**Purpose:** The Workforce Development Board SDA-83, Inc. is committed to ensuring nondiscrimination and equal opportunity in all programs, services, activities and employment.

**References:**

* Workforce Innovation and Opportunity Act (WIOA) Section 188
* Title 29 Code of Federal Regulations (CFR) Part 37
* Title 45 Code of Federal Regulations CFR) Part 80
* Title 45 Code of Federal Regulations (CFR) Part 84
* Louisiana Workforce Commission - Discrimination Complaint Procedures

Louisiana Workforce Commission Instruction Number 02-01 – Display of EO Posters-Notice on Nondiscrimination and Equal Opportunity

**I EQUAL OPPORTUNITY POLICY**

1. The position of the Workforce Development Board SDA-83 Inc. (WDB-83) and its American Job Centers is that no individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of, or in connection with any such program administered by the Louisiana Workforce Commission (LWC), because of race, color, religion, sex, national origin, citizenship, age, disability or political affiliation or belief.
2. It is the policy of the WDB-83 to insure non-discrimination and equal opportunity in the operation and administration of all programs, services and activities funded in whole or in part with federal funds.
3. The WDB-83 is strongly committed to assure that our organization is in full compliance with Title VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972, the Age Act of 1975, as amended, section 504 for the Rehabilitation Act of 1973, Nontraditional Employment for Women Act of 1991; and section 188 of the Workforce Innovation and Opportunity Act (WIOA).
4. This Local Workforce Development Area (LWDA) will maintain a continuing and critical analysis of internal employment practices, members’ selection procedures and service delivery methods, and will actively uphold goal setting programs which aid in eliminating underutilization of any group represented in our workforce.
5. The American Job Centers of WDB-83 will identify and recruit those individuals who are eligible to receive services based on requirements set forth by WIOA.
6. Efforts will be coordinated with agencies such as but not limited to, Department of Social Services, local School Boards, Louisiana Rehabilitation Services, Volunteers of America, faith based, etc., to identify additional individuals who may qualify.
7. File a Complaint

Any person who believes that he or she, individually or as a member of a specific class of individuals, has been or is being subjected to discrimination based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, and, for beneficiaries only, citizenship or participation in WIOA may file a written complaint individually or through a representative.

1. Notice about Investigatory Uses of Personal Information

The Equal Opportunity and Compliance Division (EOCD) does not reveal names and other identifying information about individuals, unless it is necessary to complete an investigation or enforcement activities against a program which has violated the law.

1. Retaliation Prohibited

No person, organization or agency may discharge or in any manner retaliate against any person because that person filed a complaint, has testified or is about to testify in any proceeding or investigation, or has provided information or has assisted in an investigation.

1. Corrective Actions – Sanctions

When it has been found through monitoring, that the contractor, affiliate or partner has been found not to be in compliance with the regulations at 29 CFR Part 37 and Section 188 of WIOA, corrective action shall be required.

1. Additional assurances of the American Job Center to adherence to the LWC’s policy on nondiscrimination and equal opportunity include the following required actions:
2. The contractual agreement with sub-recipients must prohibit discrimination in the administration of programs funded in whole or in part with federal funds administered by the LWC.
3. All WIOA’s contractors, subcontractors and American Job Centers, must post the official LWC complaint poster, which outlines the prohibitive factors and the recourse available. This notice must be posted prominently, in reasonable numbers and places, so that all applicants, participants, applicants for employment, employees and interested members of the public are made aware of the LWC policy statement on nondiscrimination and equal opportunity.
4. The official non-discrimination poster provides that any person who believes that he or she or any specific class of persons, is subjected to discrimination on the basis of race, color, national origin, or physical or mental disability may, or by a representative, file a written complaint, within 180 days from the date of the alleged discriminatory act(s) to either the Louisiana Workforce Commission, Equal Opportunity and Compliance Division, or the U. S. Department of Health and Human Services, Office of the Civil Rights, Dallas, Texas. Additional information contained on the poster provides in alternate formats for hearing and visually impaired individuals.

**II SEXUAL HARASSMENT POLICY**

It is the policy of Workforce Development Board SDA-83, Inc. 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 or hostile environment.

