

## **PARTICIPANT RIGHTS AND RESPONSIBILITIES ACKNOWLEDGEMENT**

The Office of Economic and Workforce Development (OEWD) is fortunate to be able to use funds appropriated by the Federal, State and City government to assist you in your preparation and search for employment. This document will provide you with general information about the program, what you can expect from it and what will be expected of you. The staff of the agency, which operates the program you are now enrolled in, is available to assist you with any additional questions or problems you may have.

### **YOUR RESPONSIBILITIES**

Each participant has the responsibility to participate and cooperate in efforts to increase his/her potential for becoming employed. All participants are expected to:

- Participate to the best of his/her abilities.
- Adhere to the policies and procedures of the program.
- Conduct himself/herself in a manner that is not dangerous or disruptive.
- Report to the agency any change of address or phone number.
- Participate in job search activities.
- Provide employment information to agency or OEWD staff throughout the follow-up period.

As a Classroom Training Participant, you are expected to attend every scheduled training session and to arrive on time. Continual tardiness and/or excessive absences may be cause for termination from the program. There may be times when attendance is impossible; in such cases you should inform your instructor or counselor and let them know of your situation.

#### As an On-the-Job Training Employee:

In an on-the-job training position you are considered a regular employee your first day on the job. As an employee you must follow the personnel policies and procedures of your employer. If you have any questions about your job or responsibilities, contact the job developer who assisted you in obtaining your position.

### **IN CASE OF INJURY OR ACCIDENT WHILE PARTICIPATING IN OEWD ACTIVITIES**

Staff at your program agency or training/job site will inform you of the emergency procedures.

### **LIMITATIONS**

**Nepotism.** You may be prevented from participating in a particular program if you are closely related to someone currently employed in an administrative capacity at that agency or OEWD. If you have a relative in a supervisory or management position at the agency where you want to receive training or at OEWD, check with your counselor for further clarification.

**Hatch Act.** There are some restrictions on involvement in political activities while receiving federally funded training. Although you may express opinions on political subjects and candidates, take an active part in political campaigns, make contributions to a political party or organization and ask for voluntary contributions, you should not be involved in those activities during the hours when you are on the job or during class hours.

### **BENEFITS WHILE PARTICIPATING IN AN OEWD FUNDED PROGRAM**

There is no cost for participating in an OEWD funded program. If an agency attempts to collect a "fee" of any kind, immediately contact OEWD at (415) 701-4848. Ask for the Equal Opportunity Officer.

#### Participant in Classroom Training:

As a classroom training program participant, you may be eligible for supportive services, including transportation (Fast Pass, BART ticket), and childcare assistance. Please check with the counselor at your training program for information on what is available and the procedures for receiving such supportive services.

Speak with the counselor at the agency which operates the program you are enrolled in for information about childcare assistance. Your counselor will provide you with a childcare information sheet, which explains the requirements and benefits available. In most cases, childcare assistance is available during the entire period you are in training. If you have special childcare needs, speak with your counselor.

#### Participant in On-the-Job Training Position:

While employed in a training position, you will receive wages in return for work performed under specific commitments made by your employer. The wages you receive are subject to income tax withholding and (in some cases) other deductions.

If you are currently receiving Unemployment Insurance (UI) benefits you may continue to receive these benefits while enrolled in a Workforce Investment and Opportunity Act (WIOA) classroom training program. You are not eligible, however, for UI benefits if you are a participant in an on-the-job training position subsidized with WIOA funds.

## NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

It is against the law to discriminate against:

- Any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
- Any beneficiary of programs, financially assisted under OEWD programs on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any OEWD program or activity.

OEWD and its subcontractors cannot discriminate in any of the following areas:

- Deciding who will have access to any OEWD program or activity, or
- Treatment of program participants, or
- Employment decisions in the administration of, or connection with, such a program or activity.

If you think you have been subjected to discrimination, you may file a complaint within one hundred eighty (180) days from the date of the alleged violation with OEWD's Equal Opportunity Officer –Alfredo Fajardo, at One South Van Ness Avenue, 5<sup>th</sup> Floor, San Francisco, CA 94103. Or you may contact the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-4123, Washington D.C. 20210.

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

If OEWD does **not** give 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 OEWD to issue that Notice before filing with the CRC. However, you must file your CRC complaint within 30 days after the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with OEWD).

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

## GRIEVANCE RIGHTS

As an individual participating in an OEWD funded program, you have certain rights and responsibilities. Under the Code of Federal Regulations 20 CFR 667.600(g)(1), 24CFR570.431 and San Francisco Chapter Appendix F1.107, you have the right to grieve the terms and conditions of employment and/or training. Please contact your counselor if you feel that you have been unfairly treated. Every agency has grievance procedures within its personnel procedures that detail the terms and conditions of your services, training and/or employment. The agency, which operates the program you are enrolled in should give you a copy of these rights and responsibilities and be able to explain them to you. It is important that you follow these procedures. If you feel that your agency is not following the procedures, contact OEWD. You will be asked to provide the individual responding to your concern with complete and accurate information in order to follow up on your complaint.

You have the right to allege a violation of the regulations, grant(s), or other agreements under OEWD. If you feel that a violation has occurred, you may file a complaint in writing with OEWD. For specific information on filing a grievance, please contact OEWD. A strict timeline is required for filing a complaint (within one year of its occurrence). You also have the right to request technical assistance with filing a complaint, and may call (415) 701-4848 for more information on how to file.

OEWD may schedule an informal complaint resolution meeting prior to the administrative hearing. At the informal complaint resolution meeting an attempt to resolve the complaint will take place. If and when the complaint has been informally resolved, OEWD shall attempt to contact you and request you provide a written withdrawal within 10 days of the informal resolution

If an informal resolution cannot be reached, OEWD will schedule an administrative hearing within 30 days from the receipt of a written complaint. You must be notified in writing of the administrative hearing 10 days prior to the date of the hearing.

After the hearing, OEWD will issue a decision on your case within 60 days. If a decision is not reached within 60 days or you receive an adverse decision you may further appeal in writing to:

- WIOA – Chief, EDD Compliance Review Division, P. O. Box 826880, Sacramento, CA 94280-0001.
- CDBG – Regional Administrator, U.S. Department of Housing and Urban Development, 600 Harrison Street, 3<sup>rd</sup> Floor, San Francisco, CA 94107-1300
- General Fund – Whistleblower Program, Office of the Controller, City Hall Room 316, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4694
- H-1B/RTW/CCPT/AAG – The Office of Federal Contract Compliance Programs (OFCCP), U.S. DOL, 200 Constitution Avenue, N.W., Washington, D.C. 20210

## IF YOU HAVE PROBLEMS

Staff is available at the agency which operates the program you are enrolled in to provide referral information or for other personal, language, or job related problems. We hope this information is a useful introduction to OEWD programs and that you will successfully reach your employment goal.

**This is to certify that I have received copy of the Participant Rights and Responsibilities Information Sheet. I have read the complaint procedures and understand the steps to follow if I have a complaint against a program operated by OEWD. My counselor has explained these procedures to me verbally and I fully understand this process. I understand that a full copy of these procedures is available to me upon request.**

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Career Advisor/Case Manager Signature

\_\_\_\_\_  
Date

9/2018

1 Dr. Carlton B. Goodlett Place, Room 448



San Francisco, CA 94102 | www.oewd.org

p: 415.554.6969 f. 415.554.6018