

**Louisiana Department of Labor
Equal Opportunity and Compliance Division (EOCD)**

Notice About Investigatory Uses of Personal Information

There are two laws governing personal information submitted to the Louisiana Department of Labor (LDOL). The Privacy Act of 1974 (5 U.S.C. 552) and the Freedom of Information Act (5 U.S.C. 552), or "FOIA". This brief description will provide you with an understanding of these laws. Please read this description of how these laws apply to information connected with your complaint. After reading this notice, please sign and return the consent agreement printed on the back of this notice, along with your complaint form.

THE PRIVACY ACT protects individuals from misuse of personal information held by the Louisiana Department of Labor. The law applies to records that are kept and that can be located by the individual's name, social security number, or other personal identification system. Anyone who submits information to LDOL/EOCD in connection with a discrimination complaint should know the following:

- EOCD has been authorized by the Secretary of Labor to investigate complaints of discrimination on the basis of race, color, national origin, religion, sex, disability and age in institutions that receive Federal Funds through the Louisiana Department of Labor. EOCD is also authorized to conduct reviews of LDOL funded recipients to assess their compliance with civil rights laws.
- Information that EOCD collects is analyzed by authorized personnel within EOCD. This information may include personnel or program participant records, and other personal information. EOCD staff may need to reveal certain information to persons outside of the agency in the course of verifying the facts or gathering new facts to develop a basis for making a civil rights determination. Such information could include, for example the physical condition or age of a complainant. EOCD may also have to reveal personal information to a person who submits a request for disclosure authorized by the Freedom of Information Act.
- Information submitted to EOCD may also be revealed to persons outside of EOCD because it is necessary in order to complete enforcement proceedings against a program that EOCD finds to have violated civil rights laws or regulations. Such information could include, for example, the name, income, age, marital status or physical condition of the complainant.
- Any personal information you provide may be used only for the specific purpose for which it was requested. EOCD requests personal information only for the purpose of carrying out authorized activities to enforce, and determine compliance with, civil rights laws and regulations. EOCD will not release personal information to any person or organization unless the person who submitted the information gives written consent, or unless release is required by the Freedom of Information Act.
- No law requires that a complainant reveal personal information to EOCD, and no action will be taken against a person who denies EOCD's request for personal information. However, if EOCD

*Total Community Action, Inc.
"Equal Opportunity Employer"*

"Auxiliary Aids and Services are available upon request to individuals with disabilities"

cannot obtain the information needed to fully investigate the allegations in the complaint, it may be necessary to close the case.

- Any person may ask for, and receive, copies of all personal materials EOCD keeps in his or her file for investigatory use.

As a policy, Equal Opportunity and Compliance Division does not reveal names and other identifying information about individuals, unless it is necessary to complete investigation or enforcement activities against a program that has violated the law. EOCD never reveals to the program under investigation the identity of the person who filed the complaint, unless the complainant first gave EOCD written permission to do so.

The freedom of information act (FOIA) gives the public maximum access to Federal Government files and records. Persons can request, and receive, information from many types of records kept by the Government-not just materials that apply to them personally. The EOCD must honor most requests for information submitted under FOIA, but there are exceptions:

- EOCD is usually not required to release information during an investigation or an enforcement proceeding if that release would limit EOCD's ability to do its job effectively; and
- EOCD can refuse to disclose information if release would result in a "clearly unwarranted invasion" of a person's privacy.

Please read and sign Section A or Section B of the consent form, printed on the back of this notice, and return it to the Office of Equal Opportunity and Compliance Division with your signed, completed Complaint Information Form.

**COMPLAINANT’S CONSENT FOR INVESTIGATORY
USE OF PERSONAL INFORMATION**

I have read and understand the **“Notice About Investigatory Uses of Personal Information”**. I understand the following provisions of the Privacy Act and Freedom of Information Act, which apply to personal information I reveal to the Equal Opportunity and Compliance Division in connection with my complaint:

- I understand that in the course of investigating my complaint, EOCD may have to reveal my identity to staff of the program named in my complaint, in order to obtain facts and evidence regarding my complaint;
- I understand that I do not have to reveal any personal information to EOCD, but EOCD may close my complaint if I refuse to reveal information needed to fully investigate my complaint;
- I understand that I may request and receive a copy of any personal information EOCD keeps in my complaint file for investigatory uses; and
- I understand that under certain conditions, EOCD may be required by the Freedom of Information Act to reveal to others personal information I have provided in connection with my complaint.

