
EMPLOYERS' TRAINING RESOURCE
1600 E. Belle Terrace
Bakersfield, CA 93307

POLICY BULLETIN: #ETR 14I-26

TO: All ETR Staff, ETR Service Providers, and WIOA Participants
FROM: ^{BJE} Brandon J. Evans, Chief Workforce Development Officer
DATE: September 15, 2026
SUBJECT: Nondiscrimination and Equal Opportunity Policy

This Policy Bulletin Supersedes Any Previously Issued Policy Statements Concerning Nondiscrimination and Equal Opportunity Policies and Procedures with Changes Indicated in Bold, Italic Type.

REFERENCES

Employment Development Department Workforce Services Directive 17-01

U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) 37-14

Attachment – Complaint Resolution Procedure (English and Spanish versions)

POLICY

The Employment Development Department of the State of California **Workforce Services** Directive 17-01, dated August, 1, 2017, is applicable to all California Local Workforce Development Areas (LWDA) and all Title I recipients and subrecipients, including all providers of service in the Kern, Inyo, and Mono LWDA. This LWDA's administrative entity, Employers' Training Resource (ETR), is committed to equal opportunity and nondiscrimination on the basis of race; color; religion; sex (including pregnancy, childbirth and related medical conditions, sex stereotyping, transgender status, and gender identity); national origin (including limited English proficiency); age; disability; political affiliation or belief; and status of citizenship as a lawfully admitted immigrant.

This Equal Opportunity policy applies to applicants or registrants; eligible applicants or registrants; participants; applicants for employment or employees; unions or professional organizations with collective bargaining agreements with ETR, subrecipients of Workforce Innovation and Opportunity Act (WIOA) Title I funds; and members of the public. The assurance of equal opportunity and nondiscrimination is incorporated by operation of law regardless of whether or not it is physically incorporated in contracts, grants or other agreements. **The law**

prohibits retaliation against an individual **who** has filed a complaint, opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of WIOA, assisted in a review of a complaint of noncompliance, or otherwise exercised any rights under this law.

In addition to the information provided in this Policy Bulletin, providers of service should review the State's Directive for referenced procedures. Allegations of discrimination made against any staff funded with WIOA funds must be reported to ETR's Equal Opportunity Officer, who will log and report such instances. During required monitoring visits of service providers, ETR will monitor for compliance with this and other nondiscrimination and equal opportunity requirements.

The attached flyer must be posted in a public reception area where participants or applicants for WIOA programs may read it. ***For additional guidance regarding discrimination based on gender identity, gender expression, and sex stereotyping, refer to U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) 37-14, "Update on Complying with Nondiscrimination Requirements: Discrimination Based on Gender Identity, Gender Expression and Sex Stereotyping are Prohibited Forms of Sex Discrimination in the Workforce Development System."***

INQUIRIES

If you have any questions, please contact ETR's Equal Opportunity Officer.

**KERN, INYO AND MONO COUNTIES
WORKFORCE INNOVATION & OPPORTUNITY ACT PROGRAMS
COMPLAINT RESOLUTION PROCEDURE**

What You Should Know

When any Workforce Innovation and Opportunity Act (WIOA) participant or applicant feels that staff has been unable to resolve their complaint they may choose to file a grievance via a Complaint Resolution process as required by the Department of Labor. Complaints may concern training, employment, or services provided by one-stop center (currently branded as America's Job Center *of California*) or service provider staff.

The grievance procedure requires you first to follow the complaint process of the agency from which you received services, because you should attempt to resolve the matter with that agency if possible. If you are not satisfied at that point with the results, then you may file a complaint with Employers' Training Resource (ETR).

In order to file a general complaint with ETR, first you obtain and read the complete Grievance Procedure for a detailed explanation of the required steps and the time limit for completing each step. Copies of the complete grievance procedure are available from Brenda Dueñas, Grievance Officer of Employers' Training Resource at 1600 E. Belle Terrace, Bakersfield, CA 93307, or telephone (661) 336-6940, or TDD (661) 365-2629.

