

Upper Shore Workforce Board Equal Opportunity Policy Statement and Plan

Mission

Our mission is to provide Career and Training services that will lead to employment that is relevant and supportive to the local five-county economy. We are committed to assisting employers by offering in-demand training options designed to qualify individuals for careers in the region.

Vision

The Upper Shore Workforce Investment Board (USWIB) shall provide the highest quality workforce services to the five-county UPPER SHORE area, allowing opportunity for advancement to workers of all ages and skill levels, and meeting the current and future needs of local employers.

The USWIB is part of the National American Job Center network, which is composed of high-performing, results-oriented workforce organizations that invest in communities with employment and training strategies, providing resources to employers and job seekers, and sustaining and growing the local economy.

Plan Objective

The Equal Opportunity Plan is to provide a roadmap and guide for implementing policies and procedures for effectively handling all aspects of WIOA Section 188 Compliance. The plan was developed to demonstrate USWIB's commitment to Equal Opportunity in the delivery of WIOA Title I Adult, Dislocated Worker and Youth Services. In addition, the plan delineates the roles of the USWIB, Chesapeake College, Partners, Service Providers and Vendors. The plan is established to establish standards for accepting, evaluating and distributing complaints received within the local WIOA System that provides services to WIOA Title I Participants.

USWIB and Chesapeake College

Within this plan, the USWIB has the role of operating WIOA Title I Programs and Services. USWIB is the lead entity relative to WIOA Section 188 compliance oversight. USWIB is the entity responsible for coordinating, reporting and monitoring WIOA Section 188 Compliance activities. Chesapeake College serves as the employer of record and fiscal agent for the USWIB as stated in the October 1, 2018, Joint Administrative Agreement.

Purpose:

The purpose of the Equal Opportunity Plan is to communicate to employees, job applicants, USWIB WIOA Participants, State and federal regulatory agencies, and members of the public, the agency's commitment to providing a work and customer environment free from discrimination, harassment, intimidation, coercion, and retaliation, as prohibited by law. The USWIB is establishing this plan to clearly articulate the board's policies in compliance with WIOA Section 188.

Policy Statement:

It is the continuing policy of the USWIB to comply with all applicable Federal and State laws prohibiting employment discrimination and to provide equal opportunity to all employees and applicants for employment without regard to age, ancestry, color, creed, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, race, religious affiliation (belief or opinion), sex, sexual orientation or any other protected status. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. Participation in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected as long as the employee was acting on a reasonable belief that something in the workplace may violate EEO laws. In addition, USWIB is the non-profit entity charged with planning, implementing and delivering Title I WIOA Programs and Services within the Upper Shore WIOA Area. The USWIB is dedicated to the provision of services, outreach and partner collaboration that comply with WIOA Section 188. USWIB and its partners adhere to all applicable Federal and State laws prohibiting discrimination in employment and program service delivery including but not limited to:

- **Section 188 of WIOA which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency (LEP)), age, disability, or political affiliation or belief, or for the beneficiaries, applicants, and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under Title I of WIOA;**
- **Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin (including LEP);**
- **Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;**

- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs; and,
- 29 CFR Part 38 - IMPLEMENTATION OF THE NONDISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT
- Title I of the ADA, which prohibits discrimination in employment based on disability.
- Title II of the ADA, which prohibits State and local governments from discriminating based on disability.
- Section 427 of the General Education Provisions Act;
- Maryland Anti-Discrimination laws, including 5 Md. STATE GOVERNMENT Code Ann. §10-1101, which stipulates that oral language services must be delivered on-site for those in frequent contact with a service provider.

USWIB is committed to promoting the full realization of equal opportunity which aims to eliminate discrimination based on factors which are irrelevant to job performance or program eligibility. Every effort will be made to ensure that all employment decisions, personnel actions and program eligibility are administered in conformance with State and Federal statutes and regulations governing equal employment and WIOA Program Eligibility, including (but not limited to) recruitment, selection, training, promotion, transfer, termination, and other benefits related to employment and WIOA Services. This commitment must be an integral part of every aspect of USWIB personnel policy and equal opportunity compliance with WIOA Section 188.

USWIB Equal Opportunity Officer is responsible for ensuring that full cooperation is provided by all agency employees in the processing and resolution of complaint matters and investigations within the agency.

**USWIB EOO Designee: LWIOA Section 188 Compliance Umbrella Coordinator
EOO LWDB, WIOA TITLE I,**

USWIB Executive Director/Local EOO

Upper Shore Workforce Development Board at Chesapeake College

P.O. Box 8

Wye Mills, Maryland 21679

(410) 822-1716

<https://www.uswib.org>.

Partner EOO Designees & Referral Contacts are:

Title III Wagner-Peyser, Trade Act, Jobs for Veterans State Grant, Migrant and Seasonal Farmworkers, Unemployment Insurance

Service Agency - Maryland Department of Labor

Local Director

Labor Exchange Administrator
Department of Labor
Upper Shore One-Stop Career Centers
301 Bay ST
Suite 301
Easton, MD 21601
410-822-3030
dlwdaleastonisoffice-LABOR@maryland.gov

Statewide MD-Labor Coordinator

Yvette Dickens, EEO Director & ADA/504 Officer
Office of Fair Practices (OFP)
1100 North Eutaw Street, Room 613
Baltimore, Maryland 21201
Phone: 410-230-6319
Fax: 410-225-3282
Maryland Relay 7-1-1
Yvette.dickens@maryland.gov
<https://www.uswib.org>

**TITLE IV Rehabilitation Act of 1973, Amended –
Service Agency - Division of Rehabilitation Services (DORS)**

Local Contact – Caroline, Dorchester, Queen Anne’s & Talbot

8737 Brooks Drive
Easton, MD 21601
Fax: 410-819-6840
Easton.dors@maryland.gov

Local Contact – Kent

Regional Administrator
10461 Mill Run Circle, Suite LL1
Owings Mills, Maryland 21117
Phone: 410-998-2040
Fax: 410-998-2063
region5.dors@maryland.gov

Statewide Contact

Equity Assurance and Compliance Office –
Office of the Deputy State Superintendent for Finance and Administration
Maryland State Department of Education
200 W. Baltimore Street - 6th Floor
Baltimore, Maryland 21201-2595
410-767-0433 – voice
410-767-0431 – fax
<https://dors.maryland.gov/consumers/Pages/about.aspx>.

Title II – ABE, ASE, ESOL, Perkins Service Agency – Chesapeake College

Local Contact

Director of Human Resources
1000 College Circle, Wye Mills, MD 21679
Dorchester Administration Building
Phone: 410.827.5811
scianchetta@chesapeake.edu.

Social Security Act Part A TITLE IV – TANF Service Agency – County-based Department of Human Services

Caroline County – Local Contact

Director
207 South Third Street
Denton, Maryland 21629
Phone: [410-819-4500](tel:410-819-4500)
Fax: 410-819-4501
<https://dhs.maryland.gov/local-offices/caroline-county/>.

Dorchester County – Local Contact

Director
627 Race Street
Cambridge, Maryland 21613
Phone: [410-901-4100](tel:410-901-4100)
Fax Numbers: 410-901-1121
<https://dhs.maryland.gov/local-offices/dorchester-county/>.

Kent County – Local Contact

Director
350 High Street
P.O. Box 670
Chestertown, MD 21620
Phone: 410-810-7600
Fax: 410-778-1497
<https://dhs.maryland.gov/local-offices/kent-county/>.

Queen Anne’s County – Local Contact

Director
Department of Human Services
Queen Anne’s County Department of Social Services
125 Comet Drive
Centreville, MD 21617
Phone: 410-758-8000
Fax: 410-758-8110
<https://dhs.maryland.gov/local-offices/queen-annes-county/>.

Talbot County – Local Contact

Director
301 Bay Street
Easton, Maryland 21601
Phone: 410-770-4848
Fax: 410-820-7117
<https://dhs.maryland.gov/local-offices/talbot-county/>.