SECTION A

YES

YES, EOCD MAY DISCLOSE MY IDENTITY IF NECESSARY TO INVESTIGATE MY COMPLAINT. I have read and understood the notice, and I consent for EOCD to process my complaint.

(Name-Signature)

(Date)

SECTION B

NO

NO, EOCD MAY NOT DISCLOSE MY IDENTITY, EVEN IF NECESSARY TO PROCESS MY COMPLAINT. I have read and understood the notice and I do not consent for EOCD to disclose my identity during investigation of my complaint. I request that EOCD process my complaint, however, I understand that EOCD may cancel if it cannot fully investigate without disclosing my identity. I also understand that EOCD may close my complaint if it cannot begin an investigation because I have not consented for EOCD to reveal my identity.

(Name-Signature)

(Date)

GRIEVANCE PROCEDURES For Employees

Employees are not only permitted, but encouraged to air any grievance that they may have with regard to their treatment or conditions of employment. Punitive action shall not be taken against any employee for submitting a grievance in good faith.

The grievance procedure shall be as follows:

Step 1: The aggrieved employee shall within five (5) working days of the date that the incident is made known, present the facts to his/her immediate supervisor. The immediate supervisor must within five (5) working days meet with the aggrieved employee and submit to the employee his/her decision based upon their meeting.

Step 2: Should the grievant decide that the reply of the immediate supervisor is unsatisfactory, he/she shall within five (5) working days submit the grievance in writing to the Department Head. The Department Head shall conduct a hearing with the aggrieved employee and supervisor, and give a written decision to the aggrieved employee within five (5) working days.

Step 3: Should the aggrieved employee decide that the reply of the Department Head is unsatisfactory, the employee shall within five (5) working days submit the facts of the grievance in writing to the Executive Director. The Executive Director shall conduct a hearing with the aggrieved employee and give a written decision to the aggrieved employee within five (5) working days.

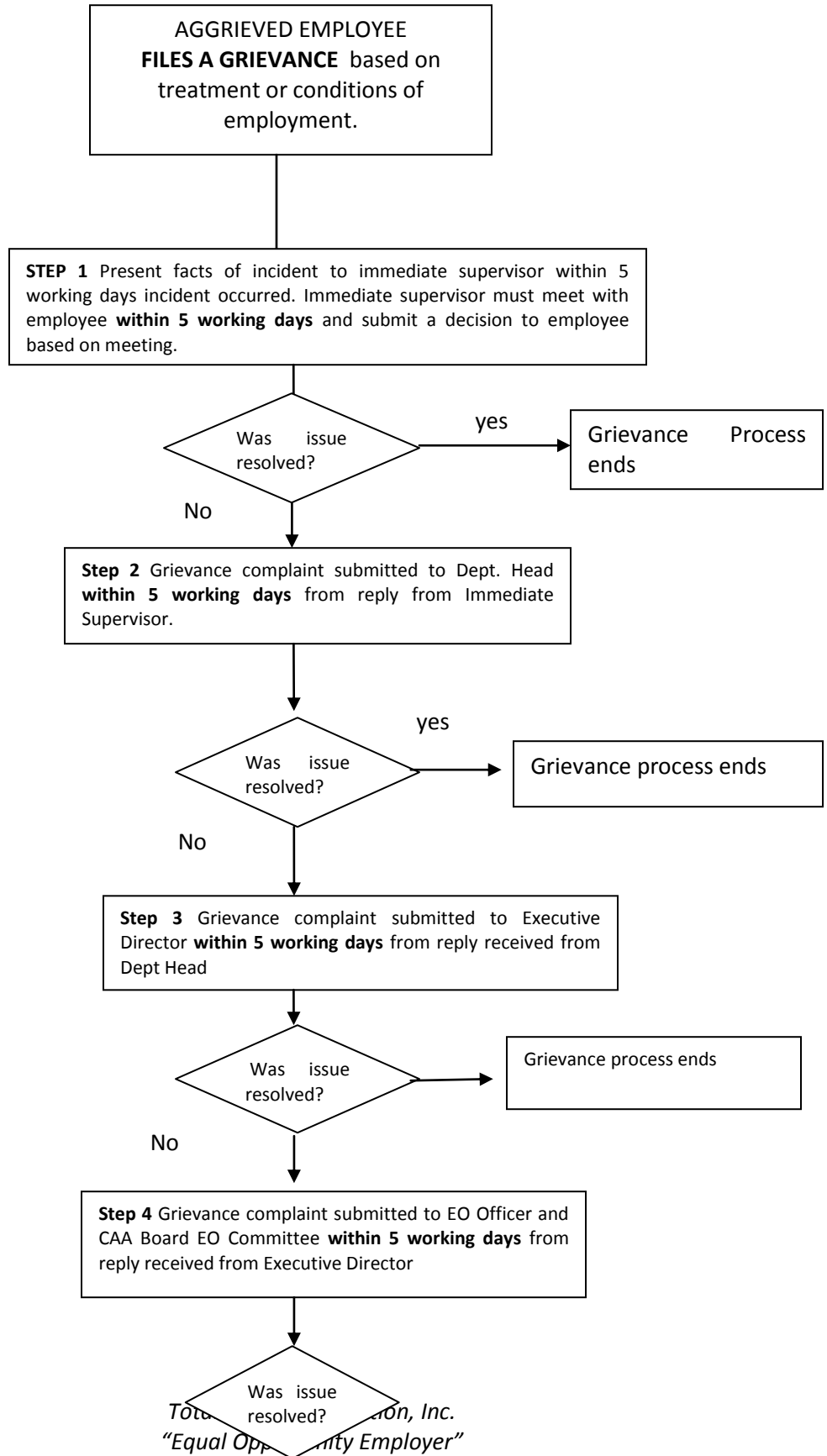
Step 4: Should the aggrieved employee decide that the reply of the Executive Director is unsatisfactory, the employee shall within five (5) working days submit the facts of the grievance in writing to the EO Officer who shall arrange for a hearing with the CSA Board's Equal Opportunity Committee and the employee for a discussion of the issue. The Equal Opportunity Committee must give a written decision to the aggrieved employee within five (5) working days.

