



Executive Committee Meeting

April 27, 2021, at 3:15 PM

Zoom

Please note – This meeting is being recorded for record-keeping and quality assurance purposes.

Promoting a prosperous community by providing a progressive workforce system

AGENDA

1. **Call to Order** - Todd Samuel
 - Excused Absences
2. **Welcome & Roll Call**
3. **Approval of Committee Minutes**
 - Executive Committee – March 30, 2021 (Needs a vote)
4. **Finance Reports** – Jan
5. **Discrimination Complaint Processing Policy/Attachment** – Cynthia (Needs a vote)
6. **PY21 Adult Service Provider Contract Extension** - Diana (Needs a vote)
7. **PY21 Dislocated Worker Service Provider Contract Extension** – Diana (Needs a vote)
8. **PY21 Out of School Youth Service Provider Contract Extension** – Cynthia (Needs a vote)
9. **PY21 Board Re-Appointments** – Becky (Needs a vote)
10. **RFP #2021-001-WIOA-OSO Update** – Tiffany
11. **Washington Workforce Association (WWA) Update** - Tiffany
12. **Liaison Report** – David
13. **Next Meeting**
 - Executive Committee Meeting – Tuesday, May 25, 2021, at 4:00 PM on Zoom

Attachments

- a. Executive Committee Minutes, March 30, 2021
- b. Finance Reports, February 2021
- c. Policy 2015-61 – Discrimination Complaint Processing/Attachment
- d. Memo – PY21 Board Re-Appointments
- e. Liaison Report – March 2021
- f. TC Futures Report – March 2021
- g. WorkSource Operator Monthly Report, March 2021

*Benton-Franklin Workforce Development Council contributes to our prosperous community
by elevating the human potential.*

Benton Franklin Workforce Development Council

Executive Committee Minutes

March 30, 2021

4:00 p.m.

Zoom

Present

Commissioner McKay
Todd Samuel
Melanie Olson
Adlofo de Leon
Amanda Jones
Jennie Weber

Excused

Dennis Williamson

Absent

Commissioner Didier

BFWDC Staff

Tiffany Scott
Jan Warren
David Chavey-Reynaud
Diana Hamilton
Cynthia Garcia
Jamilet Nerell
Jessie Cardwell
Becky Smith

Guests

Kayci Loftus, CPS
Amanda Fisher, LNI
Cyrstal Bright, WSO

Call to Order - Todd

Todd Samuel called the meeting to order at 4:30 p.m. and thanked everyone for attending. Becky read through the roll call while members and guests responded.

Minutes – Todd

Minutes from February 23, 2021, Executive Committee Meetings were provided to members for review.

Adolfo de Leon moved to approve February 23, 2021, Executive Committee Meeting Minutes as presented, seconded by Todd Samuel. Motion carried.

Finance Reports – Jan

Jan provided the printed Finance Reports through January 2021. She noted that we are 58% through the year.

- **Corporate Entity:** Jan stated that there is very little activity in this account. There is a Money Market and a CD account within this. The balance includes the quarterly accrual adjustment for vacations which is kept in the Money Market account.
- **Main BFWDC Account:** One significant thing this month is that all EFTs were processed before the end of the month. She and Tiffany had a productive discussion with ESD regarding the timing of the approval of these funds. She reviewed the line items.
 - We are currently paying for rent and maintenance on the building, but most other line items are on hold until we return to the office.
 - The travel line remains under because people are not traveling to conferences.
 - Supplies remain under because people are teleworking.
 - We budgeted generously for the software line to accommodate our current communication and training environment. We were able to purchase LinkedIn Learning available to staff and WorkSource customers.
 - Dues and Fees have stayed level as we are still paying all of our membership dues.
 - Ergonomic equipment and assistive technology were purchased for TC Futures coming out of the WIOA Out of Youth Grant.
- **WorkSource:** Jan noted that the IFA Credit line is decreasing and will go to zero once all partners have applied their credits. Once again, at this time, we are paying the minimum to maintain the building. There is a posting error on the Dues and Fees line item that will be corrected on the next report.

Jan shared that we have done the best with the situation, tried to accommodate the changing environment, and purchased new virtual platforms. We are constantly reviewing and making the necessary changes. We are looking at what the employees need to work remotely and what will be required to re-open the BFWDC Office.

Local Workforce Notice LWN-3 - Tiffany

The Local Workforce Notice LWN-3 was provided in the packet. Tiffany shared that the idea is to have a customer spotlight at each of our quarterly meetings. We have done this periodically but have been

inconsistent. We want to convey to our Workforce Leaders that the work they are doing is valued and we want to set aside time for customers to come and share what the services that have been rendered have done to impact their lives as a job seeker or business owner. They are welcome to use the virtual environment that we are in or even use a prerecorded video. This is a good way to communicate to the board members the return on investment for their time and work.

BFWDC Organization Addition – Tiffany

Tiffany expressed that the BFWDC has increased its revenue. With this comes additional work. It is time to add an Full Time Equivalent (FTE) specific to Fiscal Management. The job has been posted and will be closing on Friday, April 2nd. She encouraged board members to share the job posting with anyone appropriate. This person would report directly to Jan. We have had Michael Fluharty acting as an extra set of eyes at the recommendation of our auditor, helping to quality check our finances. When we hire this person, they will be taking on those responsibilities, and we will be ending the Professional Services Contract with Mr. Fluharty. We are hoping that the Fiscal Manager will be able to start in early May.

BFWDC Funding Growth (CDBG, EcSA) - Jamilet

Jamilet shared that we have some additional funding coming our way. The Housing Urban Development recently funded the Washington State Department of Commerce to decrease food insecurity challenges brought on by COVID-19. This has created the opportunity to have Community Development Block Grants made available. Based on the WWA efforts to partner with other state agencies, the Workforce Development Councils (WDCs) in Washington state can access this grant if they choose to go with this model. The BFWDC is currently securing a portion of funding to serve the Benton and Franklin communities by supporting local food distribution sites and serving low to medium-income neighborhoods and families. The application is due on April 1. The Department of Commerce is not conducting a Request for Proposals (RFP) but is asking for interested WDCs to submit an application and subsequent documentation to support contract development. The amount of money for local allocations has not been released. David shared that this program provides a high cost per participant at approximately \$42,000. This would allow us to serve about 12 participants.

Economic Security for All has been awarded a second round of funding for the next two years, starting in April 2022. This funding is available to all WDCs across the state in a non-competitive way. This second round of funding will come in the form of a contract extension to the BFWDC contract to ensure that we provide a seamless continuation of services.

CEO Updates – Tiffany

Tiffany shared that the Senate HELP Committee is requesting input from stakeholders across the nation on workforce development policy ideas. She is working on a sub-committee with four Washington Workforce Association (WWA) colleagues to write a policy proposal addressing workforce development and training needs in light of the ongoing pandemic and the opportunities and challenges that we are facing.

She thanked all of the One-Stop Certification Committee Members. They have dedicated the time to be on the committee. The kick-off meeting went well.

The BFWDC staff will be reaching out to board members shortly to seek volunteers for our RFP 2021-001-WIOA-OSO review committee. The start of this process will happen on Monday, April 5th, with our first-ever Virtual Bidders Conference. The procurement announcement has been spread wide, including the BFWDC website and Facebook pages, member and partner emails, and a bidders list that we have compiled. This needs to be a competitive process.

Liaison Report – David

David shared the provided February Liaison Report. He noted that he had edited the second page to include a graph. He reviewed the numbers printed on the report. The monthly job fairs have been very successful. We have enjoyed working with the Brazen tool and hope to use it post-pandemic. David has

combined the Top Occupations and Top Licenses/Certification as they do not change much and make room for other information. He reviewed the “other news” from the report.

We are currently in Phase 3 but remain cautious about re-opening. The last thing we want is to open the center and then have to close it down again due to a surge in Covid cases. Vaccinations are picking up, so we hope to be able to open within the next six months.

He reviewed the COVID-19 Recovery numbers included in the chart. As of December, we are at about 62% recovery of jobs. There is positive growth in the retail sector. State government continues to see positive growth. Local education has a lot of ground to make up, but preliminary outlooks point out that it should be back by next year. Compared to other regions in our state, we are doing well in our recovery.

Cynthia highlighted the Tri-Cities (TC) Futures report provided in the packets.

Crystal eluded to the WSCB report in the packet and extended a thank you to the Business Services Team. They are doing a terrific job with job fairs and resource events. The Outreach Task Force continues to work on ways to reach customers creatively.

Todd asked when we expect to open the center. Crystal answered that we are in a wait-and-see pattern right now. They are working with leadership and partners to determine the safest time to open. They have 100% of the PPE needed and everything in line for a safe process. We will be prepared when the time is right. They have a Return to Work Plan and an Action Readiness Plan. Tiffany shared that this is a BFWDC decision. More will be shared at the April Quarterly Meeting.

Roundtable - Members were allowed time to share what is happening in their venues of work.

Melanie Olson shared that Lourdes has another transition happening. They are getting a new CEO. She will help with connections if needed.

