

04 NCAC 20B .0412 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

(a) Subrecipients shall not discriminate against any employee, including participants and potential beneficiaries of employment and training programs or projects because of race, color, sex, religion, handicap, political affiliation or national origin. This applies to all programs, projects or activities funded in whole or in part with federal employment and training funds received directly or indirectly through the Division.

(b) Each subgrantee and division contractor is responsible for designating an equal employment opportunity officer, who shall be responsible for assuring that discrimination does not occur in that subrecipient's programs or projects. The Division may require the equal employment opportunity officer to certify the procedures by which the officer secured that assurance. The equal employment officer for a subrecipient is also responsible for the development of a grievance procedure that provides an opportunity for hearings that USDOL designates are not the primary responsibility of USDOL. The equal employment officer is responsible for disseminating information to employees and participants concerning the subrecipient's nondiscrimination policy and the grievance procedures.

(c) Division contractors may request that the Division provide equal employment opportunity services for the contractor.

(d) All subrecipients will be subject to periodic review for compliance with Paragraph (a) of this Rule, which review will be made by division staff. Division staff may recommend corrective measures to assure nondiscrimination, and, in the event of failure to correct deficiencies, the Director may impose such sanctions as are available under the contract or subgrant for failure to comply with a term of the contract or subgrant.

History Note: Authority G.S. 143-16; 143-16.1; 143-341; 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 629.3; Eff. October 1, 1984; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019.