If you are still not satisfied, you may write to the Governor of the State of California in Sacramento.

If the nature of your complaint alleges discrimination, the procedure below should be followed.

Equal Opportunity Is the Law

It is against the law for this recipient of federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race; color; religion; sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity); national origin (including limited English proficiency); age; disability; political affiliation or belief; or against any beneficiary of, applicant to, or participant in, programs financially assisted under Title I of the *Workforce Innovation and Opportunity Act* (WIOA), on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas: Deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

What to Do If You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

- the Grievance Officer listed above, or
- the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210

Appeals to the Employment Development Department (EDD) must be filed or postmarked within 10 days from the date on which the complainant received an adverse decision from the Local Area. Requests for EDD review must be filed or postmarked within 15 from either the date on which a complainant should have received a decision regarding a locally filed complainant, which is defined as 5 days from the date the decision was due OR the date on which an instance of restraint, coercion, or reprisal was alleged to have occurred as a result of filing the complaint.

Complainants must submit appeals or requests for EDD review to the following address: Chief, Compliance Review Office, MIC 22-M, Employment Development Department, P.O. Box 826880, Sacramento CA 94280-0001

If the complaint is filed with ETR's Grievance Officer, *she* will determine whether the complaint is based on apparent discrimination. The discrimination complaint will then be referred to Jeremy Shumaker, Equal Opportunity Officer at (661) 635-2758, or at 1600 E. Belle Terrace, Bakersfield, CA 93307. The TDD number is (661) 365-2629.

If you file your complaint with ETR, you must wait either until ETR issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If ETR does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for ETR to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with ETR).

If ETR does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

SIGNATURE _____ DATE _____

CONDADOS DE KERN, INYO Y MONO
PROGRAMAS DE LA LEY DE INNOVACIÓN LABORAL Y OPORTUNIDADES (WIOA)
PROCESO PARA RESOLUCIÓN DE QUEJAS

Lo Que Usted Debe Saber

Cuando cualquier solicitante o participante de programas de la Ley de Innovación y Oportunidad de la Fuerza Laboral (WIOA, por sus siglas en inglés) siente que los empleados no han podido resolver su queja, pueden elegir presentar una queja vía un proceso formal de resolución de queja según los requisitos del Departamento de Trabajo. La queja puede **estar relacionada con capacitación**, empleo, o los servicios proveídos por el personal del Centro de Trabajo de América (al momento nombrado América's Job Center **of California**) o por otro proveedor de servicios en el centro.

El proceso para presentar su queja requiere que primero **siga** el proceso de quejas con la agencia de la cual recibió los servicios, ya que debe primero intentar resolver el problema con esa agencia si es posible. Si a ese punto usted no está satisfecho(a) con los resultados, puede presentar una queja formal con la agencia **Employers' Training Resource (ETR)**.

Para presentar una queja en general con ETR, usted debe primero obtener y leer **el procedimiento completo** de cómo presentar una queja para que usted reciba una explicación en detalle sobre los pasos requeridos y el límite de tiempo que tiene para terminar cada paso. Las copias del procedimiento de queja están disponibles por medio de Brenda Dueñas, Oficial de Quejas de Employers' Training Resource, en 1600 E. Belle Terrace, Bakersfield, CA 93307, o llamando al número de teléfono (661) 336-6940 o (TDD) (661) 365-2629.

Si aún no está satisfecho(a), usted puede escribirle al Gobernador del Estado de California en Sacramento.

Si la naturaleza de su queja alega discriminación, el siguiente procedimiento debe seguirse.