Statewide Coordinator

VACANT ADA Coordinator/EEO Compliance Officer
Department of Human Services
Office of Employment and Program Equity
311 West Saratoga Street, Suite 199
Baltimore, Md. 21201
Phone: 410 767- 7861
<https://dhs.maryland.gov/office-of-employment-and-program-equity/>.

TITLE V of the Older Americans Act –SCSEP

MAC, Inc. Local Contact – MAC, Inc – Dorchester County Office

Executive Director
MAC, Inc., Area Agency on Aging
909 Progress Circle, Suite 100
Salisbury, MD 21804
410-742-0505
<https://macinc.org/contact-us/>.

Local Contact – Caroline, Kent, Queen Anne’s & Talbot Counties

Labor Exchange Administrator
Department of Labor
Upper Shore One-Stop Career Centers
301 Bay ST
Suite 301
Easton, MD 21601
410-822-3030
dlwdaleastonisoffice-LABOR@maryland.gov

Statewide MD-Labor Coordinator

Yvette Dickens, EEO Director & ADA/504 Officer
Office of Fair Practices (OFP)
1100 North Eutaw Street, Room 613
Baltimore, Maryland 21201
Phone: 410-230-6319
Fax: 410-225-3282
Maryland Relay 7-1-1
Yvette.dickens@maryland.gov

Community Services Block Grant Act

Maryland Rural Development Corporation – Caroline & Kent Counties

Administrative Offices
Executive Director
101 Cedar Lane
Greensboro, MD 21639
410-482-2585 Ext. 233
info@mrdc.net

Delmarva Community Services – Dorchester County

Executive Director
Administrative Offices
2450 Cambridge Beltway
Cambridge, MD 21613
410-221-1900
www.dcsdct.org

SHORE UP! Inc. – Queen Anne’s County

Administrative Offices
Executive Director
520 Snow Hill Road
Salisbury, MD 21804

410-749-1142
agency@shoreup.org

Neighborhood Services Center – Talbot County

Executive Director
Administrative Offices
126 Port Street
Easton, MD 21601
(410) 822- 5015
www.nsctalbotmd.org

Statewide Coordinator

Department of Housing and Community Development

Office of Fair Practices
Office Director
7800 Harkins Road
Lanham, MD 20706
301-429-7400
www.dhcd.maryland.gov

The USWIB EOO Designee will, based on the complaint, make directed and documented referrals of complainants to the partner, service provider, employer or vendor responsible for the entity's EOO Compliance. Within this framework, the USWIB EOO Designee will take the role of facilitator, reporter, and informational resource coordinator with complaints that come under the compliance purview of the specific entity. In these situations, the USWIB EOO Designee will report the complaint, investigation and solution/decision outcome to the State and Federal WIOA Grantors. The USWIB EOO Designee will monitor the adherence by partners, service providers, vendors and employers to their compliance under the MOU/Contract between the USWIB and said organization. However, the USWIB EOO Designee will not impose or require the entity at question with any policy or procedure that exceeds the WIOA Board's Charter and WIOA Compliance. In cases where the USWIB EOO Designee sees violations or perceived violations, the EOO Designee will share their concerns with the Statewide WIOA Section 188 Compliance EOO Designee Yvette Dickens, Maryland Civil Rights Commission and the Civil Rights Center for guidance, reporting and referral.

Managers and supervisors are responsible for ensuring that the USWIB adheres to the Federal and State policies related to fair and non-discriminatory employment practices, to equitable and non-discriminatory services delivered under the WIOA Act. In addition, managers and supervisors are responsible for cooperating with EEO and EOO officials in complaint matters and are expected to support the participation of their employees in EEO and EOO matters. It is the policy of USWIB that all complaints of discrimination or other unfair employment and program practices be thoroughly investigated and promptly resolved, as appropriate. USWIB will assist and participate in any and all complaints that involve its staff, administrators or clients under Title I of WIOA.

The USWIB will foster a highly qualified and diverse workforce to support the Agency's mission. The USWIB's goal is to have a workforce that is reflective of our State and WIOA Local Area. USWIB is committed to offering client services without prejudice to any and all eligible individuals in the Upper Shore WIOA Area. We will develop and implement policies that promote equal employment opportunity and workforce diversification reflective of the availability of women, minorities, and persons with disabilities in the relevant labor market. USWIB will develop and implement programs, activities, and events to acknowledge and educate about diversity and cultural differences. The Upper Shore will ensure that program delivery does not discriminate based on age, race, national origin, sexual orientation or disability.

The USWIB Equal Opportunity Officer shall prepare any reports required with WIOA Section 188 Compliance. The report(s) will be submitted to the Statewide Equal Opportunity Coordinator, as designated by the Governor's Workforce Board and will document the degree to which the USWIB has directly engaged or provided oversight related to Upper Shore WIOA Title I Clients in any program discriminatory complaints. The reporting and oversight will include USWIB Title I Clients being referred to and receiving services from any WIOA partners, service providers, vendors or clients.

USWIB Board has a special arrangement that makes Chesapeake College the administrative entity on behalf of the Board's WIOA Administration. As mentioned earlier, Chesapeake College is the employer of record and fiscal administrator for the USWIB. With this special relationship, USWIB Administration and Staff are covered by employment policies and related Equal Employment Federal and State laws and regulations as approved by the Chesapeake College Administration.

Upper Shore Service Delivery

The Upper Shore WIOA Network covers the Five-County Area including Caroline, Dorchester, Kent, Queen Anne's, and Talbot Counties. The American Job Centers are housed in various location within the five counties.

Comprehensive Maryland Department of Labor

Talbot County - American Job Center Easton 301 Bay Street Suite 301 Easton, MD 21601
410-822-3030; <https://www.dllr.state.md.us/talbot-county/>.

Satellite Offices

Department of Social Services – Caroline County

Caroline County – American Job Center Denton 300 Market Street, Suite 301, Denton, MD 21629, 410-819-4549; d1wdaldentonjsoffice-LABOR@maryland.gov.

Upper Shore Scholarship Office

Dorchester County – American Job Center Cambridge 416-418 Race Street, Cambridge, MD 21613, 410-901-4250; dwdalcambridgeisoffice-LABOR@maryland.gov.

Upper Shore Scholarship Office

Kent County – American Job Center Chestertown 115 South Lynchburg Street, Chestertown, MD 21620, 410-778-3525; dwdalchestertownisoffice-LABOR@maryland.gov

Department of Social Services – Queen Ann’s County

Queen Anne’s County – American Job Center Centreville 125 Comet Drive, Centreville, MD 21617, 410-820-9966 dwdalcentreville-LABOR@maryland.gov.

The American Job Center Partners link employment and training system services, including WIOA and other community resources, to persons with disabilities by ensuring that all workforce offices are ADA compliant and that auxiliary aids are made available when requested by customers receiving services. The American Job Center Partners distribute and post required notices to ensure all eligible registrants and applicants are aware of the system's obligations to operate programs in a non-discriminatory manner.

Chesapeake College Employment Personnel Policies related to EEO and EOO are listed below as retrieved from the Chesapeake College Faculty and Staff Handbook. USWIB is placing these policies within its EO Plan to further codify and clarify the arrangement with Chesapeake College. These policies are listed as the standards that employees, administrators, customers and associates must abide by as part of the Chesapeake College Community.

Equal Opportunity Employment Policy

Section:	7 – Human Resources	Page:	1 of 2
Subject:	Equal Opportunity Employment Policy	Date:	4/24/2015
Contact:	Director of Human Resources	Rev:	9/24/2020

Chesapeake College is committed to a policy of equal opportunity for all persons so that no person, on the basis of race, color, religion, creed, age, national origin, ancestry, sex, gender identity, marital status, genetic information, disability, pregnancy, military status, sexual orientation, or any other class protected by law, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of this college. Under this policy, this college will not discriminate against any person on the grounds of race, color, religion, creed, age, national origin, ancestry, sex, gender identity, marital status, genetic information, disability, pregnancy, military status, sexual orientation, or any other class protected by law, in its admission policies and practices of the college relating to the treatment of students or other people in employment, the providing of services, financial aid, and other benefits and including the use of any building, structure, room, materials, equipment, facilities, or any other property.

