



## Catawba WIOA Instruction 24-09 update to local instruction 16-12

**TO:** WIOA Grantees  
**SUBJECT:** 'Equal Opportunity Is The Law' Notice  
**ISSUANCE DATE:** April 25, 2025  
**EFFECTIVE DATE:** Immediately  
**UPDATED:** April 25, 2025

**Purpose:** To provide guidance regarding the federally required "Equal Opportunity is the Law" notice.

### **Reference:**

- State Instruction 16-10 Change 1
- Workforce Innovation and Opportunity Act, Public Law 113-128, §188
- 29 CFR §§ 38.34-38.36

**Background:** WIOA § 188 prohibits discrimination based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, or (against any beneficiary, applicant, or participant) on the basis of citizenship status. 29 CFR Part 38 implements the nondiscrimination and EO requirements under WIOA and prescribes key responsibilities of WIOA-funded staff and the Local Workforce Development area.

**Policy:** Initial and continuing notice as defined by 29 CFR § 38.36 that the program does not discriminate on any prohibited basis. This notice must be provided to the following:

- Registrants, applicants, and eligible applicants/registrants
- Participants
- Applicants for employment and employees
- Members of the public, including those with impaired vision or hearing and those with limited English proficiency (LEP)
- Unions or professional organizations that hold collective bargaining or professional agreements with the recipient.
- Subrecipients that receive WIOA title I financial assistance from the recipient

Recipients must publish the language of the notice exactly as prescribed by DOL in 29 CFR § 38.35. This EO notice, including print copies and audio files in English and other languages, is available at <https://scworks.org/about-us/legal> for LWDAs to access, link, and/or print as needed.

Recipients must ensure the "Equal Opportunity is the Law" notice is published in the following ways:

- Posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on the LWDA's website
- Disseminated in internal memoranda and other written or electronic communications with staff
- Included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available
- Provided to each participant and employee as part of employee's or participant's file, in both paper and electronic files, if both are maintained

The local workforce area must take appropriate steps to ensure that the notice is communicated as effectively to individuals with disabilities as it is to others, and that this notice is provided in appropriate languages to ensure meaningful access to LEP individuals.

**Action:** Please ensure that all appropriate staff receives and understand this policy.

**Inquiries:** Questions may be directed to Amanda Baker at [abaker@catawbacog.org](mailto:abaker@catawbacog.org) or Yulanda Thompkins at [ythompkins@catawbacog.org](mailto:ythompkins@catawbacog.org) or 803-327-9041.

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Amanda Baker  
WIOA Administrator

# EQUAL OPPORTUNITY Is THE LAW

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

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

Recipients of federal financial assistance must take reasonable steps to ensure that communication with individuals with disabilities is as effective as communication 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 recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose);

Valerie McMellan  
EO Officer, SCDEW  
Post Office Box 908  
Columbia SC 29202  
or

Director, Civil Rights Center (CRC), U.S. Department of Labor 200  
Constitution Avenue NW, Room N4123, Washington, DC 20210 or  
electronically as directed on the CRC website at [www.dol.gov/crc](http://www.dol.gov/crc).

If you file your complaint with the recipient, you must wait until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.