1. Sexual harassment is in violation of Section 703 of Title VII of the Civil Rights Act, as amended. Harassment on the basis of sex is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.
2. Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated.
3. Each supervisor and manger has a responsibility to keep the workplace free of 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.
4. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees or non-employees, is also prohibited. This conduct includes:
5. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances or propositions;
6. Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
7. Demeaning, insulting, intimidating or sexually suggestive comments about an individual;
8. The display in the workplace of demeaning, insulting, intimidating or sexually suggestive objects, pictures or photographs;
9. Demeaning, insulting, intimidating or sexually suggestive written, recorded, or electronically transmitted messages (such as email, instant messaging and internet materials).

**Any of the above conduct, or other offensive conduct, directed at individuals because of their sex is prohibited.**

1. Any employee who believes that a supervisor’s, manager’s, other employee’s or non-employee’s actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible.
2. All complaints of harassment will be investigated promptly by the LWC’s Equal Opportunity and Compliance Division in accordance with Section 188 of the Workforce Investment Act, 29 CFR 37 and LWC’s WIOA Complaint Procedures in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation.
3. Any employee, supervisor or manager who is found to have violated the harassment policy will be subjected to appropriate disciplinary action, up to and including termination. Workforce Development Board SDA-83, Inc. prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment.
4. Harassment of an individual based on race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, based on citizenship status or participation in any WIOA Title I-financially assisted program or activity, is a violation of the nondiscrimination provisions of WIOA and this part.
5. Unwelcome sexual advances, requests for sexual favors or offensive remarks about a person's race, color, religion, sex, national origin, age, disability, political affiliation or belief, or citizenship or participation, and other unwelcome verbal or physical conduct based on one or more of these protected categories constitutes unlawful harassment on that bas(e)is when:
6. Submission to such conduct is made either explicitly or implicitly a term or condition of accessing the aid, benefit, service or training of, or employment in the administration of, or in connection with, any WIOA Title I-financially assisted program or activity;
7. Submission to or rejection of such conduct by an individual is used as the basis for limiting that individual's access to any aid, benefit, service, training or employment from, or employment in, the administration of or in connection with, any WIOA Title I-financially assisted program or activity; or
8. Such conduct has the purpose or effect of unreasonably interfering with an individual's participation in a WIOA Title I-financially assisted program or activity creating an intimidating, hostile or offensive program environment.

b. Harassment because of sex includes harassment based on gender identity; harassment based on failure to comport with sex stereotypes; harassment based on pregnancy, childbirth, and related medical conditions; and sex-based harassment that is not sexual in nature but that is because of sex or where one sex is targeted for the harassment.

1. Any questions regarding either this policy or a specific fact situation should be addressed to Toni Wilson, EO Coordinator. The employee has a right to file a formal complaint if the harassment continues after the procedures listed above have been followed. The EO Coordinator will advise the employee of the procedures for filing formal complaints.

**III RELIGIOUS ACCOMMODATION POLICY**

It is the policy of the Workforce Development Board SDA-83, Inc. not to discriminate against any applicant, employee or person because of religious affiliations or beliefs.

Religious discrimination involves treating a person (an applicant or employee) unfavorably because of his/her religious beliefs. The law protects not only people who belong to traditional, organized religions, such as Buddhism, Christianity, Hinduism, Islam and Judaism, but also others who have sincerely held religious, ethical or moral beliefs.

Religious discrimination can also involve treating someone differently because that person is married to (or associated with) an individual of a particular religion or because of his or her connection with a religious organization or group.

The law forbids discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits and any other term or condition of employment.

No person with responsibilities in the operation or administration of a program receiving federal financial assistance will discriminate with respect to any such program or activity receiving federal financial assistance.

It is expected that all managers and supervisors become familiar with or have direct input into the WDB-83 Methods of Administration Manual. Each manager and supervisor will be held accountable for ensuring equality of opportunity within each component or program while fostering employment and program participation practices which are compatible with the WDB-83 Methods of Administration Manual and Civil Rights Regulations.

Responsible officials and other staff that fail to adhere to this policy will be subject to immediate disciplinary action.