Todd shared that the BFWDC website has a lot of information on what is happening, including information on the board meetings. It is well done and kept up to date.

Other Business – None

NEXT MEETING

Executive Committee Meeting – Tuesday, April 27, 2021, at 3:15 p.m. – Zoom
Quarterly Board Meeting – Tuesday, April 27, 2021, at 4:00 p.m. – Zoom

ADJOURNMENT The meeting of the Executive Committee adjourned at 4:57 p.m.

Respectfully submitted

Todd Samuel, Board Chair Date

Becky Smith, Office Manager Date

Benton Franklin Workforce Development Council
 Balance Sheet - Unposted Transactions Included In Report
 10 - Corporate Entity
 As of 2/28/2021

		Current Period Balance
Asset		
Cash (Checking Acct - CE)	1110	612.77
Corporate Entity MM Account	1111	64,778.31
CE 12 month CD	1112	52,315.38
Total Asset		117,706.46
Liabilities		
Accounts Payable (AP System)	2000	10.00
Accrued Vacation Payable	2500	69,253.00
Due to/from other funds	2990	(12,000.00)
Total Liabilities		57,263.00
Net Assets		60,443.46
Total Liabilities and Net Assets		117,706.46

Benton Franklin Workforce Development Council
 Statement of Revenues and Expenditures - Unposted Transactions Included In Report
 10 - Corporate Entity
 From 7/1/2020 Through 2/28/2021
 (In Whole Numbers)

	<u>Current Period Actual</u>	<u>Current Period Budget</u>	<u>Percentage of current period</u>	<u>Annual Budget</u>	<u>Percentage of Total Budget</u>
Revenue					
Interest/Program Income	547	0	0.00%	0	0.00%
Total Revenue	547	0	0.00%	0	0.00%
Expenses					
Dues, Fees and Subscriptions	10	0	0.00%	0	0.00%
Total Expenses	10	0	0.00%	0	0.00%
Net Surplus/ (Deficit)	<u>537</u>	<u>0</u>	<u>0.00%</u>	<u>0</u>	<u>0.00%</u>

Benton Franklin Workforce Development Council
 Balance Sheet - Unposted Transactions Included In Report
 20 - WDC Main
 As of 2/28/2021

		Current Period Balance
Asset		
Cash (Bank Acct - WDC)	1120	(14,746.78)
Accounts Receivable	1200	46,441.17
Receivable (Grants)	1300	274,974.05
Total Asset		306,668.44
Liabilities		
Accounts Payable (AP System)	2000	285,616.51
Due to/from other funds	2990	12,000.00
Total Liabilities		297,616.51
Net Assets		9,051.93
Total Liabilities and Net Assets		306,668.44

Benton Franklin Workforce Development Council
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
20 - WDC Main
From 7/1/2020 - 2/28/2021
(In Whole Numbers)
Excel spreadsheet with Budget

	<u>Current Period Actual</u>	<u>Current Period Budget</u>	<u>Percentage of current period</u>	<u>Annual Budget</u>	<u>Percentage of Total Budget</u>
Revenue					
Grant/Contract Revenue	2,433,574	2,719,167	89.50%	4,191,410	58.06%
Interest	10	0	0.00%	0	0.00%
Misc/Other Revenue	197,298	224,000	88.08%	276,000	71.48%
Total Revenue	<u>2,630,882</u>	<u>2,943,167</u>	<u>89.39%</u>	<u>4,467,410</u>	<u>58.89%</u>
Expenses					
Sub-Recipient Reimbursements	1,918,784	2,198,203	87.29%	3,297,305	58.19%
Rent and Facilities	38,415	50,683	75.80%	76,024	50.53%
Salaries and Wages	404,181	396,190	102.02%	609,291	66.34%
Payroll Taxes and Benefits	120,223	117,227	102.56%	182,022	66.05%
Professional Services and Contracts	48,488	48,800	99.36%	83,540	58.04%
TC Futures	41,004	40,000	102.51%	75,000	54.67%
Travel and Training	346	24,000	1.44%	50,230	0.69%
Supplies, Furniture and Equipment	2,664	9,500	28.04%	19,500	13.66%
Equipment and Software - Lease and Maintenance	32,880	33,820	97.22%	44,552	73.80%
Communications (Telephone, Postage and Internet)	2,645	2,848	92.87%	6,515	40.60%
Insurance	7,606	7,606	100.00%	7,606	100.00%
Dues, Fees and Subscriptions	13,647	14,290	95.50%	15,825	86.24%
Total Expenses	<u>2,630,882</u>	<u>2,943,167</u>	<u>89.39%</u>	<u>4,467,410</u>	<u>58.89%</u>
Net Surplus/ (Deficit)	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>0.00</u>	<u>0.00%</u>

Benton Franklin Workforce Development Council
 Balance Sheet - Unposted Transactions Included In Report
 30 - WSCB Partnership
 As of 2/28/2021

		<u>Current Period Balance</u>
Asset		
Cash (Bank Acct - WSCB)	1130	<u>66,536.77</u>
Total Asset		<u><u>66,536.77</u></u>
Liabilities		
Accounts Payable (AP System)	2000	1,573.17
IFA Credit Adjustment	2650	<u>2,281.00</u>
Total Liabilities		<u>3,854.17</u>
Net Assets		62,682.60
Total Liabilities and Net Assets		<u><u>66,536.77</u></u>

Benton Franklin Workforce Development Council
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
30 - WSCB Partnership From 7/1/2020-2/28/2021

(In Whole Numbers)

	<u>Current Period Actual</u>	<u>Current Period Budget</u>	<u>Percentage of current period</u>	<u>Annual Budget</u>	<u>Percentage of Total Budget</u>
Revenue					
Partner Revenue	141,480	141,473	100.01%	212,209	66.67%
IFA Adjustments	(23,773)	0	0.00%	0	0.00%
Sub-Lease Revenue	98,253	98,253	100.00%	147,380	66.67%
Employee Recognition Non-Operating Income	0	0	0.00%	0	0.00%
Total Revenue	<u>215,960</u>	<u>239,726</u>	<u>90.09%</u>	<u>359,589</u>	<u>66.67%</u>
Expenses					
Rent and Facilities	209,108	219,860	95.11%	329,790	63.41%
Supplies, Furniture and Equipment	889	8,933	9.95%	13,400	6.63%
Employee Recognition	464	0	0.00%	0	0.00%
Equipment and Software - Rental and Maintenance	1,152	1,200	96.00%	1,200	96.00%
Business/Community	1,438	3,333	43.14%	5,000	28.76%
Dues, Fees and Subscriptions	266	6,800	3.91%	10,200	2.60%
Total Expenses	<u>213,317</u>	<u>240,127</u>	<u>88.84%</u>	<u>359,590</u>	<u>59.19%</u>
Net Surplus/ (Deficit)	<u>2,642</u>	<u>(401)</u>	<u>0.00%</u>	<u>0</u>	<u>0.00%</u>



Subject: Discrimination Complaint Processing Policy

Policy No: 2015-61

Effective Date:

1. Purpose:

To establish minimum requirements and to give procedural guidance to subrecipients of the Workforce Innovation and Opportunity Act (WIOA) Title I grant funds, service providers and centers within the One-Stop System, regarding the processing of discrimination complaints, including the development, maintenance, and implementation of local-level discrimination complaint procedures. All grant recipients/program providers under Title I of WIOA are responsible for complying with the discrimination complaint procedures at [29 CFR Part 38](#), as outlined in this policy and attached handbook.

2. Background:

Federal laws and regulations require procedures for handling complaints alleging violations of nondiscrimination laws. This policy provides standard expectations for processing discrimination complaints within the One-Stop System.

Policy and Procedures

A. The Benton-Franklin Workforce Development Council (BFWDC)

1. Establishes the responsibility of tracking and processing all local discrimination complaints;
2. Inform the system of the minimum discrimination complaint processing requirements contained in Attachment A-Discrimination Complaint Processing Handbook; and
3. Establishes a system to log and track discrimination complaints.

B. Complaint Jurisdiction

All partners located at WorkSource Columbia Basin and Tri-Cities Futures (TC Futures) are responsible for the outcomes of complaints that fall within their jurisdiction. Determinations of jurisdiction will be made based on the specific funding stream that supports the function tied to the complaint allegations, not based on associations other than funding sources.

If a discrimination complaint is filed that contains allegations against individuals, WorkSource centers, TC Futures, etc., that are in more than one local area, the local Equal Opportunity (EO) Officer may collaborate with their counterpart in the other areas or with the State-Level EO Officer to process the complaint.

C. Discrimination Complaint Processing Handbook

Attachment A- Discrimination Complaint Processing Handbook- establishes minimum requirements and gives procedural guidance to local areas, subrecipients of the Workforce Innovation and Opportunity Act (WIOA) Title I grant funds, service providers and centers within the One-Stop system, regarding the development, maintenance, and implementation of local-level discrimination complaint processing procedures. All grant recipients/program providers under Title I of WIOA are responsible for complying with the discrimination complaint procedures at [29 CFR Part 38](#) and as outlined in this handbook.