Step 5: Should the aggrieved employee decide that the reply of the Equal Opportunity Committee is unsatisfactory, the employee shall within five (5) working days submit the facts to the grievance in writing to the Board of Directors or Police Jury or Parish Council who shall arrange for a meeting with the employee for a discussion of the issue.

Step 6: If the parties cannot agree as to a mutually satisfactory disposition of the grievance in the Step 5 hearing, or if the aggrieved employee decides that the reply of the Board of Directors or Police Jury or Parish Council is unsatisfactory, the employee shall within five (5) working days submit the facts of the grievance in writing to the Community Services Block Grant Director, Louisiana Department of Labor, Post Office Box 94094, Baton Rouge, Louisiana, 70804.

Note: The employee may be represented by legal counsel at any time during the grievance process.

*Total Community Action, Inc.
"Equal Opportunity Employer"
"Auxiliary Aids and Services are available upon request to individuals with disabilities"*



Tot... on, Inc.
 "Equal Opportunity Employer"

"Auxiliary Aids and Services are available upon request to individuals with disabilities"

yes → Grievance process ends

No



Step 5 & 6 After reply from Ex. Dir. And Board of Directors is not satisfactory, employee can submit a request to Community Services Block Grant-Baton Rouge, LA. **within 5 working days** from reply received from Ex. Director and **5 working days** from reply received from Board of Directors

Immediate Supervisor

DATE _____

FROM _____
Grievant's Name

JOB TITLE _____

OFFICE _____

LOCATION _____

GRIEVANCE STATEMENT

The relief I am seeking is: _____

Grievant's Signature _____

DECISION OF IMMEDIATE SUPERVISOR

Supervisor's Signature _____ Date _____

**COMMUNITY SERVICES BLOCK GRANT
GRIEVANCE FORM (STEP 3)**

TO _____
Executive Director

DATE _____

FROM _____
Grievant's Name

JOB TITLE _____

OFFICE _____

LOCATION _____

I would like to appeal the decision of (Dept. Head) (Manager), a copy of which is attached, for the following reason(s):

I would like to have the following individual(s) appear at my hearing to testify in my behalf:

I would like the following data or record(s) made available at my hearing:

