

<b>PROCEDURE:</b> LAW 0815– Discrimination Grievance Procedures
<b>OWNER:</b> Nondiscrimination Compliance Coordinator (NCC)
<b>RESPONSIBLE ROLES:</b> Nondiscrimination Compliance Coordinator, Senior Director of Compliance, Chief Legal Officer, Deputy General Counsel, Senior Associate Counsel, Associate Counsel, and Legal Assistant
<b>APPLICABLE TO:</b> WEDC STAFF

**SUMMARY:**

The Wisconsin Economic Development Corporation (WEDC) does not tolerate discrimination on the basis of race, color, national origin (including limited English proficiency), sex, age, or disability and adopts these procedures to allow any person or group to submit a complaint alleging discrimination of any kind by WEDC that may constitute a violation of 40 CFR Part 7 or any state or federal statutes or regulations that the WEDC enforces, and to assure the prompt and fair resolution of any such discrimination complaints.

The purpose of this Procedure is to establish a uniform policy on nondiscrimination to comply with several Code of Federal Regulations (CFR) and federal and state laws involving nondiscrimination.

**GOVERNING SOURCE REFERENCE(S):**

[40 C.F.R. Part 7, Nondiscrimination in Programs or Activities Receiving Assistance from the Environmental Protection Agency](#)

[31 C.F.R. Part 22, Nondiscrimination on the Basis of Race, Color, or National Origin in Programs or Activities Receiving Federal Financial Assistance from the Department of the Treasury](#)

**DEFINITION(S):**

**Complaint** – The substance or narrative of the allegation or problem being reported.

**EthicsPoint** – A secure server where complaints made to WEDC are reported, housed for investigation, and tracked for reporting purposes.

[\[secure.ethicspoint.com/domain/media/en/gui/50417/index.html\]](https://secure.ethicspoint.com/domain/media/en/gui/50417/index.html)

**Nondiscrimination Compliance Coordinator (NCC)** – is the following WEDC employee:

Senior Director of Compliance  
Wisconsin Economic Development Corporation  
2352 S. Park Street, Suite 303  
Madison, WI 53713  
Phone Reporting: 844-528-8655

**LAW 0815**  
**10/17/2024**

**PROCEDURE DETAILS:**

**To File a Complaint**

To have a complaint submitted and considered for investigation under this procedure, the complainant must file the complaint in writing no later than 180 calendar days after the date(s) of the alleged act(s) of discrimination. The complaint must be in writing and signed by the complainant or the complainant's representative and include the contact information for the complainant or their representative. The complaint must specify with as much detail as possible:

1. The actions or inactions by WEDC that support an alleged violation;
2. The alleged discrimination that did or will result from such actions or inactions;
3. The identity of the person(s) harmed or potentially harmed by the alleged discrimination; and
4. The state of federal statutes or regulation WEDC allegedly violated (if known).

WEDC may request additional information from the complainant if needed to assist with meeting the complaint requirements listed above.

Complaints will be filed via EthicsPoint, WEDC's complaint reporting tool, which allows for a complaint to be filed online or via telephone. EthicsPoint is monitored by WEDC's Senior Director of Compliance and Chief Legal Officer. All complaints alleging discrimination will be routed directly to the Nondiscrimination Compliance Coordinator.

- Online Reporting: [secure.ethicspoint.com/domain/media/en/gui/50417/index.html](https://secure.ethicspoint.com/domain/media/en/gui/50417/index.html)
- Phone Reporting: 844-528-8655

**Complaint Log**

WEDC will log complaints submitted pursuant to this policy, and the Nondiscrimination Compliance Coordinator will retain a copy of all documents on file in accordance with the records retention schedule. The Nondiscrimination Compliance Coordinator will also notify the relevant program manager(s) of the alleged violation. All logged complaints will receive an appropriate, prompt, and unbiased investigation. The following are examples of what will not be logged as a complaint under this procedure:

1. Anonymous submittals.
2. Submittals too vague to reasonably determine the allegations of discriminatory conduct.
3. Submittals not sufficiently identifying the person(s) harmed or potentially harmed by the alleged discrimination.
4. Inquiries seeking advice or information.
5. Courtesy copies of court pleadings.
6. Newspaper articles.
7. Web-based media sources such as YouTube videos, email strings, blogposts, comments strings, social media posts, or webpages.
8. Courtesy copies of internal grievances.
9. Voice mail messages, telephone calls that are not made to EthicsPoint, or in-person conversations.

### **Initial Review of a Complaint Submission**

Upon receipt of a complaint and any additional information supporting or otherwise associated with the complaint, a case file must be established containing all documents and information pertaining to the complaint, and an initial review of the case must be conducted. At this stage, the Nondiscrimination Compliance Coordinator must determine if an informal resolution process should be engaged and, if so, must inform the complainant how to engage the available options for the informal resolution process.

If the Nondiscrimination Compliance Coordinator determines that the complaint warrants further investigation, they will assess the information in the complaint and any other relevant information to determine whether:

1. WEDC has jurisdiction to pursue the matter; and
2. The complaint submitted contains sufficient merit to warrant further investigation.

A complaint warrants further investigation unless:

- It lacks an identifiable path to resolution or does not provide enough clarity to warrant next steps.
- WEDC reaches an agreed resolution with the complainant within the time allotted for making the determination of jurisdiction and investigative merit.
- The complainant withdraws the complaint within the time allotted for making the determination of jurisdiction and investigative merit.
- The complaint was not submitted within 180 calendar days after the latest date(s) of the alleged act(s) of discrimination.

Within 30 calendar days of receipt of the complaint submittal, the Nondiscrimination Compliance Coordinator must inform the complainant if the complaint has or has not been accepted for further investigation. If it is determined that further investigation is not warranted, the reason for such determination must be documented in the case file.

### **Further Investigation**

If further investigation is warranted, the Nondiscrimination Compliance Coordinator will evaluate the alleged facts to determine the appropriate course of action. This may include interviewing WEDC employees or other relevant witnesses and/or reviewing relevant documentation. Relevant WEDC employees must make themselves available as necessary. The investigation will be conducted using the preponderance of the evidence standard to analyze the complaint.

### **Report and Determination**

The Nondiscrimination Compliance Coordinator must issue a written report which includes a determination on whether WEDC violated 40 CFR Part 7. The written report of the investigation must also include a narrative of the incident, identification of individuals interviewed, evidence reviewed, and must contain findings and a determination. The report and determination must be placed in the complaint file. Within 180 calendar days of receiving the complaint that warranted investigation, the Nondiscrimination Compliance Coordinator will notify the complainant in writing of the findings of the investigation and the recommendations for resolution.

**Appeal**

The person or group submitting the complaint may appeal the decision of the Nondiscrimination Compliance Coordinator by writing to WEDC's Chief Legal Officer within 30 calendar days of receiving the Nondiscrimination Compliance Coordinator's decision. The WEDC's Chief Legal Officer must issue a written decision in response to the appeal no later than 30 calendar days after its receipt.

**Retaliation and Intimidation**

WEDC also does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected by applicable laws and regulations, or for the purpose of interfering with such rights, and claims of intimidation and retaliation will be handled promptly by the Nondiscrimination Compliance Coordinator and/or Chief Legal Officer if they occur.

**Related Documents and Reporting:**

[LAW 0810 – EthicsPoint Case Management](#)

[LAW 0930 – Records Management](#)