D. Confidentiality

The identity of complainants and any persons who furnish information relating to or assisting in an investigation of a complaint must be kept confidential to the maximum extent possible, consistent with applicable law and a fair determination of the complaint.

E. Definitions

Complaint Contact: Staff designated by the BFWDC as responsible for processing complaints. A contact may also be designated by the One-Stop Operator that initially assists all customers interested in filing a complaint at a local WorkSource office and determines partner(s) program's complaint jurisdiction if a complaint is subsequently filed.

Complaint Coordinator: The BFWDC designated single point(s) of contact for one-stop center, affiliate or connection site. The site's Complaint Coordinator is responsible for

facilitating the initial process, promoting coordination to resolve all program complaints, and for forwarding discrimination complaints to the Local EO Officer or State-Level EO officer for processing.

Concern: Any verbal expression of dissatisfaction or any written expression of dissatisfaction other than alleged violations of program or non-discrimination rules or laws. Concerns must be referred but do not require the same formal process as a complaint (i.e., logging, tracking, etc.). Local processes may include additional requirements.

Program Complaints: The submission of a written and signed allegation falls under the jurisdiction of WIOA Title I, Wagner-Peyser and Trade Adjustment Assistance (TAA) requirements as noted in the WorkSource Program Complaint Handbook (Attachment A). Program complaints allege a violation of a law, regulations, or policy connected to Wagner Peyser, WIOA, or TAA programs but do not allege discrimination. All program complaints must be filed within one year of the alleged date of the incident (except Wagner-Peyser, which requires the complaint be filed within two years of an incident).

Discrimination Complaints: Alleged violations of law(s) that prohibit discrimination against any individual 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, political affiliation or belief, or for any beneficiary of, applicant to, or participant in programs financially assisted under Title I of WIOA, on the basis of the individual's citizenship status, or participation in any WIOA Title I—financially assisted program or activity. Washington State law also prohibits discrimination in employment and public accommodation based on citizenship or immigration status, families with children, marital status, sexual orientation, honorably discharged veteran or military status, and the use of a trained guide dog or service animal by a person with a disability.

F. Attachments

Attachment A: Discrimination Complaint Processing Handbook



Attachment A
Discrimination Complaint Processing Handbook

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Introduction

This Discrimination Complaint Processing Handbook establishes minimum requirements and gives procedural guidance to subrecipients of the Workforce Innovation and Opportunity Act (WIOA) Title I grant funds, service providers, One-Stop centers affiliate sites regarding discrimination complaint processing procedures. All grant recipients/program providers under Title I of WIOA are responsible for complying with the discrimination complaint procedures at [29 CFR Part 38](#) and outlined in this handbook.

The discrimination complaint procedures and tools in this handbook can serve as templates for WorkSource Columbia Basin (WSCB) and TC Futures to adopt or modify. These templates represent the minimum state and federal requirements and should not be modified to remove minimum state and federal requirements.

References

- [WIOA Section 188](#)
- [29 CFR Part 38](#)
- Title [VI](#) & [VII](#) of the Civil Rights Act of 1964
- [Title IX of the Education Amendments of 1972](#)
- [Age Discrimination Act of 1975](#)
- [Age Discrimination in Employment Act of 1967](#)
- Section [501](#), [503](#), [504](#) of Rehabilitation Act of 1973
- [Americans with Disabilities Act of 1990, as amended](#)
- [Revised Code of Washington \(RCW\) 49.60](#)
- [Washington State Nondiscrimination Plan](#)
- Employment Security Department (ESD) Policy and Procedure [0013 - Discrimination Complaint Processing](#)

1. Discrimination Complaint Processing Procedures

1.1. Filing a Discrimination Complaint

Any person or the person's representative who believes that any of the following circumstances exist may file a written complaint:

- A person, or any specific class of individuals, has been or is being discriminated against 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, political affiliation or belief, or for any beneficiary of, applicant to, or participant in programs financially assisted under Title I of WIOA, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially, assisted program or activity.
- Either the person or any specific class of individuals has been or is being retaliated against as described in [29 CFR Part 38.19](#).

Discrimination complaints filed under WIOA must be written and filed within **180 calendar days** of the date of the alleged discrimination or retaliation.

The Washington Law Against Discrimination, [RCW 49.60](#), prohibits discrimination in employment and public accommodations on these additional bases: citizenship or immigration status, families with children, marital status, sexual orientation, honorably discharged veteran or military status, and the use of a trained guide dog or service animal by a person with a disability. Discrimination complaints filed on these grounds will be processed based on state law and without any references to the United States Department of Labor (USDOL) Civil Rights Center (CRC). The complainant may also file a discrimination complaint with the Washington State Human Rights Commission. Discrimination complaints filed under Washington State law must be filed within **six months** of the date of the alleged discrimination or retaliation.

Any person or their representative wishing to file a discrimination complaint must be given the option to file it with the Local EO Officer, the State-Level EO Officer, or with the Director of the USDOL CRC. If the complainant elects to file with both CRC and the Benton-Franklin Workforce Development Council (BFWDC) or State-Level EO Officer, the complainant must be informed that the BFWDC or State-Level EO Officer has **90 calendar days** to process the discrimination complaint and that CRC will not investigate the complaint until the **90 calendar-day** period has expired.

Customers with disabilities must be provided, upon request and at no cost to them, appropriate accommodations, auxiliary aids, and services to file their complaint. Customers who are limited English proficient (LEP) must be provided, upon request and at no cost to them, language assistance services, including oral interpretation and/or written translation, to file their complaint.

Discrimination complaints received at a WorkSource center, affiliate, or connection site or with a service provider will be forwarded to the Local EO Officer.

Following is the contact information for the State-Level EO Officer and the USDOL CRC:

State-Level EO Officer	or	The Director, Civil Rights Center (CRC)
Employment Security Department		U.S. Department of Labor
P.O. Box 9046		200 Constitution Avenue NW
Olympia, WA 98507-9046		Room N-4123
		Washington, DC 20210

A discrimination complaint may be filed electronically or in hard copy using the attached Discrimination Complaint Form, or the complaint may be written out in a different format approved by the BFWDC.

Each complaint must contain the following information:

- Complainant's name, mailing address, and, if available, email address or other means of contacting the complainant.
- Identification of individual(s) or entity(ies) responsible for the alleged discrimination.
- A description of the complainant's allegations, which must include enough detail to determine:
 - Jurisdiction over the complaint;
 - If the complaint was filed timely (**within 180 calendar days of the date of the last incident**); and
 - Apparent merit of the complaint (whether the complainant's allegations, if true, would indicate noncompliance with any of the nondiscrimination and equal opportunity provisions of WIOA).
- Complainant's written or electronic signature or the written or electronic signature of the complainant's representative.

WorkSource system staff, TC Futures staff, or their representative may file a discrimination complaint with the Local EO Officer, the State-Level EO Officer, the CRC, their organization's equal opportunity (EO)/equal employment opportunity (EEO) contact, or their union if they are represented.

WorkSource System Staff and TC Futures staff also have the right to file a discrimination complaint with:

[U.S. Equal Employment Opportunity Commission \(EEOC\)](#)

EEOC enforces federal laws that prohibit discrimination in employment on the basis of race, color, national origin, sex (including pregnancy, gender identity, and sexual orientation), religion, age (40 or above), and disability or genetic information. EEOC jurisdiction covers violations of [Title VII of the Civil Rights Act of 1964](#), as amended, the [Equal Pay Act of 1963](#), the [Age Discrimination in Employment Act of 1967](#), and [Title I of the Americans with Disabilities Act 1990](#), as amended.

Discrimination complaints filed with the EEOC must be written and filed within **300 days** of the date of the alleged discrimination or retaliation.

Washington State Human Rights Commission (HRC)

HRC enforces state law that prohibits discrimination in employment and places of public accommodation based on race, creed, color, national origin, citizenship or immigration status, families with children, sex, sexual orientation, gender identity, marital status, age, disability, the use of a trained guide dog or service animal by a person with a disability, and honorably discharged veteran or military status. HRC's jurisdiction is the Washington State Law Against Discrimination – [RCW 49.60](#).

Discrimination complaints filed with the HRC must be written and filed within **six months** of the date of the alleged discrimination or retaliation.

No individual, organization, or agency may refuse service, discharge, intimidate, threaten, coerce, discriminate or retaliate in any manner against any person because that person has filed a discrimination complaint, opposed a practice prohibited by nondiscrimination laws, instituted any proceeding related to a discrimination complaint, testified or is about to testify in any proceeding or investigation related to a discrimination complaint, or has provided information or assisted in an investigation.

1.2 Receiving a Discrimination Complaint

If the complainant elects to file a discrimination complaint with an employee at WSCB or TC Futures, that employee must accept the discrimination complaint and immediately forward it to the Local EO Officer.

The Local EO Officer is responsible for providing local intake services for discrimination complaints to determine if the complaint is covered by [29 CFR Part 38](#) and for resolving jurisdictional issues if any.

