**Discrimination Complaint Procedures**

**Appendix D**

**No jurisdiction template**

**(untimely complaint)**

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| **NOTICE OF FINAL ACTION**  [date]  [name and address of Complainant]  Dear Mr./Ms. \_\_\_\_\_\_\_:  This acknowledges receipt of your complaint of discrimination dated (insert date of receipt of complaint).  I have authority to investigate and determine complaints of discrimination arising under the following statutes and their implementing regulations: (1) Title VI of the Civil Rights Act of 1964, as amended; (2) Section 504 of the Rehabilitation Act of 1973, as amended; (3) Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA); (4) Title II of the Americans with Disabilities Act and the Americans With Disabilities Amendments Act; (5) Title IX of the Education Amendments of 1972, as amended; and (6) the Age Discrimination Act of 1975.  As a whole, these statutes bar discrimination on the “basis” of race, color, national origin, religion, age, sex, disability, citizenship, political affiliation or belief, and/or status as a WIOA participant in programs funded, in part or in whole, by the U.S. Department of Labor.  In order for me to have authority to investigate your complaint, the complaint must comply with certain federal requirements. Of relevance here, federal law requires that the complaint be filed within 180 days of the date of the alleged discriminatory conduct by Respondent.  Upon review of your complaint, I find that I lack jurisdiction to investigate and decide this matter because you allege that Respondent discriminated against you on (insert date of alleged incident), but you filed this complaint more than 180 days later, on (insert date of receipt of complaint).  Because the complaint is untimely on its face, there is no jurisdiction to investigate it.  Respectfully,  /s/  [name and title of investigator]  **NOTICE OF RIGHT TO REQUEST WAIVER:** Your complaint has been found untimely because it was not filed within 180 days of the alleged act of discrimination. However, you may request a waiver of the 180 day time limit for filing a complaint by demonstrating “good cause.” Any request for waiver must be submitted in writing to the Director of the Civil Rights Center, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210. The Director of the Civil Rights Center has the sole discretion to grant or deny a request for waiver.  **NOTICE OF RIGHT TO FILE COMPLAINT:** If you are dissatisfied with this Notice of Final Action, you may file a complaint with the Civil Rights Center, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210. The complaint must be filed within 30 days of the date on which you received this Notice of Final Action.  **BABEL NOTICE (29 C.F.R. § 38.9(g)(3)):**  This document contains vital information. If English is not your preferred language, contact [insert EO Officer’s name and contact information] to obtain translation and/or interpretation services for the content of this document.  **NOTICE OF RIGHT TO AUXILIARY AIDS AND SERVICES:** Auxiliary aids and services shall be provided on request by individuals with disabilities. To request auxiliary aids or services, contact [insert EO Officer’s name and contact information]. |