Chesapeake College, as a recipient of federal financial assistance, is required by Title IX of the Education Amendments of 1972, as amended, not to discriminate on the basis of sex in the educational programs or activities that it operates. Chesapeake College is also covered by and complies with Title VI and Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin, the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1975, both of which prohibit discrimination on the basis of disability. The college is also covered by federal and state laws prohibiting discrimination in employment. The Director of Human Resources serves as the college's Equal Opportunity Officer, and is the designated compliance officer under Title VI, Title VII, Title IX, Section 504 and ADA Title II.

Any person who believes he/she has been subjected to any form of prohibited discrimination, including violations of any of these laws, may file a complaint of discrimination with the Director of Human Resources. Copies of the complaint procedure will be provided on request. All complaints will be investigated by the college, and if a violation is found, prompt corrective action will be taken. Persons dissatisfied with the results may appeal to the college President.

To ensure the implementation of this policy, Chesapeake College's Board of Trustees, administration, faculty, and staff have approved the following positive action procedures and goals:

-
- A. The college does and will continue to seek women and members of minority groups for all job openings. Job announcements will contain the college's Affirmative Action Statement. Job openings will be fully publicized in various types of media.
 - B. The college does and will continue to ensure that job qualifications are stated in such a manner that there are no barriers to full opportunity to application.
 - C. The college does and will continue to provide equal promotional opportunities for women and members of minority groups.
 - D. The college does and will continue to maintain the same salary scales for job levels for all employees.
 - E. The college does and will continue to provide equal employee benefits and conditions of employment for all employees.
 - F. The college does and will continue to recruit actively and to admit students to all curriculums regardless of race, color, religion, creed, age, national origin, ancestry, sex, gender identity, marital status, genetic information, disability, pregnancy, military status, sexual orientation, or any other class protected by law. All requests for medical, pregnancy, childbirth, and parental leaves of absences will be processed in accordance and comply with the Federal Family Medical Leave Act.
 - H. The college does and will continue to encourage the development of academic studies in areas that emphasize the role and status of women and minority groups.
 - I. The college does and will continue to provide opportunities for upgrading faculty and staff with equal consideration for women and minority groups.

J. The college does and will continue to make determined efforts to include women and minority groups in the membership of campus committees and task forces.

Harassment and Bullying Policy

Section:	7 – Human Resources	Page:	1 of 4
Subject:	Harassment and Bullying Policy	Date:	10/22/2015
Contact:	Director of Human Resources	Rev:	9/24/2020

It is the policy of Chesapeake College to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive, bullying or hostile environment.

Harassment:

1. Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, color, religion, creed, age, national origin, ancestry, sex, gender identity, marital status, genetic information, disability, pregnancy, military status, sexual orientation, or any other class protected by law. Special attention should be paid to the prohibition of sexual harassment.
2. Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.
3. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, nonsupervisory employees, students, vendors, suppliers, third parties or anyone under college control, also is prohibited. This conduct includes:
 - a. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 - b. Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
 - c. Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;
 - d. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;
 - e. Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages (such as email, instant messaging, and Internet materials).

- f. Negative stereotyping based upon one's gender, gender identity, or sexual orientation.

Any of the above conduct, or other offensive conduct, directed at individuals because of their race, color, religion, creed, age, national origin, ancestry, sex, gender identity, marital status, genetic information, disability, pregnancy, military status, sexual orientation, or any other class protected by law also is prohibited.

These types of behaviors are unacceptable on Chesapeake College campuses, in other work settings such as college business trips and at college-related social and athletic events. All college employees and particularly managers have a responsibility for keeping the work environment free of harassment.

4. Chesapeake College must be made aware of the discrimination or harassment before it can act to prevent or stop it. The college cannot take corrective action unless it has knowledge that a problem exists. Any incident or situation that an employee or individual under the college's control experiences should be brought to the attention of the employee's supervisor, the supervisor's supervisor, or Human Resources within 30 days of the incident or situation. It is also recommended, but not required, that an employee firmly and promptly notify the offender that his/her behavior is unwelcome. Any supervisor or manager who becomes aware of any possible discrimination or harassment should immediately advise Human Resources, regardless of whether the employee who has the complaint wants the supervisor/manager to do so.

5. Any individual who is accused of harassment by others, including other employees or students, will be given due process under existing college policies.

6. If an employee makes the college aware of a complaint of discrimination or harassment, Chesapeake College is obligated by law to investigate and, if appropriate, take prompt remedial action. For this reason, if a complaint of discrimination or harassment is brought to our attention, we will investigate, regardless of whether the employee who brought forward the complaint wants the college to do so. Chesapeake College will promptly and thoroughly investigate the facts and circumstances of any claim of harassment and will do its best to maintain the confidentiality of the complaint and the complaining employee to the extent practical and appropriate under the circumstances.

7. Any employee, supervisor, or manager who is found to have violated the harassment policy will be subject to appropriate disciplinary action, up to and including termination. The college prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. Retaliation is a serious violation of this policy, and any retaliation also should be reported immediately. Any person found to have retaliated against another individual for reporting harassment will be subject to disciplinary action, up to and including termination. Any individual who intentionally makes a false claim of discrimination or harassment is subject to discipline, up to and including termination.

Bullying Behavior:

Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior. Examples include:

- Abusive and offensive language
 - Insults
 - Teasing
 - Spreading rumors or innuendos
 - Unreasonable criticism
 - Trivializing work and achievements
 - Excessive demands
 - Setting impossible deadlines
 - Unfairly blaming for mistakes
 - Excessive supervision
 - Setting people up for failure
 - Deliberate exclusion
 - Criticizing in public
 - Belittling or disregarding opinions or suggestions
1. Bullying is unacceptable behavior that breaches principles of equality and fairness and frequently represents an abuse of power and authority.
 2. Employees have a responsibility to conduct themselves in a manner which ensures the proper performance of their job responsibilities and maintains co-worker and student confidence.
 3. It is recommended, but not required, that an employee who experiences bullying should clearly state to the alleged bully that his/her behavior is offensive to them, and request that such behavior stop.

4. Chesapeake College must be made aware of the bullying before it can act to prevent or stop it. The college cannot take corrective action unless it has knowledge that a problem exists. Any incident or situation that an employee or individual under the college's control experiences should be brought to the attention of the employee's supervisor, the supervisor's supervisor, or Human Resources within 30 days of the incident or situation.
5. Any supervisor who receives a report or who has knowledge of bullying must immediately contact his/her department head and the Director of Human

- Resources. Any supervisor who has knowledge of such behavior yet takes no action to address it is also subject to disciplinary action.
6. Each complaint of bullying shall be fully investigated and a determination of appropriate response shall be made on a case-by-case basis.
 - a) Complaints will be treated confidentially to the extent possible for a thorough investigation and resolution.
 - b) Individuals involved in an investigation shall be treated professionally and shall not be subjected to retaliation in any form. Any individual who is accused of bullying by others, including other employees or students, will be given due process under existing college policies.
 7. Any employee, supervisor, or manager who is found to have violated the bullying policy will be subject to appropriate disciplinary action, up to and including termination. The college prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about bullying. Retaliation is a serious violation of this policy, and any retaliation also should be reported immediately. Any person found to have retaliated against another individual for reporting bullying will be subject to disciplinary action, up to and including termination. Any individual who intentionally makes a false claim of bullying is subject to discipline, up to and including termination.
 8. Bullying is considered a form of employee misconduct. Disciplinary action up to and including termination shall be taken against any employee engaging in this type of behavior.

Questions regarding this policy, or its application to any situation, should be referred to Human Resources.

Based on the administrative and operational agreements any and all employee/employer related actions involving these two policies fall under the complaint and appeal purview of the Chesapeake College Office of Human Resources. Inserted below is a third policy that speaks to Workplace Complaints and the process for filing and handling a complaint by Chesapeake College's HR Office.