Upon receipt of a discrimination complaint, the Local EO Officer must log the complaint and, if necessary, confer with the State-Level EO Officer prior to determining jurisdiction over the matter. If the Local EO Officer determines that another entity has jurisdiction, they must promptly refer the discrimination complaint to that entity, and the BFWDC will notify the complainant, in writing, within ten business days and include the reasons for the determination. This Notice of Lack of Jurisdiction must advise complainants that they have a right to file a complaint with the Director of the CRC within **30 calendar days** of the date on which the complainant received the notice.

1.3 Distinguishing Between Program and Discrimination Complaints

If a complainant alleges that they were mistreated in service delivery because of a prohibited factor such as race, national origin, sex, etc., and they also allege they were denied admittance to a program because of a non-prohibited factor such as their income level, these are handled as a separate discrimination complaint and program complaint. If the complainant had alleged that both were due to prohibited factors, it would be a single discrimination complaint. The discrimination complaint would be processed under these procedures, and the program complaint would be processed under the [2015-31 Customer Concern and Complaint Resolution Policy](#). If desired, the discrimination complaint Notice of

Final Action and the program complaint determination letter may be sent in the same letter but must be separate subjects. The Notice of Final Action should be signed by the BFWDC Executive Director since the recipient, and the Governor are jointly and individually liable for all violations of the nondiscrimination and equal opportunity provisions of [29 CFR Part 38](#).

If a discrimination complaint is filed that contains allegations against individuals, WorkSource centers, affiliate sites, etc. that are in more than one Workforce Development Council (WDC), the Local EO Officer may collaborate with their counterpart in the other WDC or with the State-Level EO Officer to process the complaint.

1.4 Processing a Discrimination Complaint

Within **10 business days** of receipt of the discrimination complaint, the Local EO Officer must issue an initial written Notice of Receipt to complainants that contains the following information:

- Acknowledgment of receipt of the discrimination complaint.
- Notice that the complainant has the right to be represented in the discrimination complaint process.
- Notice of rights contained in [29 CFR Part 38.35](#). Attached is a sample Equal Opportunity is the Law notice.
- Notice that the complainant has the right to request and receive, at no cost, auxiliary aids, and services, language assistance services and that the notice at [29 CFR Part 38.35](#) will be translated into the appropriate non-English language as required in [29 CFR Part 38.34](#), [29 CFR Part 38.36](#), and [29 CFR Part 38.9](#).
- A list of each issue raised in the discrimination complaint and, for each issue, a statement that the issue is accepted for investigation or is not accepted. The reason(s) must be provided for rejection.
- The complainant must be given an invitation to participate in alternative dispute resolution. For more information, see the Alternative Dispute Resolution (ADR) Process below.

Immediately after issuance of the Notice of Receipt, the Local EO Officer must either begin the investigation of the discrimination complaint or arrange to have an investigation conducted by an individual trained in conducting discrimination complaint investigations.

The total time allowed for processing the discrimination complaint is **90 calendar days** from the date on which the complaint was filed. Extensions are not allowed. This timeframe includes **60 calendar days** at the local level and **30 calendar days** for review at the state level if needed.

If the complainant elects to file with both CRC and the BFWDC/State-Level EO Officer, the complainant must be informed that the BFWDC has **90 calendar days** to process the discrimination complaint. CRC will not investigate the complaint until the **90 calendar-day** periods has expired.

1.5 Alternative Dispute Resolution (ADR) Process

The Local EO Officer will include an invitation to alternative dispute resolution with the *Notice of Receipt*. Complainants may request ADR at any time after they have filed a written complaint but before they have received a *Notice of Final Action*. If the complainant chooses to participate in ADR, they or their designee must respond in writing, and it must be dated, signed by the complainant, and include the relief sought.

Upon receiving a request for ADR, the Local EO Officer will immediately forward it to the State-Level EO Officer. The State-Level EO Officer will coordinate with the Local EO Officer on ADR processes.

If possible, the ADR process should be completed within **30 calendar days** of receipt of the discrimination complaint. This will assist in keeping within the **90 calendar-day** timeframes of the written *Notice of Final Action* if ADR is not successful.

If resolution is reached under ADR, the agreement will be in writing. A copy of the signed agreement will be sent to the State-Level EO Officer.

If an agreement is reached under ADR, but a party to the agreement believes the agreement has been breached, the non-breaching party may file a complaint with the CRC within **30 calendar days** of the date on which the non-breaching party learns of the alleged breach.

If the parties do not reach a resolution under ADR, the Local EO Officer will continue with the investigation, or the complainant may file a complaint with the CRC.

1.6 Notice of Final Action

A written *Notice of Final Action (NOFA)* will be provided to the complainant within **90 calendar days** of the date the discrimination complaint was filed. The NOFA will contain:

- For each issue raised in the complaint, a statement of either:
 - 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; and
- Notice that the complainant has a right to file a complaint with CRC within **30 calendar days** of the date on which the NOFA is received if the complainant is dissatisfied with the recipient's final action on the complaint.

1.7 Corrective Action

If discrimination is found through the process of a complaint investigation, the respondent will be requested to voluntarily comply with corrective action(s) or a conciliation agreement to implement remedial action. If voluntary compliance efforts fail, sanctions may be considered. Prior to sanctions being applied, procedural due process will be provided.

1.8 Confidentiality

The Local EO Officer is required to keep the following information confidential to the maximum extent possible, consistent with applicable law and fair determination of the discrimination complaint:

- The fact that the discrimination complaint has been filed.
- The identity of the complainant(s).
- The identity of individual respondent(s) to the allegations.
- The identity of any person(s) who furnished information relative to, or assisting in, a complaint investigation.

1.9 Recordkeeping

A log of discrimination complaints filed with the recipient must be maintained by the Local EO Officer for logging, tracking, and reporting. If a Complaint Coordinator receives a discrimination complaint, they will log it and then forward the complaint to the Local EO Officer and/or the State-Level EO Officer:

The log must include:

- The name and address of the complainant.
- The basis of the discrimination complaint.
- A description of the complaint.
- The date the complaint was filed.
- The disposition and date.
- Any other pertinent information.

Access to the complaint log must be limited to the Local EO Officer and the Complaint Coordinator.

All records (including email and hard copy) regarding discrimination complaints and actions taken on discrimination complaints must be maintained for a period of not less than three years from the date of final action related to the resolution of the complaint.

The State-Level EO Officer will review discrimination complaint data on a routine basis. Should deficiencies be noted in the implementation of these discrimination complaint procedures by any Local Workforce Development Board (LWDB), the State-Level EO Officer will collaborate with the Local EO Officer to review the information and provide technical assistance in the discrimination complaint process, alternative dispute resolution, and/or investigation. Discrimination complaint data will be available for review by USDOL CRC upon request.

2. Definitions

Civil Rights Center (CRC) – The CRC is the federal enforcement agency with the United States Department of Labor (USDOL), with jurisdiction over discrimination complaints alleging violations of WIOA, Title VI of the Civil Rights Act of 1964, Title IX of the Education

Amendments of 1972, Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, and similar laws that pertain to recipients of USDOL financial assistance.

Discrimination Complaint – Discrimination complaints are complaints alleging a violation of the law(s) that prohibit discrimination against any individual or any specific class of individuals 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, political affiliation or belief, or for any beneficiary of, applicant to, or participant in programs financially assisted under Title I of WIOA, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially, assisted program or activity. Discrimination complaints filed under WIOA must be filed within **180 calendar days** of the alleged discrimination or retaliation.

Washington State law also prohibits discrimination in employment and public accommodation on the following bases: citizenship or immigration status, families with children, marital status, sexual orientation, honorably discharged veteran or military status, and the use of a trained guide dog or service animal by a person with a disability. Discrimination complaints filed under Washington State law must be filed within **six months** of the date of the alleged discrimination or retaliation.

The Discrimination Complaint Form may be used; however, at a minimum, discrimination complaints must contain the following information:

- Complainant's name, mailing address, and, if available, email address or other means of contacting the complainant.
- Identification of individual(s) or entity(ies) responsible for the alleged discrimination.
- A description of the complainant's allegations, which must include enough detail to determine:
 - Jurisdiction over the complaint;
 - If the complaint was filed timely (**within 180 calendar days of the date of the last incident**); and
 - Apparent merit of the complaint (whether the complainant's allegations, if true, would indicate noncompliance with any of the nondiscrimination and equal opportunity provisions of WIOA).
- Complainant's written or electronic signature or the written or electronic signature of the complainant's representative.

Local Equal Opportunity (EO) Officer – The individual designated by an Local Workforce Development Board to serve as the local EO Officer responsible for administration of the LWDB's subrecipients and service providers' discrimination complaint processing as outlined in this policy and procedure, and for monitoring subrecipient and service providers' compliance with the nondiscrimination and equal opportunity requirements in WIOA.