La Igualdad de Oportunidades es La Ley

Es contra la ley que este beneficiario de asistencia financiera federal discrimine por los siguientes motivos: En contra de cualquier individuo en los Estados Unidos por su raza; color; religión; sexo (incluido el embarazo, el parto y condiciones médicas relacionadas, estereotipos de **sexo**, el estatus transgénero **y la** identidad de género); origen nacional (incluyendo el dominio limitado del inglés); edad; discapacidad; afiliación o creencia política; o en contra de cualquier beneficiario, solicitante, o participante en programas de capacitación que reciben **asistencia** financiero bajo el Título I de la Ley de Innovación y Oportunidad de la Fuerza Laboral (WIOA), debido a su ciudadanía, o participación en cualquier programa o actividad que recibe asistencia financiera bajo el Título I **de WIOA**.

El beneficiario no puede discriminar en ninguna de las siguientes áreas: Decidir quién será admitido(a), o tendrá acceso a cualquier programa o actividad que recibe apoyo financiero bajo el Título I de WIOA; proporcionando oportunidades en, o tratar a cualquier persona con respeto a un programa o actividad semejante; o tomar decisiones de empleo o administración de, o en conexión a un programa o actividad semejante.

Los beneficiarios de asistencia financiera federal deben tomar medidas razonables para garantizar que las comunicaciones con las personas con discapacidades sean tan efectivas como las comunicaciones con los demás. Esto significa que, a petición y sin costo alguno para el individuo, los **beneficiarios** están obligados a proporcionar ayuda auxiliar y servicios para individuos con discapacidades calificados.

Si Usted Cree Que Ha Sido Discriminado

Si usted piensa que usted **ha sido objeto de** discriminación bajo un programa o actividad que recibe **asistencia** financiero bajo el Título I de WIOA, usted puede presentar una queja dentro de los 180 días a partir de la fecha en que ocurrió la supuesta violación, ya sea con:

- El Oficial de Quejas en la lista anterior, o
- Director, Centro de Derechos Civiles (CRC), el Departamento de Trabajo de EE. UU., 200 Constitution Avenue NW, Oficina N-4123, Washington, DC 20210.

Las apelaciones al Departamento de Desarrollo de Empleo (EDD) deben ser archivadas o **llevar** sello postal dentro de 10 días de la fecha en la cual el denunciante recibió la decisión adversaria **del área local**. **Las solicitudes de revisión por parte del EDD deben ser archivadas o llevar** sello postal dentro de 15 días de la fecha en la cual el denunciante **debió haber recibido una decisión respecto a una queja presentada localmente**, en la cual **se define como 5 días después de la fecha en que la decisión debía emitirse** o la fecha en la cual la presunta instancia de restricción, coerción, o represalia ocurrió **como resultado de haber presentado la queja**.

Denunciantes deberán enviar la apelación o solicitar al EDD la revisión a la siguiente dirección: Chief, Compliance Review Office, MIC 22-M Employment Development Department P.O Box 826880 Sacramento, CA 94280-0001

Si la queja es presentada al Oficial de Quejas de ETR, **ella** determinará si la queja se basa en una **aparente discriminación**. La queja **por** discriminación **será entonces referida** a **Jeremy Shumaker, Oficial de Igualdad de Oportunidades**, al (661) 635-2758, o en 1600 E. Belle Terrace, Bakersfield, CA 93307. El número de TDD es (661) 365-2629.

Si usted presenta una queja con ETR, usted debe esperar hasta que ETR entregue un Aviso de acción final, o hasta que hayan pasado 90 días (lo que ocurra primero), antes de presentar **una queja ante** el Centro de Derechos Civiles (vea la dirección arriba).

Si ETR no le provee una Notificación de Acción Final dentro de los 90 días siguientes a la fecha en que usted presentó su queja, usted no tiene que esperar a que ETR emita la notificación para poder presentar una queja ante el CRC. Sin embargo, usted debe presentar su queja dentro de 30 días del vencimiento de los 90 días (en otras palabras, dentro de los 120 días después del día en que usted presentó su queja con ETR).

Si ETR le da un Aviso de Acción Final de su queja, pero usted no está satisfecho con la decisión o resolución, usted puede presentar una queja ante el CRC. Debe presentar su queja dentro de 30 días desde la fecha en que recibió el aviso de acción final.

Firma _____ Fecha _____