Workplace Harassment/Discrimination Complaints

Section:	7 – Human Resources	Page:	1 of 4
Subject:	Workplace Harassment/Discrimination Complaints	Date:	7/1/2009
Contact:	Director of Human Resources	Rev:	7/1/2017

POLICY

- A. This policy addresses complaints that allege workplace harassment/discrimination on the basis of race, color, religion, creed, age, national origin, ancestry, sex/gender, gender identity, marital status, genetic information, disability, pregnancy, military status, sexual orientation, or any other class protected by law. Harassment based on most of these characteristics is a prohibited form of discrimination under federal or state law and is a violation of college policy. Every employee and student will be subject to disciplinary action for violation of this policy.
- B. College policy as well as federal and/or state law prohibit discrimination on any of the above mentioned characteristics with respect to the following:
 1. Employment including hiring, promotion, discharge or terms, conditions and privileges of employment.
 2. Academic matters including grading and recommendations.
 3. Participation in or access to programs or services of the college.
- C. The Director of Human Resources has overall responsibility for assuring college compliance with non-discrimination laws and regulations.
- D. The President of the college has the overall responsibility for approving any recommendations for disciplinary action based on the findings of the investigative process. The person so disciplined shall not have any other mechanisms for appeal or review of the President's decision.

PURPOSE

- A. This policy is intended to provide a mechanism for complaints of all forms of unlawful discrimination or harassment. Examples of prohibited conduct include, but are not limited to:
 1. The use of protected characteristics as a negative factor in admissions, hiring or promotion.
 2. The refusal to make reasonable accommodations, academic adjustments, provide auxiliary aids or services, modify policies and procedures or remove barriers for an otherwise qualified person with a disability when needed in the classroom, in employment or in access to other programs and services of the college.

3. The use of racial epithets or slurs directed at a member of a particular group.
 4. Workplace harassment.
- B. This complaint procedure is available and applicable to any person who, at the time of the acts complained of, was a member of the college community, a vendor, supplier or any third party under college control.
 - C. This policy protects and provides a mechanism for investigation of complaints by all protected individuals, regardless of the position or status of the person who is alleged to have engaged in discrimination or harassment. This policy applies to claims by students against other students, faculty or staff; by users of college services against members of the college community, including students, faculty and staff; and complaints by faculty and staff against others, including students and vendors.
 - D. This policy affirms the college's vital commitment to academic freedom. The college recognizes that there may be situations when verbal statements or other forms of expression or conduct are the subject of a complaint, and the prohibitions of discrimination or harassment under this policy or federal law might appear to be in conflict with traditional notions of academic freedom. The purpose of this policy is not to control the content of speech or academic material. The courts, federal agencies and the college recognize that the academic setting presents unique issues not present in the typical workplace, and that an integral part of the educational process is to expose students to new and controversial ideas.
 - E. This complaint procedure is internal to the college. An aggrieved party may also have rights to file a complaint of discrimination/harassment with the appropriate federal or state agency.

PROCEDURE

- A. In conducting investigations and assessing discipline, the college will be guided by the principles of applicable federal and state law. Conduct that violates Title VII, Title IX, the ADA or other laws will always be deemed to violate college policy. Depending upon the severity of the conduct and the circumstances, the discipline for such conduct could include discharge or expulsion.
- B. Chesapeake College must be made aware of the discrimination or harassment before it can act to prevent or stop it. The college cannot take corrective action unless it has knowledge the problem exists. Any incident or situation should be brought to the attention of the individual's

supervisor, the supervisor's supervisor, and the Director of Human Resources within 30 days of the incident or situation. Complaints by students should be brought to the Vice President for Workforce and Academic Programs or the Director of Human Resources. It is also recommended, but not required, that an employee firmly and promptly notify the offender that his or her behavior is unwelcome. Any supervisor or manager who becomes aware of any possible discrimination or harassment should immediately advise Human Resources, regardless of whether the employee who has brought forth the complaint wants the supervisor or manager to do so.

- C. If a member of the college community makes the college aware of a complaint of discrimination or harassment, Chesapeake College is obligated by law to investigate and, if appropriate, take prompt remedial action. For this reason, if a complaint of discrimination or harassment is brought to our attention, we will investigate, regardless of whether or not the individual who brought forward the complaint wants the college to do so. Chesapeake College will promptly and thoroughly investigate the facts and circumstances of any claim of harassment and will do its best to maintain the confidentiality of the complaint and the complaining employee to the extent practical and appropriate under the circumstances.
- D. This is a non-adversarial process. Respondents will be advised of the allegations, but there will be no formal hearing or cross-examination. Complainants and respondents may name witnesses who will be interviewed privately. A complainant or respondent may have another member of the campus community present during their interviews. Outsiders, including attorneys have no standing in this process.
- E. All members of the college community as a condition of that membership are expected to cooperate fully.
- F. A formal investigation can be terminated at any time if a satisfactory resolution is agreed to before a written finding is made.
- G. All investigation findings and recommendations will be reviewed and approved by the VP for Administrative Services. The Director of Human Resources will notify the complainant, respondent and relevant vice president(s) in writing of the findings and recommendations within ten (10) days of the investigative report.
- H. If the respondent is found to be guilty, disciplinary action will be taken and may include, but not be limited to: counseling, oral/written warnings, reprimands, suspension, demotion, expulsion or termination.
- I. Respondents or complainants dissatisfied with the outcome of the investigation may submit a written appeal of the decision to the

USWIB includes the three above policies from the Chesapeake College Faculty and Staff Handbook for reference to the partnership that is addressed in the cooperative agreement with USWIB. These three policies address specific affirmative standards for non-discriminatory behavior. The policies speak to appropriate and inappropriate behavior that determines employee adherence to the college's policies and any & all local, state and federal legal standards. USWIB will incorporate these policies into any guide or training resource for USWIB Staff and Administration.

III. Complaint Procedure

An employee, applicant for employment, WIOA Client may file a complaint of discrimination with the head of the principal unit, fair practices officer, or equal employment opportunity officer.

- 1) WIOA Section 188 Complaints must be filed within thirty (30) days after first knowing or reasonably knowing of the alleged violation.
- 2) The complaint must be made in writing to the USWIB EOO Designee.
- 3) Within thirty (30) days, the EOO Officer shall investigate the complaint and recommend a proposed decision to the head of the principal unit. The full investigation and proposed decision by the USWIB EOO Designee will be responsible for the entire process related to WIOA Title I Clients formally participating within the USWIB WIOA organization.
- 4) The USWIB EOO Designee shall issue a written decision to the Complainant and may grant an appropriate relief. Again, the USWIB WIOA EOO designee will be responsible for the written report for complaints directly impacting Registered WIOA Title I Participants that have filed complaints directed against the USWIB.

Under WIOA Section 188 Compliance the local WIOA Board and their EOO Designee is required to coordinate and collaborate with all the partners, one-stop operator, service providers, vendors and employers in the delivery of services. Within this organizational structure, the USWIB EOO Designee will be responsible for reporting any and all EOO Complaints filed against the partners, service providers, vendors, one-stop operator, employers, etc. where the complaint impacts an individual enrolled and participating as an eligible WIOA Title I Participant through USWIB Workforce Services. In this section of the plan's Complaint Procedures, the role and responsibilities of the USWIB Board and Administration will be clarified.

Shared responsibility between the Chesapeake College Human Resource Office and USWIB Executive Director are defined in two key areas.

Human Resource Equal Employment Compliance would be shared when a staff employee and/or USWIB Executive Director are part of an action that is defined as a labor law or EEO/ EOO Complaint. Under this situation the complaint would be filed with the EEO Officer designated by the college. It is important that information and acknowledgement of the issue is shared between the parties at Chesapeake Human Resources and USWIB Administration. In-turn, the USWIB will need to be advised of the issue, complaint and recommended solutions in order to approve any by-law or board action that requires their approval.

Section 188 Program Compliance would be shared in situations where the WIOA 188 Compliance Complaint is involving USWIB WIOA Staff that have directly violated or have been designated by the complainant in the formal written complaint. The College HR/EEO designee may be engaged based on any violations that would require corrective action, disciplinary action up to termination of the employee referenced in any written complaint. If the issue is a situation that is mitigated to an affirmative resolution prior to a formal complaint employee disciplinary action may not play a role. Additionally, College-USWIB Title I participants may have complaints that focus on EEO and centered on delivery of services by the college or staff. Based on the USWIB WIOA Compliance responsibilities, shared engagement in the handling of and reporting of any complaints, regulatory or legal violations and determined resolution will need to be shared for State and Federal reporting purposes beyond the normal channels to include the State and Federal WIOA Section 188 requirements.