Recipient – Recipient means an entity to which financial assistance under WIOA Title I is extended, directly from the U.S. Department of Labor or through the Governor or another

recipient (including any successor, assignee, or transferee of a recipient), but excluding any ultimate beneficiary of the WIOA Title I-financially assisted program or activity.

In addition, WorkSource system partners and TC Futures partners are treated as recipients. As a result, all partners in the WorkSource system and TC Futures are subject to the nondiscrimination and equal opportunity requirements of [29 CFR Part 38](#).

Service provider – Service provider means any operator of or provider of aid, benefits, services, or training to:

- Any program or activity that receives WIOA Title I financial assistance from or through any state or local grant recipient, or
- Any participant through that participant's Individual Training Account (ITA).

Service provider may also be defined as any entity that is selected and/or certified as an eligible provider of training services to participants.

State-Level Equal Opportunity (EO) Officer – The individual designated by the Governor as the State-Level Equal Opportunity Officer, who reports directly to the Governor, or the Governor's designee, and is responsible for state program-wide coordination of compliance with the nondiscrimination and equal opportunity requirements in WIOA.

3. Questions and Answers

What should I do if a customer indicates they want to file a discrimination complaint?

If a customer says they feel discriminated against or feels they were treated poorly because of a protected characteristic (race, gender, age, etc.), first give the customer their rights to file a discrimination complaint with the Local EO Officer, the State-Level EO Officer, and the USDOL CRC. After giving the customer their rights, continue to provide service to the customer.

What should I do if a customer indicates they want to file a program complaint?

If a customer says they want to file a complaint about violations of law, regulations, or policy connected to Wagner-Peyser, WIOA, or Trade Adjustment Act (TAA) programs, but they do not allege discrimination, give the customer their rights to file a program complaint with the local Complaint Coordinator for WorkSource Columbia Basin see [2015-31 Customer Concern and Complaint Resolution](#) Policy. For TC Futures, see 2019-05 Customer Concern and Complaint Procedure.

Where can I find the Equal Opportunity is the Law complaint poster?

Equal Opportunity is the Law posters informing customers of their rights to file a discrimination complaint with the Local EO Officer, the State-Level EO Officer, and the USDOL CRC are posted in every WorkSource center and on [Employment Security Department's website](#). A sample Equal Opportunity is the Law Notice is attached to this handbook. The Equal Opportunity is the Law Notice is available in several other languages on the [CRC website](#).

How can a customer file a discrimination complaint?

A customer may file a discrimination complaint by submitting a locally approved complaint form that is filled out and signed or by submitting a signed letter or email with enough information to initiate fact-finding. This handbook contains additional information regarding what must be included on complaint forms, including an example of a form that can be implemented.

May local areas develop a local discrimination policy and process that applies to all WorkSource sites and affiliate sites?

Yes. It is not required for each site to maintain separate discrimination complaint policies or procedures. The complaint procedures and tools in this handbook can serve as templates for local areas to adopt or modify. These templates represent the minimum state and federal requirements and should not be modified to remove minimum state and federal requirements.

4. Example Tools

- [Discrimination Complaint Log](#)
- [Equal Opportunity is the Law Notice](#)
 - **Note:** The Equal Opportunity is the Law Notice is available in several other languages on the [CRC website](#).
- [Discrimination Complaint Form – English](#)
- [Discrimination Complaint Form - Spanish](#)

Discrimination Complaint Log

Local Workforce Development Board (LWDB):

Local Officer:

Calendar Year:

Date filed	Complainant's name & address	Basis of complaint	Description of complaint	Disposition	Disposition date

Instructions / Definitions:

Date filed: The date the complainant filed their complaint. Complaints must be submitted within **180 calendar days** of the date of the alleged discrimination under [WIOA](#) and within **six months** of the date of the alleged discrimination under [RCW 49.60](#).

Basis of complaint: Protected category that the complaint is based on.

Disposition: The outcome or determination of the investigation, including any referral/transfer. If referred/transferred, the agency or partner the complaint has been transferred to needs to be clearly identified.

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:

Benton-Franklin Workforce Development Council Local Equal Opportunity Officer

Cynthia N. Garcia

cgarcia@bf-wdc.org

(509)734-5986; Washington Relay Service 711

815 N. Kellogg St. Suite C

Kennewick, WA 99336

or

State-Level Equal Opportunity Officer

Teresa Eckstein

teckstein@esd.wa.gov

360-480-5708; Washington Relay Service 711

Employment Security Department

PO Box 9046

Olympia, WA 98507-9046

or

The 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 Web site 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 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.

Equal opportunity and the nondiscrimination complaint process

If you have questions regarding discrimination complaint matters in which WorkSource, TC Futures, or the Employment Security Department are a party, you may contact your local equal opportunity officer at:

**Benton-Franklin Workforce Development Council
Local Equal Opportunity Officer**

Cynthia N. Garcia
cgarcia@bf-wdc.org
(509)734-5986; Washington Relay Service 711
815 N. Kellogg St. Suite C
Kennewick, WA 99336

If you wish to file or inquire about filing a discrimination complaint in which WorkSource, TC Futures, or the Employment Security Department **have not** been a party, please contact:

U.S. Equal Employment Opportunity Commission
Seattle Office
800-669-4000 (toll-free)

and/or

Washington State Human Rights Commission
800-233-3247 (toll-free)

Applicant attests to reading and understanding this Equal Opportunity Notice of Rights.

Applicant Signature

Date

Washington Discrimination Complaint Form

Please read the form carefully. **Type or print your answers.** Answer each question as completely as possible. If you cannot fit your whole answer in the space on this form, you may add more pages.

If a question or field has a star (*) next to it, you must answer that question. You do not have to answer the other questions, but if you do, it will help us to process your complaint. If you do not know the answer to a question, put "not known" in the space for the answer. If the question does not apply to your case, put "n/a."

***1. Are you the complainant or a representative of the complainant?** Please check the correct box.

Complainant Representative

2. Please give your name and contact information below. *If you are a representative of the complainant, give the complainant's name and contact information in this section and your own name and contact information in section 2A.

Complainant's Name:

Street or Mailing Address, City, State, Zip Code:

Telephone number(s):

Email Address:

***2A. If you are the complainant's representative, please give your name and contact information in this section and attach a letter or other document signed by the complainant authorizing you to serve as the complainant's representative.**

Representative's Name:

Representative's Organization (if any):

Street or Mailing Address, City, State, Zip Code:

Telephone number(s):

Email Address:

For the rest of the questions on this form, if you are filing this discrimination complaint on behalf of someone else, "you" means that person (the complainant), not you personally. Please give the answers the complainant would give if they were filling out the form.

***3. This discrimination complaint is about something that happened to (please check the appropriate box):**

Only me Me and other people Other people, but not me

I am a: Customer Employee Job applicant

***4. Please give the name of the WorkSource Center, service provider, or organization that you are complaining about. If you have any contact information for the WorkSource Center, service provider, or organization, please give that information as well.**

Name of Office or Organization:

Street or Mailing Address, City, State, Zip Code:

Telephone Number(s):

Email Address:

***5. What program was involved in the discrimination you are complaining about?** If you do not know the name of the program and your discrimination complaint does not involve a WorkSource Center or a service provider, please check "Do not know".

- Employment Service or Job Service
- Migrant and Seasonal Farm Workers Program
- Trade Adjustment Assistance Program
- Unemployment Insurance Benefit Program
- Workforce Innovation and Opportunity Act Program (Dislocated Worker, Adult, Youth)
- Other (what program?)
- Do not know

***6. What person(s), if known, at the WorkSource Center, service provider, or organization listed in response to question 4 above was engaged in the alleged discrimination?** If you need more space to list all the people, please attach more pages to this form.

Person's Name:
Job Title:
Telephone Number:

Person's Name:
Job Title:
Telephone Number:

Person's Name:
Job Title:
Telephone Number:

Person's Name:
Job Title:
Telephone Number:

***7. What do you think was the *basis (reason)* for the alleged discrimination?** Please check the boxes next to all of the bases (reasons) you think were involved in the alleged discrimination and answer any other questions that go along with that box.

Because of my disability (please check one of the following three boxes).

I have a disability (which may be active or inactive right now).

What is your disability?

I have a record of a disability.

What was your past disability?

I do not have a disability, but the organization or program treats me as if I am disabled.

Because of my national origin (please answer the questions below).

Are you Hispanic or Latino? Please check a box. Yes No

What is your national origin (the country from which you, your parents, your grandparents, or your earlier ancestors came)?

Because of my limited English proficiency. What is the language in which you feel most comfortable communicating?

Because of my race (please check all that apply).

American Indian or Alaska Native

Asian

Black or African American

Native Hawaiian or Other Pacific Islander

White or Caucasian

Because of my color. What is your color?

Because of my sex. What is your sex?

Because of my gender identity. What is your gender identity?

Because of my transgender status.

Because of sex stereotyping.

Because of my pregnancy and related medical conditions.

Because of childbirth and related medical conditions.

Because of my religion. What is your religion?

Because of my age. What is your date of birth?

