elapsed. This period for filing is for the administrative convenience of the CRC and does not create a defense for the respondent.

Complaints must be filed in writing by completing the Equal Opportunity and Nondiscrimination Complaint Form, Attachment A of this policy. If this form is not used, all information requested on the form must be provided. However, the form is encouraged for uniformity.

Both complainant and respondent have the right to be represented by an attorney or other individual of his or her choice. In addition, a representative may file a complaint on behalf of a person who believes they have been subjected to discrimination.<sup>5</sup>

The complainant must be offered an Alternate Dispute Resolution (ADR) immediately upon receipt of the complaint. The Complainant may request ADR at any time after the complainant has filed a written complaint with the recipient, but before the Notice of Final Action has been issued<sup>6</sup>. The choice whether to use ADR rests with the complainant.

The LWDA shall be allowed 90 days to issue a Notice of Final Action from the date on which the complaint was filed. If, during the 90-day period, the State or Local Area issues a decision that is not acceptable to the complainant, the complainant or his or her representative may file a complaint with the CRC within 30 days after the date on which the complainant receives the Notice.

If the 90 days expire and the complainant does not receive a Notice of Final Action or the State or LWDA fails to issue a Notice of Final Action, the complainant or his/her representative may file a complaint with the CRC within 30 days of the expiration of the 90-day period. In other words, the complaint must be filed with the CRC within 120 days of the date on which the complaint was filed with the LWDB.

The CRC may extend the 30-day time limit if the complainant is not notified or for other good cause shown<sup>7</sup>.

The LWDB shall notify the complainant in writing immediately upon determining it does not have jurisdiction over a complaint that alleges a violation of the nondiscrimination and equal opportunity provisions of the WIOA. The Notice of Lack of Jurisdiction must also include the basis for such determination, as well as a statement of the complainant's right to file a written complaint with the CRC within 30 days of receipt of the Notice.

During the resolution process, LWDB EO Officer shall assure that all parties involved are given due process. These due process elements include the following:

- A notice to all parties of the specific charges;
- A notice to all parties of the responses to the allegations;
- The right of both parties to representation;
- The right of each party to present evidence, and to question others who present evidence; and
- A decision made strictly on the evidence on the record.

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<sup>5</sup> 29 CFR § 38.72

<sup>6</sup> 29 CFR § 38.72(c)

<sup>7</sup> 29 CFR Section 38.77

A party to any agreement reached under ADR may file a complaint with the CRC in the event the agreement is breached. In such circumstances, the following rules will apply:

- The non-breaching party may file a complaint with the CRC within 30 days of the date on which the non-breaching party learns of the alleged breach.
- The CRC must evaluate the circumstances to determine whether the agreement has been breached. If the CRC determines that the agreement has been breached, the complainant may file a complaint with the CRC based upon his or her original allegation(s), and the CRC will waive the time deadline for filing such a complaint.

If the parties do not reach an agreement under ADR, the complainant may file directly with the CRC as described in 29 CFR Sections 38.69 through 38.72.

### **VIII. State Level Discrimination and Complaint Process**

Any person who believes that he or she or any specific class of individuals has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provisions of the WIOA may file a written complaint by using the Equal Opportunity and Nondiscrimination Complaint Form, which was developed to assist clients, participants, and service providers.

The complaint may be filed with the State EO Officer at:

Attn: State Equal Opportunity Officer  
Oklahoma State University  
900 N. Portland Ave.,  
Oklahoma City, OK 73107

More about the State Level Discrimination and Complaint Process may be found in the Oklahoma Office of Workforce Development [Oklahoma Workforce Development Issuance #13-2017, Change 1](#).

### **IX. Attachments**

- A.** Equal Opportunity and Nondiscrimination Complaint Form

### **X. Compliance**

- A.** LWDB Complaint Log must be submitted to the State EO Officer every quarter by the local EO Officer

## Equal Opportunity Nondiscrimination Complaint Form

This form should be used by anyone who wishes to file a discrimination complaint against any person(s)/entity while involved in Oklahoma WIOA funded programs. To file a discrimination complaint, complete this form, sign on page 4, and return to the Local Equal Opportunity Officer as follows:

**Nicole Cue**  
 Equal Opportunity Officer  
 907 S. Detroit Ave., Suite 1325  
 918.595.8913  
 TDD/TTY: 1-800-722-0353  
 Voice: 1-800-522-8506

### Complainant Information

Miss  Ms.  Mrs.  Mr.  Other     
 Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

### Complainant Contact Preference

*When is it a convenient time during business hours (8am – 5pm) to contact you by phone about this complaint?*

Day	Monday	Tuesday	Wednesday	Thursday	Friday
Time					
Phone					

### Contact information for the person(s) this complaint is against:

Provide the name of the entity where the person(s) work(s):

Name(s) of person(s):

Address of person(s)/entity:

City, State, Zip:

Telephone Number:

Date of first occurrence:

Date of most recent occurrence:

**Tell us about the incident(s)**

- Explain briefly what happened:
- Provide the date(s) when the incident(s) occurred.
- Indicate who this program discrimination complaint is against. Include names and titles, if possible.
- If other people were treated differently than you, tell us how they were treated differently.
- Attach any documents that you think might help us better understand your complaint.