External compliance related to Partners, Job Seekers, Employers, Service Providers and Vendors

Partners have a special role in the WIOA System based on the designation by the Federal Law as referenced in **WIOA Public Law 113-128** designating specific federally funded programs engage as a required partner or another partner. In addition, the Governor makes the State and Local Partner Designations via the Governor's WIOA Board and in-turn the local designated partners.

Partners share in the delivery of services and collaboration in the framing of the local plan. All designated Partners are signatories to the local WIOA Plan and therefore required to support WIOA Section 188 Compliance. Under the local plan sharing participant data and outcomes is required. In the area of EEO and EOO Compliance, Partners will have shared responsibility on keeping the USWIB Board and USWIB WIOA EOO Designee informed of complaints received from any WIOA Title I Participant. In-turn the USWIB WIOA Administration and Staff will need to track and report to the WIOA State EOO Coordinator all aspects of the specific case. At the minimum, partners will be requested to provide copies and summary material on the complaint, findings, any resolution and any appeals. This information along with any reporting by the responsible partner will be used to demonstrate WIOA Section 188 Compliance. The designated Partner will be the primary concerning responsibility, resolution and appeal. The USWIB WIOA EOO Designee will be engaged for compliance reporting only. The USWIB WIOA EOO Designee will be the resource and point of contact related to questions, issues or procedural advice related to WIOA Section 188 Compliance and the Statewide WIOA Compliance Coordinator.

Service Providers and Vendors, as procured by the USWIB and in compliance with WIOA Section 188 will be monitored and evaluated based on their performance and adherence to WIOA Section 188. Service Providers and Vendors that violate these EEO Standards will be directly responsible for the complaint, investigation, solution and appeal process. This complaint process will enable and engage the USWIB to provide resources, facilitation and monitoring of any complaint against a service provider or vendor employing, servicing or

training of any Active WIOA Title I Participant up to exiting and the follow-up timeframe. Based on the specific situation, the USWIB will provide direction, counseling, advocacy and facilitation to positively resolve the complaint issue. In addition, corrective action will be taken as required. The corrective action could include contract termination with the service provider/vendor based on the outcome and systemic pattern of the complaint issues. Vendors are considered any entity contracted by USWIB or Chesapeake College that provides direct services to any and all USWIB WIOA Title I Participants, as necessary, USWIB will collaborate and coordinate its response to any Vendor based complaint that requires attention of the Chesapeake College EOO Officer.

Appeal Process

- 1) Within ten (10) days after receiving a decision, a Complainant may appeal the decision in writing to the USWIB EOO Coordinator related to the WIOA Section 188 Compliance. Whereas the appeal is focused on any violation that is overseen by Chesapeake College Employee Policies, the appeal should be forwarded to or directly filed with the Chesapeake College EEO Coordinator.
- 2) Whereas the complaint is focused on WIOA Section 188 Compliance, the USWIB will share the written appeal with the State WIOA EOO Coordinator for consultation in rendering an appeal decision.
- 3) Within thirty (30) days after receiving an appeal, the coordinator shall review the complaint and the decision being appealed, conduct any necessary investigation, and determine if a violation has occurred.
- 4) If it is determined that a violation has not occurred, the complaint shall be dismissed, and the decision is final.
- 5) If it is determined that a violation has occurred, appropriate remedial action shall be taken.

Limitations & Special Notation

USWIB limits its responsibility to protection for Active WIOA Title I Participants. USWIB is not imposing any policies, procedures or legal requirements that go beyond the scope of WIOA Title I Section 188 Compliance. USWIB will not impose resolutions that infringe on the partner, service provider, or vendor organizational independence. However, the USWIB EOO Designee will report out any and all decisions to the State and Federal WIOA Section 188 Coordinators. In rare cases where complaints and solutions fall outside WIOA Section 188 Compliance, USWIB EOO Designee will refer complainants to designated State or Federal EEO or EEO Agencies. Where questions of responsibility may be unclear, the USWIB EOO Designee will confer with the State WIOA Section 188 Compliance Coordinator.

Election Procedure

As part of its distribution of resource information related WIOA Section 188 Compliance, USWIB Administration and Staff will offer options for filing directly with Partners, Maryland Civil Rights Commission or US DOL Civil Rights Center. However, USWIB will monitor and report on any and all activities that impact active WIOA Title I Participants and USWIB Administration and Staff.

IV. Workforce Analysis

The Chesapeake College is the employer of record and maintains all the requirements for employee and college workforce statistics. Therefore, USWIB defers to any internal workforce analysis produced by Chesapeake College Human Resources and the Chesapeake College EEO Coordinator. This analysis would include the College's workforce analysis that compares the Chesapeake workforce versus the USWIOA Area.

V. Program Objectives and Implementation

Training and Development

Chesapeake College provides training of each new employee and the annual training of each current employee as required in our EEO plan. Each employee is required to go through various training components as part of their new employee orientation. New Employees are trained at the employee orientation in the following areas: Equal Opportunity Training, Non-Discrimination Training, Title IX Policy Training, these components include training on recognizing sexual harassment, employment discrimination, bullying and processes for reporting issues that violate these affirmative policies and legal requirements.

USWIB complies with mandated trainings as established by law.

USWIB provides leadership and training to managers, supervisors, and staff employees in Non-Discrimination, Equity, Diversity and Inclusion.

Diversity and Inclusion

Planned activities toward completion of EEO diversity and inclusion goals	Targeted date
Understanding and Defining Diversity and Inclusion	TBA
The Importance of Diversity and Inclusion in the Workplace	TBA
Types of Diversity and Inclusion	TBA

USWIB has requested the USWIB EEO Designee to explore areas of training that will encourage a holistic understanding concerning Diversity and Inclusion. The training plan will be to accentuate the positives related to Diversity and Inclusion within the workplace. It will educate staff and administrators about what constitutes discriminatory thinking and actions. The

training will be part of the regular professional development of USWIB Administrators and Staff.

Understanding and Defining Diversity and Inclusion – the focus of this seminar will be to have an interactive discussion related to first defining the difference between Diversity and Inclusion. Fundamentally, Diversity is the varying traits that make each individual unique and representative of their particular racial, cultural, sexual, and other related unique traits that may include national origin, religious or spiritual connection along with sexual orientation. Inclusion is the acceptance of these same diverse individuals into the larger or greater society through an equitable and welcoming manner. The essence of this discussion and training component will be to encourage and solidify this viewpoint within USWIB's organization. USWIB wants to ensure the development of an inclusive and diverse atmosphere through this training and build it with additional activities and exercises.

The Importance of Diversity and Inclusion in the Workplace – the focus of this component will demonstrate the advantages of having diversity in the organization and working operation structure. The critical and creative thinking that is attributable to individuals of different backgrounds and cultural reference aids with problem-solving. Placing an equitable and welcoming atmosphere entails open and responsive communication at all levels and cross workforce disciplines. This training needs to be provided to leadership and staff in order to ensure the implementation of a diverse and inclusive workplace.

Types of Diversity and Inclusion – with the WIOA enactment, local areas are charged with removing any and all barriers that inhibit diversity and inclusion. From WIA to WIOA greater emphasis is placed on closer partnerships that engage directly with all job seekers. Incorporating Title-IV Vocational Rehabilitation into WIOA along with Adult Education Programs presses the strategy for inclusion of disabled job seekers and workers into the mainstream of career development and employment sustainability.

USWIB is setting a number of goals to engage its Vocational Rehabilitation Partner in expanding and maximizing their input within all the partners service process. USWIB is engaging the local representatives of the Maryland Department of Education, Division of Rehabilitative Services (DORS) in developing a more holistic approach to building careers and developing skills of disabled job seekers. This strategy will be used to breakdown barriers, remove obstacles and deliver services, as those received by the larger job seeker population. Essentially, this plan and USWIB's Board are seeking to make universal access available through an unencumbered local system.