Because of my political affiliation or political belief. What is your political affiliation or political belief?

Because of my citizenship. What is your citizenship?

Because of my participation in a program that receives federal financial assistance.
Name the program:

I was retaliated against because I complained about discrimination or because I gave a statement or was involved in some other way with someone else's discrimination complaint.

***8 For each of the bases (reasons for discrimination) you checked above, please explain what happened, how you were (or someone else was) harmed by what happened, and how or why you think what happened was because of discrimination.** For example, if you checked "Because of my race," list the facts you think to explain **how or why** you think what happened was because of the race of you or the person(s) who were harmed.

If other persons or groups were treated differently from you, please describe who was treated differently, how their treatment was different, and how the different treatment harmed you (or the other people you think were discriminated against.) Please be specific and brief. Give the name(s) of and contact information for any of the people involved, in known.

If your answer does not fit in the space below, please use more pages to finish your answer and attach those pages to this form.

***9. On what date(s) did the alleged discrimination take place?**

Date of the first action:

Date of most recent action:

If the date of the most recent alleged discriminatory action was more than 180 days ago, please explain why you did not file a discrimination complaint before now.

10. Please list below any other people (witnesses, coworkers, supervisors, or others), if known, whom you have not already named and whom we should contact for information about your discrimination complaint. Attach additional pages if you need more space for this information.

Person's Name:

Relationship to case (witness, coworker, etc.):

Telephone number(s) and/or email address(es):

Person's Name:

Relationship to case (witness, coworker, etc.):

Telephone number(s) and/or email address(es):

Person's Name:

Relationship to case (witness, coworker, etc.):

Telephone number(s) and/or email address(es):

11. What remedies are you asking for? For example, getting benefits or training you did not receive, changes in policies, etc. *PLEASE NOTE: The laws that CRC enforces do not allow for punitive damages. Money may only be awarded to compensate victims of discrimination for actual losses.*

***12. Have you filed a written complaint with anyone else, such as the Equal Employment Opportunity Commission (EEOC), the Washington State Human Rights Commission (HRC), or the U.S. Department of Labor Civil Rights Center (CRC), about the same events or actions you describe on this form?** If yes, please answer these questions as best you can about each organization where you filed a written complaint.

Where did you file your complaint?

When did you file your complaint?

Name and contact information for the person working on your complaint, if known:

Has the place where you filed your first written complaint given you a final decision about the complaint?

If yes, what was the date of the final decision?

Was the decision in writing? Include copies of written decisions, dismissals, or Right-to-Sue Letters, or other written responses to your complaint that you have received.

***13. Please sign and date this form in the appropriate space below.**

Signature of Complainant:

Date:

Signature of Complainant's Representative:

Date:

Please mail or email your complaint to:

**Benton-Franklin Workforce Development Council
Local Equal Opportunity Officer**

Cynthia N. Garcia

cgarcia@bf-wdc.org

(509)734-5986; Washington Relay Service 711

815 N. Kellogg St. Suite C

Kennewick, WA 99336

or

State-Level Equal Opportunity Officer

Teresa Eckstein

Employment Security Department

PO Box 9046

Olympia, WA 98507-9046

teckstein@esd.wa.gov

360-480-5708, Washington Relay Service 711

or

The 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 Web site at www.dol.gov/crc.

If you file your complaint with both the CRC and the Local Equal Opportunity Officer or State-Level Equal Opportunity Officer, the Equal Opportunity Officers have 90 calendar days to process the discrimination complaint, and CRC will not investigate the complaint until the 90 calendar-day period has expired.

Formulario de queja por discriminación de Washington

Lea atentamente el formulario. **Escriba en letra de molde o imprima sus respuestas.** Responda cada pregunta lo más completamente posible. Si no puede incluir toda su respuesta en el espacio de este formulario, puede agregar más páginas.

Si una pregunta o campo tiene un asterisco (*) al lado, usted tiene que responder esa pregunta. No es necesario que responda las otras preguntas, pero si lo hace, nos ayudará a procesar su queja. Si no sabe la respuesta a una pregunta, coloque "no lo sé" en el espacio para la respuesta. Si la pregunta no se aplica a su caso, escriba "n/a".

***1. ¿Es usted el denunciante o el representante del denunciante?** Marque la casilla correcta.

Denunciante Representante

***2. Proporcione su nombre e información de contacto a continuación. Si usted es un representante del denunciante, proporcione el nombre del denunciante y la información de contacto en esta sección, y su nombre e información de contacto en la sección 2A.**

Nombre del denunciante:

Calle o dirección postal, ciudad, estado, código postal:

Número(s) telefónico(s):

Dirección de correo electrónico:

***2A. Si usted es el representante del denunciante, proporcione su nombre e información de contacto en esta sección y adjunte una carta u otro documento firmado por el denunciante, donde le autorice a actuar como representante del denunciante.**

Nombre del representante:

Organización del representante (si corresponde):

Calle o dirección postal, ciudad, estado, código postal:

Número(s) telefónico(s):

Dirección de correo electrónico:

Para el resto de las preguntas presentadas en este formulario, "usted" se refiere al denunciante y no al representante o persona que este ayudando al denunciante. Por favor, proporcione las respuestas que el denunciante proporcionaría si estuviera completando el formulario.

***3. Esta queja por discriminación se trata de algo que le sucedió a (marque la casilla correspondiente):**

Solamente a mí A mí y otras personas Otras personas, pero no a mí

Yo soy un(a): Cliente Empleado(a) Solicitante de empleo

***4. Proporcione el nombre del Centro de WorkSource, el proveedor de servicios o la organización de la que se queja. Si tiene alguna información de contacto del Centro de WorkSource, el proveedor de servicios u organización, también proporcione esa información.**

Nombre de la oficina u organización:

Calle o dirección postal, ciudad, estado, código postal:

Número(s) telefónico(s):

Dirección de correo electrónico:

***5. ¿Qué programa estuvo involucrado en la discriminación de la que se queja?** Si no sabe el nombre del programa, y su queja por discriminación no involucra a un Centro de WorkSource o un proveedor de servicios, marque "No sé".

- Servicio de Empleo
- Programa de trabajadores agrícolas migrantes y de temporada
- Programa de Asistencia por Ajuste Comercial
- Programa de beneficios del seguro por desempleo
- Programa de la Ley de Innovación y Oportunidades para la Fuerza Laboral (Trabajador desplazado, adulto, joven)
- Otro (¿Qué programa?)
- No sé

***6. ¿Qué persona(s), si lo sabe, en el Centro de WorkSource, proveedor de servicios u organización que proporcionó en la pregunta 4 estuvo involucrada en la presunta discriminación?** Si necesita más espacio para enumerar a todas las personas, adjunte más páginas a este formulario.

Nombre de la persona:

Puesto de trabajo:

Número de teléfono:

Nombre de la persona:

Puesto de trabajo:

Número de teléfono:

Nombre de la persona:

Puesto de trabajo:

Número de teléfono:

Nombre de la persona:

Puesto de trabajo:

Número de teléfono:

***7. ¿Cuál cree que fue el *fundamento* (razón) de la presunta discriminación?** Marque las casillas junto a todos los fundamentos (razones) que cree que estuvieron involucrados en la presunta discriminación y responda cualquier otra pregunta que acompañe a esa casilla.

Por mi discapacidad (marque una de las siguientes tres casillas).

Tengo una discapacidad (que puede estar activa o inactiva en este momento).

¿Qué discapacidad tiene?

Tengo un historial de una discapacidad.

¿Cuál era la discapacidad que tenía?

No tengo una discapacidad, pero la organización o el programa me trata como si estuviera discapacitado.

Por mi país de origen (responda las preguntas a continuación).

¿Es hispano(a) o latino(a)? Marque una casilla. Sí No

¿Cuál es su país de origen (el país de donde vinieron usted, sus padres, sus abuelos o sus antepasados)?

Por mi dominio limitado del inglés. ¿En qué idioma se siente más cómodo comunicándose?

Por mi raza (marque todas las que correspondan).

Nativo americano o nativo de Alaska

Asiático

Afroamericano

Nativo de Hawái u otra Isla del Pacífico

Blanco o caucásico

Por mi color. ¿Cuál es su color?

Por mi sexo. ¿Cuál es su sexo?

Por mi identidad de género. ¿Cuál es su identidad de género?

- Por mi estado transgénero.**
- Por los estereotipos sexuales.**
- Por mi embarazo y afecciones médicas relacionadas.**
- Por el parto y afecciones médicas relacionadas.**
- Por mi religión.** ¿Cuál es su religión?
- Por mi edad.** ¿Cuál es su fecha de nacimiento?
- Por mi afiliación política o creencias políticas.** ¿Cuál es su afiliación política o creencias políticas?
- Por mi ciudadanía.** ¿Cuál es su ciudadanía?
- Por mi participación en un programa que recibe ayuda financiera federal.** Nombre el programa:
- Tomaron represalias en mi contra** porque me quejé de discriminación, o porque di una declaración o estuve involucrado de alguna otra manera con la queja por discriminación de otra persona.