Please list below any person(s) (witnesses) that we can contact for additional information to support or clarify the complaint.

Name	Address	Phone

6. If this complaint involves discrimination, please check the type of discrimination you experienced, such as age, race, color, religion, sexual orientation, national origin, physical or mental disability, etc. If you believe more than one basis was involved, you may check more than one box.

<input type="checkbox"/> Age-provide date of birth <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Political Belief <input type="checkbox"/> Retaliation <input type="checkbox"/> Gender – <i>Specify</i> <input type="checkbox"/> F <input type="checkbox"/> M <input type="checkbox"/> Race – <i>indicate race</i> <input type="checkbox"/> Of Hispanic or Latino Origin <input type="checkbox"/> Not of Hispanic or Latino Origin	<input type="checkbox"/> Citizenship or status as an alien U.S. worker <input type="checkbox"/> Disability <input type="checkbox"/> Political Affiliation <input type="checkbox"/> Religion <input type="checkbox"/> Sexual Harassment <input type="checkbox"/> Status as a program participant under the Workforce Innovation and Opportunity Act (WIOA) <input type="checkbox"/> Other ( <i>specify</i> )
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Have you previously filed a complaint against this person(s)/entity?  Yes  No

If Yes, answer the questions below. If No, move to Section 8.

- a. Was your complaint in writing?  Yes  No
- b. On what date did you file the complaint?
- c. Name of office where you filed your complaint:

Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Contact person (if known): \_\_\_\_\_

- d. Have you been provided a final decision or report?  Yes  No

**If you marked "Yes", please attach a copy of the complaint decision or report.**

**8. What corrective action or remedy do you seek? Please explain:**

**Choosing a personal representative:**

- You may choose to have someone else represent you in dealing with this complaint. It may be a relative, friend, an attorney, or someone else.
- If you choose to appoint someone to represent you, all of our communication to you will be routed through your representative.

Do you want to authorize a personal representative to handle this complaint?  Yes  No

If **"Yes"**, complete the section below. If **"No"**, go to Section 10.

**AUTHORIZATION OF PERSONAL REPRESENTATIVE**

*I wish to authorize the individual identified below to act on my behalf as my personal representative, in matters such as mediation, settlement conferences, or investigations regarding this complaint.*

Name: \_\_\_\_\_

- I am an attorney representing the complainant.
- I am not an attorney representing the complainant.

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

E-mail:

**Alternate Dispute Resolution (ADR) also known as mediation.**  
Notice: You must indicate if you wish to mediate your case. The Equal Opportunity Officer cannot begin to process your complaint until you have made a selection. Please check "YES" or "NO" in the space below.

- Mediation is an alternative to having your complaint investigated.
- Neither party loses anything by mediating.
- The parties to the complaint review the facts, discuss opinions about the facts, and strive for an agreement that is satisfactory for both.
  - Agreement to mediate is not an admission of guilt by the person(s)/entity that you claim discriminated against you.
  - Mediation is conducted by a trained, qualified and impartial mediator.
  - You (or your Personal Representative) have control to negotiate a satisfactory agreement.
  - Terms of the agreement are signed by the complainant and the person(s)/entity that you claim discriminated against you.
  - Agreements are legally binding on both sides.
  - If an agreement is not reached, a formal investigation will start.
  - Failure to keep an agreement will result in a formal investigation.
  - A formal investigation will be opened if retaliation is reported.
  
- **Do you wish to mediate your complaint?**  YES, I want to mediate.  NO, please investigate.

**If you select "YES", you will be contacted within five (5) business days with more information.**

**Complainant Signature:**

You must sign this form for your complaint to be processed.

- Faxed or otherwise electronically delivered complaints will be logged into our system; however, an official investigation cannot begin until the original, signed copy is received by our office.

By signing below, I attest that all of the information contained in this complaint is true to the best of my knowledge. I request that the necessary action be taken to resolve this matter, and I release my personal records so that this matter may be thoroughly investigated. This release is only to the extent necessary to reasonably and fully investigate this matter and is not a general release of all my personal records.

<b>Signature:</b>	<b>Date:</b>
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