Understanding the Local Need- USWIB is going to have all the partners begin exploring ways to determine the current system's gaps that impact serving disabled job seekers. With this evaluation, local DORS Administrators will be taking a more central role with the board and USWIB Administration to determine strengths and weaknesses in the current environment. Along with the DORS Administrators, other stakeholders in the disability community will be queued for feedback and recommendations related to the local AJC infrastructure and services.

This strategy should provide the initial steps toward the development of initiatives and committee structures that will focus on universal access.

Marketing and Outreach - USWIB will be exploring its current marketing and outreach methods to ensure that universal access and disabled job seekers are part of the strategy. The marketing and outreach will explore efforts that directly draw disabled job seekers into the AJC System. Building a community understanding through market materials and messaging of the AJC and its focus on all interested job seekers is key. In this case, the partners will need to look at the current gaps in messaging and collaboration of stakeholders to adapt a more focused connection to disabled job seekers. Additionally, the business and employer communities will need to be approached with messaging that promotes disabled job seekers. Making the disabled community part of the marketing and outreach development will assure that the correct messaging is developed. Uniformity of the message that shares disabled job seeker opportunities and the advantages of hiring them needs to become part of the endgame. It should aid with expanding usage of the AJC by the disabled community. It should help with encouraging employers to more readily consider job seeker candidates with the skills that happen to have a disability.

Disabled Community Engagement – USWIB is seeking through its community needs assessment, marketing and outreach the expertise, support and partnership of disabled focused organizations and activists. The purpose to enlarge the community engagement will offer greater emphasis on universal access and collaborative opportunities. With this expanded engagement, USWIB will be better suited for system improvement and inclusive handling of disabled job seekers. From this access point, improvements in the system and staff training should be a by-product of the engagement. It should allow for an ongoing dialogue and action plan to develop and become sustainable.

Operational Collaboration and Enhanced Partnerships – USWIB will take steps that bring disability stakeholders into the day-to-day operations of the AJC System. The plan is to have disabled-focused stakeholders and partners playing a more active role in the determination of needs that assist with disabled job seeker inclusion and focus. The goal is to make their access going beyond ADA “lip-service” and make sure operational processes, policies and variables are inclusive for disabled job seekers. Revising policies and operational procedures to accommodate disabled job seekers that are considered the norm and seamless is the goal.

Staff Training – USWIB will have the Executive Director make sure that as the universal access team develops, so will staff training focused on ADA and related standards. The AJC System will approach the emphasis on routine access for disabled job seekers in the training components concerning universal access. USWIB, Partners and other organizational stakeholders will need to offer training and criteria for proper discussions and documentation related to individual customer disabilities. This training will need to include proper methods for inquiring about individual disabilities and the confidentiality methods for protecting and sharing this personal information. Beyond normal screening, the training will need to provide the nuanced processes for handling recruitment, screening and career development related to disabled job seekers that is without malice, discrimination or in violation of ADA requirements.

AJC Services and Case Management - USWIB will place emphasis on evaluation and accommodation related to personalized case management, confidentiality and customized career planning. The administration, partners and staff will be focused on inclusion of disabled job seekers that positively impacts their career path and skills development. WIOA Services and access will be adjusted to meet the demands for providing superior service to disabled job seekers. This goal includes registration, assessment, testing, orientation, training services and recruitment. In addition, it will include follow-up services that enhance the successful transition to sustainable employment.

Reasonable Accommodation and Reasonable Modification – USWIB will strive to make sure that wherever possible policies, procedures, and the cadre of WIOA/AJC deliverables will include personalized adjustments, as necessary and reasonable. USWIB will make use of best practices and guides provided through DEI to ensure the best options are available. It will include the recommendations and expertise offered by its partners and advocates for disabled job seekers. This inclusion will be part of the routine assessment and evaluation of services needed and barriers that may be improvised for successful delivery. When these standards prove difficult or prohibitive, USWIB will make sure every effort and accommodation has been made.

Appeal Process – USWIB will make sure that personalized adjustments are made that allow for an equitable appeal process. As with all the AJC services, reasonable accommodation and modification will be part of any analysis concerning the provision of an equitable appeal process.

Equal Opportunity and Non-Discrimination – USWIB will develop an atmosphere within the AJC System that prohibits discriminatory practices of the disabled job seeker. In this effort USWIB will ensure that the partners within the local system adhere to practices that provide universal access and reasonable accommodation as part of their responsibilities. USWIB is reinforcing processes and limitations concerning any employer using the AJC that is discriminatory in their treatment and screening of protected workers including disabled job seekers. In this effort, the USWIB will assist disabled job seekers concerning discriminatory practices brought to their attention and directly related to WIOA/AJC supported services. USWIB's advocacy will be geared toward any overt or passive practices that impede or dismiss the hiring of disabled job seekers.

Communication & Technology Alternatives – USWIB is prepared to seek and secure technology and strategies for providing equitable communication to hearing impaired and sight impaired job seekers. USWIB will explore alternative methods of communication, testing and assessment tools for the developmentally disabled job seeker engaging in the AJC System. These technology alternatives will be used to assist with service delivery for the mobility and speech impaired job seeker. Again, these alternatives will be provided based on reasonable accommodation, as defined by the ADA and related standards and guidance. These alternatives and enhancements will be provided as needed. In certain cases, these alternatives may become a routine part of the AJC Process.

Employees and Employers - USWIB will explore and augment its current recruitment and hiring practices to ensure inclusion of disabled job seekers. It will advocate for an environment to include diverse workers within its staff to align with all existing non-discrimination and equal opportunity legislation and acceptable standards. In this area, USWIB will ensure that the board, partners and other stakeholders abide by these legal and regulatory requirements as it relates to recruitment, services and hiring. USWIB along with MD-Labor will oversee that recruitment and hiring practices in use by its Job Order/Placement Employers are in alignment with ADA and related standards for disabled job seekers.

Minorities – The USWIB is aware that minority job seekers have traditionally been hired at lower rates and lower wages. The inequity of hiring Blacks and Latinos at the same rates as Whites with similar education is a problem that still permeates workforce development nationwide. Although progress is being made seeing minorities hired into good paying jobs, the job growth in good jobs at good salaries is still dominated by Whites. Data shows that the earnings gap is \$550 billion in White earnings above their minority counterparts. The finding is from a recent study conducted by The Georgetown University Research into Workforce and Education. In all their findings, the research showed that good jobs and those opportunities were more likely to hire Whites over their minority counterparts. In some cases, the lack of education or credentials played a role. These imbalances are attributed to an educational opportunity imbalance. Although, good jobs have trended toward higher educational attainment and skills, the issue of job security imbalance is across the spectrum of Black and Latino employment.

The USWIB is planning to introduce strategies that reduce and mitigate racial imbalance in recruiting and hiring. USWIB is exploring proven strategies and practices that show promise in improving the placement of minorities in the local workforce. These strategies will be promoted for use by the partners, area employers and vendors.

USWIB will be evaluating the following items to improve impacts for equitable recruiting and hiring of minorities. In some cases, USWIB will customize best practices in ways that are suited for the local workforce and career pathway growth. The Partners will explore additional support processes and services that nurture successful educational completion rates. Working with educational, mentoring and counseling partners that offer supportive services with moving minority graduation rates in line with those found in the majority population. Working with business services and the larger business community to reduce racial imbalance in career pathway opportunities. These business focused partners will include economic development, diversity promoting entities, AJC business services, educational and career counselors, and business associations. The goal here is to, as a collective group, examine ways that inhibit diversity and equitable career success and remove those barriers. The board and interested parties will need to determine whether committees, sub-committees or affinity groups are best suited to engage in this ongoing endeavor. Beyond this evaluation process, the AJC and its partnerships will require methods and mechanisms that implement the goals. Active teams will be necessary to consistently implement and evaluate success. Tracking success and making

modifications will be part of the reporting provided to the board and administration for USWIB review and sharing.