***8 Para cada uno de los fundamentos (razones de discriminación) que marcó anteriormente, explique qué sucedió, cómo le perjudicó a usted (o a alguien más) lo que sucedió y cómo o por qué cree que lo que sucedió se debió a la discriminación.** Por ejemplo, si marcó “Por mi raza”, enumere los hechos que crea que expliquen **cómo o por qué** cree que lo que sucedió es debido a su raza o a la de las personas que resultaron perjudicadas.

Si trataron a otras personas o grupos de forma diferente a usted, describa a quienes trataron de forma diferente, cómo se les trató de forma diferente y cómo el trato diferente lo perjudicó a usted (o a las otras personas que cree que discriminaron). Sea específico y breve. Proporcione el nombre(s) y la información de contacto de cualquiera de las personas involucradas, si lo sabe.

Si su respuesta no cabe en el espacio a continuación, utilice más páginas para terminar su respuesta y adjunte esas páginas a este formulario.

***9. ¿En qué fecha(s) sucedió la presunta discriminación?**

Fecha del primer acto:

Fecha del acto más reciente:

Si la fecha del presunto acto de discriminación más reciente fue hace más de 180 días, explique por qué no presentó una queja por discriminación antes.

10. Enumere a continuación cualquier otra persona (testigos, compañeros de trabajo, supervisores u otros), si lo sabe, a quienes aún no ha nombrado y con los que debemos comunicarnos para obtener información sobre su queja por discriminación. Adjunte más páginas si necesita más espacio para esta información.

Nombre de persona:

Relación con el caso (testigo, compañero de trabajo, etc.):

Número(s) de teléfono y/o dirección(es) de correo electrónico:

Nombre de persona:

Relación con el caso (testigo, compañero de trabajo, etc.):

Número(s) de teléfono y/o dirección(es) de correo electrónico:

Nombre de persona:

Relación con el caso (testigo, compañero de trabajo, etc.):

Número(s) de teléfono y/o dirección(es) de correo electrónico:

11. ¿Qué soluciones estás pidiendo? Por ejemplo, recibir beneficios o capacitación que no recibió, cambios en las políticas, etc. *TENGA EN CUENTA: Las leyes que el Centro de Derechos Civiles hace cumplir no permiten la indemnización por daños y perjuicios. Solo se puede otorgar dinero para compensar a las víctimas de discriminación por pérdidas reales.*

***12. ¿Ha presentado una queja por escrito con alguien más, como la Comisión de Igualdad de Oportunidades en el Empleo (EEOC, por sus siglas en inglés), la Comisión de Derechos Humanos del Estado de Washington (HRC, por sus siglas en inglés) o el Centro de Derechos Civiles del Departamento de Trabajo de los Estados Unidos (CRC, por sus siglas en inglés) sobre los mismos eventos o actos que describe en este formulario?** Si es así, responda estas preguntas lo mejor que pueda sobre cada organización en la que presentó una queja por escrito.

¿Dónde presentó su queja?

¿Cuándo presentó su queja?

Nombre e información de contacto de la persona que está trabajando en su queja, si lo sabe:

¿El lugar donde presentó su primera queja por escrito le ha dado una decisión final sobre la queja?

Si es así, ¿cuál fue la fecha de la decisión final?

¿La decisión se hizo por escrito? Incluya copias de decisiones escritas, despidos o cartas de derecho a demandar, u otras respuestas por escrito a su queja que haya recibido.

***13. Firme y ponga la fecha en este formulario en el espacio correspondiente a continuación.**

Firma del denunciante:

Fecha:

Firma del representante del denunciante:

Fecha:

Envíe su queja por correo postal o electrónico a:

**Benton-Franklin Workforce Development Council
Local Equal Opportunity Officer**

Cynthia N. Garcia

cgarcia@bf-wdc.org

(509)734-5986; Washington Relay Service 711

815 N. Kellogg St. Suite C

Kennewick, WA 99336

o

State-Level Equal Opportunity Officer

Teresa Eckstein

teckstein@esd.wa.gov

360-480-5708, Washington Relay Service 711

Employment Security Department

PO Box 9046

Olympia, WA 98507-9046

o

The Director, Civil Rights Center (CRC)

U.S. Department of Labor

200 Constitution Avenue NW, Room N-4123

Washington, DC 20210

o electrónicamente como se indica en el sitio web del Centro de derechos civiles en www.dol.gov/crc.

Si presenta su queja tanto al Centro de derechos civiles (CRC, por sus siglas en inglés) como al Oficial de Igualdad de Oportunidades Local o el Oficial de Igualdad de Oportunidades a Nivel Estatal, los Oficiales de Igualdad de Oportunidades tienen 90 días calendario para procesar la queja por discriminación y el CRC no investigará la queja hasta que el período de 90 días calendario haya expirado.



MEMORANDUM

DATE: April 27, 2021
TO: BFWDC Full Board
FROM: Becky Smith, Office Manager
SUBJECT: Board Re-Appointment

It is that time of year when we look at board re-appointments. As you know, board members are appointed for a three-year term. I would like to recommend a motion that the following board member be re-appointed to the board contingent on the Commissioner's Resolutions from Benton and Franklin Counties.

Name	Company	Designation	Term Expiration	New Term Expiration
Bob Legard	IBEW Local 112	Labor	6/30/21	6/30/24
Carol Moser	Greater Columbia Accountable Community Health	Business	6/30/21	6/30/24
Jim Smith	Southeast Washington Northwest Oregon Sheet Metal Training	Labor	6/30/21	6/30/24
Michael Bosse	Columbia WA Building & Construction Trade Council	Labor	6/30/21	6/30/24
Michael Lee	Columbia Basin College	Higher Ed	6/30/21	6/30/24

Vision

The Benton-Franklin Workforce Development Council contributes to our prosperous community by elevating the human potential



Mission

Promoting a prosperous community by providing a progressive workforce system

Benton-Franklin Workforce Development Council (BFWDC) is one of the twelve (12) local/regional workforce development areas designated by the Governor of Washington State. The BFWDC coordinates and leverages workforce investments and strategies with stakeholders from education, economic development, labor and community-based organizations to advance the economic health of their respective communities through a skilled and competitive workforce

March 2021 Liaison Report

Program Year July 2020-June 2021



A proud partner of the AmericanJobCenter network

Providing Employment and Training Services to Job Seekers and Employers

Total Staff Assisted Job Seekers: 487
Total Staff Assisted Services to Job Seekers: 1028
Unique Number of Businesses Served: 150
Staff Provided Business Services: 270

For More information contact 509-734-5900 or visit WorkSourceWA.com



Creating Pathways to Success for Youth and Young Adults 16-24

TC Futures Total Youth Served (YTD): 277
Out-of-School Youth (OSY) Program: 161
Open Doors Program: 169
Co-enrolled in Both Programs: 53
Youth Attained General Education Development (GED): 37
Total OSY Employed and/or Post-Secondary Exits: 38
Average Wage: \$14.35
Placement Rate: 74%

For more information contact 509-537-1710 or visit TCFutures.org

Workforce Innovation and Opportunity Act (WIOA) Title 1 Programs Employed Outcomes

*Youth * Adult * Dislocated Worker * Rapid Response Increase Employment * Disaster Recovery * Employment Recovery*

Total Participants Served (YTD): 509

Monthly-to-Date Target: 598

Total Employed Exits (YTD): 161

Monthly-to-Date Target: 303

Additional BFWDC Programs

Economic Security for All (EcSA)

Participants Served (YTD): 38 Total Employed Exits: 7
Monthly-to-Date Target: 30 Monthly-to-Date Target: 10

Families Forward Washington (FFW)

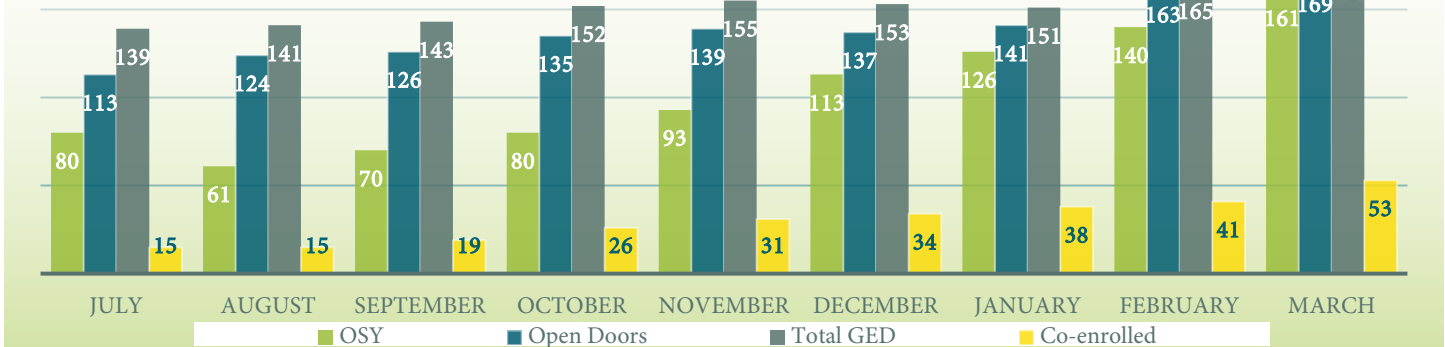
Enrolled: 73 Study Goal: 56
Placed in Employment: 58

NOTE: Although the doors of WorkSource Columbia Basin and TC Futures are closed to the public due to COVID- 19, staff continues to provide virtual services to job seekers and businesses. Please visit WorkSourceWA.com or TCFutures.org for a full menu of services. As of June 29th, TC Futures started providing GED testing services by appointment only.