I will be represented by: _____

Grievant's Signature _____

DECISION OF EXECUTIVE DIRECTOR

Executive Director's Signature: _____

Date _____

**COMMUNITY SERVICES BLOCK GRANT
GRIEVANCE FORM (STEP 4)**

TO _____
EO Committee

DATE _____

FROM _____
Grievant's Name

JOB TITLE _____

OFFICE _____

LOCATION _____

I would like to appeal the decision of the (Executive Director), a copy of which is attached, for the following reason(s):

I would like to have the following individual(s) appear at my hearing to testify in my behalf:

I would like the following data or record(s) made available at my hearing:

I will be represented by: _____

Grievant's Signature _____

Step 5: Should the aggrieved employee decide that the reply of the Equal Opportunity Committee is unsatisfactory, the employee shall within five (5) working days submit the facts of the grievance in writing to the Board of Directors or Police Jury or Parish Council who shall arrange for a meeting with the employee for a discussion of the issue.

Step 6: If the parties cannot agree as to a mutually satisfactory disposition of the grievance in the Step 5 hearing, or if the aggrieved employee decides that the reply of the Board of Directors or Police Jury or Parish Council is unsatisfactory, the employee shall within five (5) working days submit the facts of the grievance in writing to the Community Services Block Grant Director, Louisiana Department of Labor, Post Office Box 94094, Baton Rouge, Louisiana 70804.

NOTE: The employee may be represented by legal counsel at any time during the grievance process.

*Total Community Action, Inc.
"Equal Opportunity Employer"
"Auxiliary Aids and Services are available upon request to individuals with disabilities"*

Louisiana Department of Labor
CSBG Discrimination Complaint Procedures for Customers

Non-discrimination Provisions:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the U.S. Department of Health and Human Services. Additionally, no qualified handicapped person shall, on the basis of handicap, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.

Retaliation Prohibited:

No individual shall be intimidated, threatened, coerced, or otherwise discriminated against because he/she has filed a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing.

Who May File:

Any person who believes that he or she or any specific class of individuals has been or is being subjected to discrimination prohibited by the pertinent non-discrimination and equal opportunity regulations may file a written complaint by him or herself or by a representative to the Louisiana Department of Labor, Equal Opportunity and Compliance Division, Post Office Box 94094, Baton Rouge, Louisiana 70804-9094. Complaints may also be filed directly with the United States Department of Health and Human Services, Office of Civil Rights, Dallas, Texas. Additional information relative to the complaint process may be obtained by calling (225) 342-3075 or TDD 1-800-259-5154.

Complaint Handling Procedures

SUBJECT: Discrimination Complaint Processing Procedures

PURPOSE:

To transmit to all staff and vendors, the Louisiana Department of Labor's policies and standard procedure for accepting, handling, and processing complaints of discrimination filed by any person who believes that he or she or any specific class of individuals has been or is being subjected to discrimination prohibited by the non-discrimination and equal opportunity provisions of **45CFR 80** and **45 CFR 84**.

DEPARTMENT POLICY:

It is the policy of the Louisiana Department of Labor 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.

Any individual who believes that he or she has been discriminated against on the basis of race, color, national origin, age, sex, religion, or disability in denial and or receipt of any services funded through the Louisiana Department of Labor, may file a formal complaint with the Louisiana Department of Labor, Equal Opportunity and Compliance Division or the United States Department of Health and Human Services, Office of Civil Rights, Dallas, Texas.

Any staff member of the Louisiana Department of Labor, or any service provider/vendor, who receives a complaint shall refer that individual to the locally designated Equal Opportunity (**EO**) Officer in order that the complaint may be assisted, if he or she so desires, in the preparation of his/her complaint in accordance with the procedures established by the Equal Opportunity and Compliance Division of the Louisiana Department of Labor. Should an individual not request assistance in the preparation of his/her complaint, he/she will be provided with the necessary complaint forms alleging discrimination due to disability must always be forwarded to the Louisiana Department of Labor for processing. Complaints alleging discrimination due to race, color, national origin, disability and age may be processed either by the Louisiana Department of Labor or the United States Department of Health and Human Services.

RESPONSIBILITY:

The locally designated EO Officer is responsible for insuring that the complaint alleging discrimination meets the following criteria:

- (a) that the individual making the complaint is legally entitled to do so.
- (b) that the individual or entity against which the complaint is filed receives federal financial assistance.