Females – The USWIB is exploring the primary issues that impede women and girls from greater success in securing opportunities that lead to non-traditional higher wage employment. Initially, USWIB is preparing to investigate the impacts that are prohibitive to female educational success in securing a credential, associates and baccalaureate degrees. Overall, female students are far more likely to be care-givers within their family. In most cases, childcare is a critical obstacle that requires additional financial resources and flexibility. Although several programs are available to assist female students and parent students with childcare costs, these programs are underfunded or restrictive in their eligibility. USWIB, the partners, advocates and other stakeholders need to ascertain the gaps and limitations of these services locally. Exploring other factors will include mentoring, counseling and career pathway strategies that entice and support female entry into non-traditional higher wage employment. The focus of WIOA is to offer opportunities that lead to independent sustainable wage/benefited employment. In most single-parent households, adult females are the head of these households. Allowing for greater opportunities to non-traditional employment will require changing mind-set attitudes and restrictive thinking on the part of the counselors, mentors, and educators alike. To engage this effort will require a multipronged approach that nurtures this process for girls and women from K-12, Community College, Technical Schools and Four-Year Institutions. With resources being limited, the board and its administrative team will need to take a lead in seeking out additional resources. In addition, the board will request partners and advocates to assist with these efforts to gain greater funding and grant-based options to implement this comprehensive endeavor. In this effort to reduce the imbalance of female entry into non-traditional employment, USWIB will look at replicating successful efforts elsewhere. It will require greater collaboration with its training and educational partners along with mentoring employers to expand their own recruiting and hiring of female jobseekers.

Individuals with Disabilities – The USWIB is researching initiatives and pilot projects that have been structured toward mainstreaming disabled job seekers into the greater workforce. In our research and review, the USWIB has found resources that demonstrate strong partnerships have developed between employers, AJC Business Teams, and disability employment advocates. These project cooperatives have demonstrated, when given the opportunity, productive results in placing disabled job seekers in employment. By implementing a similar project, USWIB is prepared to experiment with customizing services and a collective atmosphere that engages employers, the AJC and the disability community in the Upper Shore.

The USWIB is engaging its Vocational Rehabilitation Partners, Disability Advocates and Title I Partners in developing a team concept that takes providing services to the next level for disabled job seekers. It will develop an affinity group or committee to build the strategy and process from these partners that builds the holistic service delivery needed for disabled job seekers. The group will explore and implement processes that make AJC recruitment, training, career development and placement a norm and not the exception. The focus will include the board, partners and greater employer community recognizing opportunities offered by hiring disabled job seekers with greater frequency and success. As staffing changes take place, the

USWIB will make a proactive effort to recruit and hire qualified candidates that happen to be disabled job seekers.

OPERATIONAL PROTOCOLS

Complaint Form

USWIB has developed its own WIOA Non-Discrimination Form to provide an option for WIOA Title I Participants to utilize. The complaint form is based on the requirements provided by USDOL and MD-Labor. The complaint form will be digital and provided by link on the USWIB website. It will be provided for completion and delivery via a portal and sent directly to the USWIB EOO Designee and any staff designated by the USWIB EOO Designee. Along with the digital delivery, the USWIB will offer phone contact information allowing the complainant to speak with designated staff concerning questions related to completing the form.

Once the complaint form is completed, signed, and submitted, the USWIB EOO Designee will initiate investigatory action into the claim. The Complainant will be encouraged to print or save a digital copy of the form. Based on the nature of the complaint, the USWIB EOO Designee will share the form digitally with the agency, partner, vendor, service provider or employer sponsor named in the complaint form. The complainant will be cc'd on the delivery of the form to the entity named in the complaint. Along with that email, the USWIB EOO Designee will indicate the responsibility for investigating, replying and offering solutions to the specific complaint. It will share USWIB's engagement in tracking, facilitating and reporting on the specified complaint. The USWIB EOO Designee or designated staff will monitor the EOO process and progress of the specific complaint and share that information as necessary to the complainant, State and Federal WIOA Section 188 Compliance Designees.

In addition to this reporting and feedback from the complaint alleged entity, USWIB EOO Designee may offer assistance and facilitation to other advocate entities at the State or Federal Levels. However, the USWIB EOO Designee will not impose or determine any specific action to be taken by the complaint alleged entity. It will be the responsibility of the complaint alleged entity to follow their own policies for dealing with and resolving discrimination and harassment. Where the USWIB is not an aggrieved party, the USWIB will not impose judgement on the actual complaint alleged entity. However, the USWIB does reserve the right and responsibility to recommend dissolving a partnership or formal relationship with any entity that violates WIOA Section 188 Compliance. If corrective actions are not taken based on the complaint's merits, USWIB will take appropriate action to dissolve the formal WIOA relationship with the uncooperative entity. Note, USWIB will take these punitive actions only with the support and advice of the State and Federal Designated EOO WIOA Authorized Entities.

Key Points of the Complaint Form Process

- A) Complainant will need to file a written complaint with USWIB Administration to begin any formal investigation.

- B) Complaints directed at the USWIB, and its administrative entity will be handled directly by the USWIB Executive Director.
- C) Complaints that are directed at AJC Partners, Vendors, or other stakeholders will be handled in a two-tier approach. First, the USWIB Administration will direct and assist the complainant with filing the proper forms/complaint with the correct AJC related entity. This assistance will likely be basic referral to the proper entity. It will have a follow-up component that is focused on making sure the complainant is obtaining feedback and the required attention to their grievance. Second, in rare occasions where the complainant and/or AJC entity demonstrates any reluctance or lack of competence to handle the complaint; that instance would require USWIB operatives to assist with outreach and support to the next complaint level. In these cases, USWIB would look at the best second tier approach to resolve the outstanding issue through the appropriate entity. In these situations, the USWIB Executive Director would act as an ombudsmen or facilitator for the complainant.
- D) The Complaint must be filed in writing within 180 days of the alleged incident or infraction.
- E) The Complaint is to be filed on the approved USWIB Complaint Form (see attachment). The complaint form will need to be complete at the time of submission or through a Q&A Meeting with the Complainant and the EOO designee.
- F) Complaints lodged directly at the USWIB, and its Administration will be handled by the USWIB Executive Director. Complaints that indicate another AJC Entity or WIOA Stakeholder will be referred to the designated EO Officer for that given entity.
- G) Any complaint that meets the criteria of *having merit* will be filed and tracked for the benefit of a positive outcome and to ensure adequate representation is available.
- H) Where necessary, the USWIB and Executive Director will seek the advice and assistance of outside expertise or counsel to secure a positive outcome related to the complaint.

Complaint Activity Log

The USWIB has developed a WIOA Section 188 Activity Log for tracking Non-Discrimination Complaint activities. The form was developed based on guidance provided by the USDOL and MD-Labor entities responsible for WIOA Section 188 Compliance. The activity log will provide contact information related to the complainant, the nature of the complaint, dates related to filing the complaint, incident dates and disposition actions/ updates. The USWIB EOO Designee and other designated staff will maintain this activity log for easy updating and sharing with the State and Federal WIOA Section 188 Compliance Designees. Additionally, the Complaint Form and the entries to the Complaint Activity Log will be digitally added to the WIOA Title I Participant's File. The USWIB and EOO Designee will respect and maintain the required

confidentiality related to the individual complainant. The confidentiality will be protected to ensure that retaliation or disruptive actions do not impact the investigation, determination and resolution related to the complaint or complainant. The disposition and description portions of the activity report will be reviewed and updated as necessary. In order to maintain a current record on each complaint, the USWIB EOO Designee or designated staff will monthly contact all complainants and the complaint alleged entity related to progress and any resolution. All updates will be available and shared with the required State and Federal WIOA EOO Designees.

Note the Complaint Activity Form protocols are as follows:

- A) The USWIB and Administration will maintain an active log that documents all complaint actions and inquiries.
- B) All information will remain confidential to the degree that its content will only be used to report activity, as requested by the State Designated WIOA EEO or EOO individual.
- C) Complaints that are referrals to other EEO Personnel or Agency/Entity Designees will be followed to ensure compliance with Section 188 and all related non-discrimination legal codes.
- D) Significant entries that expose the USWIB or Executive Director to compliance affirmation will be tracked to ensure compliance and affirmative solutions.
- E) All complaint forms and the complaint activity log(s) will be kept confidential and separate from all other WIOA Case Files and Participant data files.