The Benton-Franklin Workforce Development Council is an Equal Opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Washington Relay: 711



TC Futures Numbers March 2021



GED Testing			
Month	Total	Passed	Graduates
July	15	10	4
August	22	16	5
September	25	18	0
October	13	9	2
November	18	13	0
December	33	29	7
January	40	29	7
February	32	26	2
March	60	43	10
Total	258	193	37

Social Media Insights		
Month	Followers	People Reached
July	328	5351
August	339	2876
September	353	5026
October	360	6916
November	395	12223
December	446	14893
January	447	11515
February	492	8099
March	502	11138

GED Highlight

TC Futures reached another milestone this month with 10 GED graduates from Kennewick, Pasco, Richland and Prosser. We also administered more individual GED tests than we have in any other month to date. Though we are still pushing to reach our goal of an 80% individual test pass rate, we are very proud of the current 74.8% pass rate.

Facility Update

We are continuing to take steps forward as a state, and as a center. We are now open at 50% capacity in accordance with the state guidelines. This allows us to have 50 people in the building at one time. Currently, it is rare for us to have more than 20 at any given time, so we will continue to operate with the same standards we have been using at 25% capacity. WIOA Title 1 services will continue to be conducted virtually. We have also received news from our property owners, Basin Pacific Insurance, that they will be updating all of the HVAC systems with MERV13 filters and an air purification system that fights against COVID-19. We also recently added new network ports in the back classrooms to provide additional isolated workspaces.



Follow @tricitysfutures on Facebook and Instagram!



TC Futures is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. WA Relay Service: 711





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WorkSource Operator Report

Benton Franklin Workforce Consortium

March 2021

March Highlights:

- The March 9th Virtual Career Fair (co-hosted with CBC and WSU-Tri) attracted 47 local business, 176 job seekers and 131 referrals.
- At WSCB’s exit conference for Agricultural Monitoring on 3/26, the State Monitor Advocate (Office of Agricultural & Seasonal Workforce Services, ESD) gave high praise to WSCB for our functional integration of services.

WorkSource Site Operations:

Customer Counts 3/1-3/31/2021		
Total Staff Assisted Seekers	487	
Total Staff Assisted Services	1028	
<i>Basic Services</i>	896	
<i>Individualized, Training & Support Services</i>	132	
Unique Number of Businesses Served	150	
Staff Provided Business Services	270	
	Services Provided	Businesses Served
<i>Business Assistance</i> WorkSourceWA.com, Rapid Response, Business Friendly Programs, etc.	15	15
<i>Employee Training</i> Assessment, referral, enrollment, etc.	18	9
<i>Other</i> Employer outreach visit, marketing business services, etc.	88	72
<i>Recruitment</i> Hiring events, referrals, etc.	149	83
<i>Wage & Occupation Information</i> Labor Market Info, etc.	0	0

Data reporting Sources - Job Seeker Services: ETO Local Reporter Services Report OPTIMIZED & Business Services: ETO Staff Provided Business Services (4/9/21)

Number of unique job seekers and services provided have decreased this month compared to March 2020. Mitigation is occurring through targeted outreach to hundreds of customers. See the Service Delivery section below for additional details.



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March 2021 Customer Satisfaction Survey:

- 56 survey responses received (*11% response rate*):
 - Of the customers who responded, 94% would refer family and friends
 - Top 3 services rated: job search, training resources, and one-on-one career guidance
- Customer Feedback – What we did well:
 - “Bessie Garza was extremely knowledgeable and helpful.”
 - “Yolanda contacted me in a short time and explained how, when and where my flaggers class was being conducted and the cost.”
 - “You showed me a path forward. I am a 60 year old man suddenly without a career I went to college for. I was not sure I could ever get a living wage job again and with your help I as able to do that.”
- Customer Feedback – What we can do better:
 - “Raise the poverty level you want people to be in to give help ex: I made more than what you allow to get help for my cdl class a training Assistance.”
 - “A few videos of reference to motivate were not a good fit for the audience that was in class...Be a little more conscientious of who is in class.”
 1. This feedback has been shared with the Group Services Team for further investigation and resolution.

Service Delivery

Career Services:

- Despite efforts to engage customers, demand for services continues to be low as compared to March 2020. Engagement efforts include, but are not limited to:
 - Continued collaboration with community partners, such as MidColumbia Library and the local food banks to distribute educational materials.
 - Sector based outreach to customers receiving Unemployment Insurance (UI) benefits by phone and GovDelivery email continues.
 - Creation and distribution of materials highlighting our services, including one-on-one appointments, workshops, technical assistance, and more.
 - Use of social media, including Facebook and LinkedIn, to share upcoming events and services available to businesses and jobseekers.
 - Communication amongst WorkSource and community partners to ensure all are informed and able to refer customers to WSCB services as appropriate.
 - One on one connections with customers via phone and email.
 - Multiple ways to contact WSCB, including use of information request forms, email, and staffing of the main phone line for incoming calls.
- During March, WSCB provided 82 group services to 26 individuals through our local workshops and group sessions. The most attended workshop during March is the Strategies for Success series, which provides opportunities for attendees to connect with peers and to learn skills that will support them in life as well as work. Topics include communication,
- Our Assessment Taskforce is preparing additional training for WSCB staff, including the Myers Briggs Type Indicator (MBTI) and Talent Central.



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- LinkedIn Learning Pilot efforts focused on identifying occupational clusters impacted by COVID. Outreach and targeted messaging to managers, restaurant workers, and youth receiving Unemployment Insurance benefits will occur in early April. These customers will receive information about LinkedIn Learning via email, group and 1:1 sessions.

1/4/2021 - 3/31/2021	Activated Licenses	Courses Viewed	Courses Completed	Videos Viewed	Videos Completed
Customers	13	6	0	13	2
Staff	52	66	12	299	234

Note: Customers and Staff include both WSCB & TC Futures.

- Team WSCB completed our self study process in preparation for 2021 Certification. Feedback gathered has been used to inform the Certification Application.

Business Services:

- The Business Services Team hosted the Spring 2021 Virtual Career Fair in partnership with CBC and WSU on 3/9/21. 231 individuals registered and 176 attended (76% of registrants.) 47 local employers attended and the event resulted in 131 employment referrals for 130 job seekers.
- To support the success of future events, Business Services will continue to issue collaborative press releases, connect one-on-one with local business via phone and email, and use GovDelivery to engage both businesses and job seekers. They will also share information within the WSCB partnership as well as with community partners.
- There will be a standing virtual job fair on the last Tuesday of each month.
- A business customer flow map was created to support certification work. It highlights the services available and outcomes/value add.

Note - WSCB team members continue to provide services 100% virtually at this time. Preparation for return to office is in progress in alignment with CDC guidance and the Governor’s Roadmap to Recovery plan.

Community Connections:

- 3/9 & 3/23: Attended the COVID-19 Local Decision Maker Briefing for awareness of community happenings and trends related to the pandemic. Information shared with WSCB and BFWDC stakeholders.
- 3/12: Collaboration call with Sara Schwan, Advocacy & Development Manager with MidColumbia Library to share updates and discuss future opportunities to expand workforce development accessibility through partnership.
- 3/17: Introduction to Luz Gonzalez-Virgen, Equal Pay Specialist with L&I, to learn about trainings/consultations available to WSCB business and job seeker customers.



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Staff Training & Development:

Training/Development Attended:

- 3/3: Certification – Functional & Programmatic Integration
- 3/10: Certification – Staff Competence and Training Participation
- 3/17: Certification – Performance & Accountability
- 3/31: WSCB Cross Training
- 3/31: WOWI Quick Start Training (*Dr. Neidert, WOWI*)

Upcoming Training/All Staff Meetings:

- 4/7: WSCB Business & Process Updates
- 4/14: LinkedIn Learning
- 4/21: Career Assessments
- April LinkedIn Learning focus for staff professional development: Diversity, Equity, and Inclusion
 - Staff choose a LinkedIn Learning course to view:
 - Unconscious Bias;
 - Communicating about Culturally Sensitive Issues; OR
 - Diversity, Inclusion, and Belonging
 - Then attend a discussion facilitated by Spokane Community College – *dates TBD*

Facilities:

- 3/16: Brashear Electric onsite to provide quote for relamping (conversion of current lights to LED).

Respectfully submitted by C. Bright on 4/9/21