*Total Community Action, Inc.
"Equal Opportunity Employer"
"Auxiliary Aids and Services are available upon request to individuals with disabilities"*

- (c) that the written is filed within 180 days of the alleged discriminatory act. If the complaint is initiated more than 180 days from date of the alleged discriminatory action, the complainant should be notified that the time for filing may be extended either by the Director, Equal Opportunity and Compliance and Division, Louisiana Department of Labor, or Director, Office of Civil Rights , United States Department of Health and Human Services.
- (d) That the written complaint is signed by the complainant or his or her authorized representative, contains the complainant's name and address (or specifies another means of contacting him or her); identifies the respondent; and describes the complainant's allegation in sufficient detail to allow the recipient to determine whether the complaint has apparent merit. The appropriate Release Form must also be completed.

LDOL Complaint Procedures:

- (1) Issue both a Notification/Acceptance of the complaint for investigation to the complaint and respondent as appropriate. The Notification and Acceptance Letters will advise the complainant and respondent of this issues to be resolved.
- (2) Where a complaint contains insufficient information, the needed information shall be requested from the complainant. If the complainant fails to respond to the request for additional information after reasonable efforts have been made to obtain the information, or the information is not furnished within 15 days of the receipt of such request, the complaint shall be "Administratively Closed" without prejudice upon notice sent to the complainant's last known address.
- (3) The Equal Opportunity and Compliance Division (EOCD) will have the option of offering the disputing parties the opportunity of attempting mediation or proceeding to a full investigation. If mediated, EOCD will advise both parties of the option to enter *Mediation* as a problem-solving intervention process. When *Mediation* is not selected, the formal investigation process will begin as outlined in item #4 that follows.
- (4) The Equal Opportunity and Compliance Division will review all documents and acquire additional information and/or conduct hearing(s) in order to provide for a prompt and through investigation of the complaint.

Upon completion of the investigation, the Equal Opportunity and Compliance Division shall submit to the Louisiana Secretary of Labor, based on the complaint investigation, a determination as to whether or not discrimination did, in fact, occur. Records will be maintained which show the nature of the complaint, the details of the investigation, and the actions taken by the Department.

Total Community Action, Inc.
"Equal Opportunity Employer"
"Auxiliary Aids and Services are available upon request to individuals with disabilities"

If the Equal Opportunity and Compliance Division determines, after investigation, that there is reasonable cause to believe that a violation of the non-discrimination provisions has occurred, the Compliance Programs Director shall issue an Initial Determination to the complainant and respondent in writing of:

- (a) The specific findings of the investigation;
- (b) The proposed corrective or remedial action(s) and time by which these corrective or remedial action(s) must be completed;
- (c) Whether it will be necessary for the respondent to enter into a written agreement;
- (d) The opportunity to engage in voluntary compliance negotiations and
- (e) The opportunity to respond to the Initial Determination by providing additional testimony or documentation for consideration prior to the issuance of the Final Determination.\

If the Equal Opportunity and Compliance Division determines, after investigation, that the allegation(s) of discrimination cannot be substantiated, the complainant will be advised, in a timely fashion, and advised of the right to appeal to the Office for Civil Rights if not satisfied with the Louisiana Department of Labor's decision.

In those instances where the complaint is initially filed with the Office for Civil Rights, the latter office may proceed to investigate the complaint utilizing its own resources, or is may request the Louisiana Department of Labor to conduct the investigation.

-
- Complaint alleging discrimination because of race, sex, age, national origin, religion or disability in programs and activities receiving federal financial assistance may be filed with the Louisiana Department of Labor, Equal Opportunity and compliance Division, or with the Office of Civil Rights, United States Department of Health and Human Services, Dallas, Texas

CERTIFICATION FORM
FOR

COMMUNITY SERVICES BLOCK GRANT
PROGRAM PARTICIPANTS

Acknowledging receipt of
CSBG Discrimination Complaint and Grievances Procedures

I certify I have been advised of my rights under Department of Health and Human Services' regulations at 45CFR 80, Title VI of the Civil Rights Act of 1964, and 45 CFR 84, Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving Federal Financial Assistance and understand these rights as they have been explained to me. Additionally, I have been provided a copy of the CSBG discrimination complaint and grievances procedures.

Program Participant's Name (Print)

Program Participant's Signature

Date