Operational Process

The Complaint Activity Log will be a password protected file that will be maintained by the EOO Designee of the USWIB. The EOO Designee will only share access to their designated back-up/alternative EOO individual. The back-up EOO Designee will only handle the activity log in cases where the EOO Designee is unavailable, or the Executive Director position is vacant and therefore the EOO Designee position is vacant.

The information for the activity log will be drawn from the actual USWIB Complaint Form. Updates included in the activity report will be provided based on the status, investigation and resolution or findings. These updates will be determined by the EOO Designee or other engaged partners, vendors, staff, and stakeholders directly involved in the specific complaint case.

The USWIB plans to document inquiries concerning the complaint process when a formal complaint is filed. In addition, the activity log will contain entries that end up being an inquiry that provides specific information yet does not lead to a formal complaint filing. These informal inquiries are to be document with comment that indicates why a complaint form was not requested by the inquirer.

Updates and additions

The Complaint Activity Log will be prepared and updated as necessary. Updates will be provided on any complaint as long as the status is pending or unresolved.

Updates will be secured through contacts with those directly involved in the complaint investigation. Typically, these contacts will be with EOO Partner, Vendor, Agency Designees. The contacts will be completely confidential. Any and all information will be retained in password protected files specifically linked with the activity log and complaint form.

Final Entries will be noted, as such, when a complaint has been resolved, withdrawn or found to lack standing.

Reporting

The USWIB and EOO Designee will follow the protocols established by the State WIOA EOO Designee for reporting Complaint Activity Logs. The USWIB EOO Designee will update the USWIB Board concerning any and all Compliant activities through an executive summary. The summary will be given in such away as to protect the confidentiality of any and all complainants. Individual complainants will not be divulged in any open forum. However, confidential discussions may take place concerning those complainant's cases that directly involve the USWIB's board, administration or staff. When these confidential discussions take place, the USWIB Executive Board and USWIB EOO Designee will handle in a closed meeting.

The USWIB EOO Designee will contact any partners, vendors, agencies or other stakeholders that are directly involved in any case under their complaint processing purview. On these cases, the USWIB EOO Designee will maintain confidentiality and only share information as necessary. When the USWIB EOO is in contact with external parties, it will only be collecting updates and status changes in the specific complainant's case. The USWIB EOO will not advise, critique or otherwise attempt to force complaint decisions on these other EOO Designees. When the USWIB EOO Designee advises a complainant, it will be on an informational basis. The USWIB EOO will not offer opinions, critiques or legal advice to the aggrieved complainant.

Appeal Process

On complaints brought against the USWIB that specific to the non-WIOA actions of an administrator or employee will be made to the Chesapeake College HR EEO/EOO Designee. The Chesapeake College Appeal Policy will be followed in conjunction with the engagement of the USWIB Board and EOO Designee.

In the case of USWIB Appeals that involve WIOA Policy Issues, the first level of appeal will be made to the Board Chair of the USWIB. This appeal must be in writing and may be delivered via in-person, mail or email to the USWIB EOO Designee. In-turn, the EOO Designee is required to deliver the appeal to the board chair ASAP. A written evaluation of the appeal will be required

by the board chair. As for the written appeal requirement, the chair's decision on appeal must be in writing to the complainant.

In cases when an appeal is filed and the appeal decision is not satisfactory to the complainant, the complainant will be offered the option of appealing to the State WIOA EEO/EOO Designee.

Concerning all appeals to the USWIB EEO Designee must be received in writing and within thirty (30) days of the complainant receiving the complain decision. Regarding all appeals directed at the USWIB Chair, a written decision by the board chair will be rendered within thirty (30) days. Complainant Appeals to other partners, vendors, agencies and other stakeholders will follow their own appeal process policies.

When the USWIB receives an appeal that is outside their WIOA Section 188 Purview, it will advise the complainant of the USWIB's limitations on said appeal. However, the written appeal will be documented and forwarded to the correct EEO Designee. The USWIB Administration will provide information on to whom the appeal is being sent along with the pertinent contact information. From that point, the USWIB Administration will advise the appeal complainant that any and all correspondence will be between the complainant and liable entity.

Whenever the USWIB is drawn into a complaint or appeal process that is deemed WIOA Section 188 sanctioned, it will make use of legal counsel, State WIOA EEO counsel and/or USDOL WIOA EEO counsel, as necessary.

Complaint Process Access & Instruction

The USWIB and Executive Director will ensure that public access to the Complaint Process is systemwide. The WIOA EEO Designee will oversee the training and system focus points for Complaint Information, Complaint Form Access and Appeal Processing. The board supports the training and oversight necessary to ensure that staff and reception personnel are competent at delivery of WIOA Section 188 Compliance.

Initial and refresher training will be provided to all client service staff concerning the WIOA Section 188 Compliance requirements.

The training will include process and policy clarification on information concerning the Complaint Process and Complaint Form Access.

Training will distinguish between WIOA Complaint Issues and Non-WIOA Complaint Issues.

Training will define and clarify the need to secure tracking and confidential information for the WIOA EEO Designee.

Training will share the significant access points within the AJC local network that includes reception staff, WIOA Counselors, Partner AJC Staff and other AJC Stakeholders.

Due diligence will be emphasized on ensuring that all actions related to protecting Complaint Rights and delivery access are provided without prejudice.

Timely and informative Complaint staff support will be emphasized to ensure deadlines are met and the access process is delivered.

Board members, partners, government representatives, vendors and other stakeholders will be educated on the WIOA Section 188 Compliance process.

Board members, partners, government representatives, vendors and other stakeholders will be solicited for committee membership and trained in the importance of the WIOA Non-Discrimination Committee's responsibilities.

The USWIB will, through the WIOA EOO Designee, explore the options for internal, system-based and external expertise in the provision of the WIOA Section 188 Compliance training.

The USWIB Executive Director will evaluate and determine the preferred process for implementation related to WIOA Section 188 Compliance.

WIOA Complaint Activity Log

The rendering below is an illustration of the items needed and samples of information that would be included within the actual WIOA Complaint Activity Log. The actual final format could be customized to meet USWIB Board and Administration needs.

WIOA Section 188 EQ Activities Log																		
Name	Address	Email Address	Date of Complaint	Type	Age	Sexual Contact Harassment Verbal/Physical	Subj. Refused	Paradigm Required	Incidence	Racial	Gender	Disability	Vendor	Training	Complaint Status	Notes and Description		
														Eligibility	Active	Discussion	Referral	Partner, Agency, Service Provider or Vendor
John Doe	101 E. Main St., Cambridge MD 20610	john.doe@cambridge.edu	8/1/21	Sexual Contact Harassment	24	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Resolved - Individual was explained that the DTRHA used to direct candidates for the training required a HS Diploma or GED. Mr. Doe was given assistance approval for the training program on the condition of completing a new GED program.	Cambridge College	John Doe entered the AC in Cambridge to file a sexual harassment complaint. Mr. Doe stated that the registration person for Chesapeake College refused to enroll her until the late enrollment deadline. However, she witnessed another student register without being rejected. Mr. Doe believes her refusal was retaliatory discrimination.
John Doe	1122 High St., Fairfax, MD	john.doe@fairfax.edu	3/1/21	Sexual Contact Harassment	24	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Pending - Vendor is exploring the violations and working with the instructor to determine appropriate action. USWIB has verified both individuals and issued WIOA Title I notice & USWIB will continue with the needs assessment and assist with action.	ABE/ESOL - Fairfax Co. (USWIB Contact)	John Doe called the USWIB Chesapeake College Office and wanted to file a complaint against the SED Prep Class. Jim Blair another participant needs class about 10hrs speech impediment. Jim is very self-conscious. He is especially nervous speaking or reading aloud. John shared with the instructor and title has changed. The transcript was sent the complaint form via email. Jim turns USWIB Staff released the issue to the USWIB Exec. Dir. The ABE/ESOL Vendor for this group was notified and the USWIB requested working jointly to resolve the issue.

