

Northeastern Workforce Development Board (NWDB) General Policies and Procedures WIOA Program Grievance Procedures	
Policy 008	EFFECTIVE DATE: 2/27/2017 <i>Revised:</i>
Approved by: NWDB - Executive Director	

PURPOSE: This policy and related procedures covers complaints alleging non-criminal violations of the requirements of Workforce Innovation and Opportunity Act (WIOA) in the operation of local WIOA programs and activities, and transmits policy governing WIOA Title I related grievance and complaint procedures.

BACKGROUND: Title 20 CFR Section 683.600 requires each Local area, State, and direct recipient of funds under Title I of WIOA to establish and maintain a procedure for grievances and complaints from participants and other interested parties affected by the local workforce development system, including One-Stop partners, service providers, and the Statewide workforce development programs.

DEFINITIONS:

A **complaint** is an allegation of discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, or participation in the program and is covered by the nondiscrimination and equal opportunity provisions at 29 CFR 37.30.

A **grievance** is a complaint about services, working conditions, wages, work assignments, etc., arising in connection with WIOA programs operated by WIOA recipients including service providers, eligible training providers, and other contractors.

GENERAL POLICY:

Applicants and participants of the Workforce Innovation and Opportunity Act (WIOA) program, including applicants for employment, and employees, have the right to enter into the grievance process to resolve disputes. Complaint/grievances must be filed in writing within 180 days after the alleged WIOA violation took place. Individuals in grievance investigations are protected from retaliation and are permitted to have translators, interpreters, readers and/or a representative of their choice during the grievance process.

If any individual, group or organization has a complaint/grievance, the problem should first be discussed informally between those involved before a complaint/grievance is filed.

Complaint/grievance may file their grievance at the local service provider level, local Workforce Development Board level (NWDB), State Equal Employment Opportunity (EEO) Officer level and/or at the Federal Department of Labor (DOL) level.

EQUAL OPPORTUNITY POLICY:

As stated by Section 188 of WIOA, NWDB and its local service providers are prohibited from discrimination of an individual from participation in, denial of the benefits of, discrimination in, or denial of employment in the administration of or in connection with, any programs and activities funded or otherwise financially assisted in whole or in part under Title I of WIOA because of

race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or for beneficiaries, applicants, and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under Title I of WIOA.

COMPLAINTS OF DISCRIMINATION:

If you believe that you have been subjected to discrimination under a WIOA funded program or activity, you may file a complaint no later than 180 days after the date of the alleged act of discrimination to:

Joanna Russell, Executive Director
Northeastern Workforce Development Board
PO Box 737
Bangor, ME 04402

Phone: (207)992-0770
jrussell@northeasternwdb.org

If you elect to file your complaint with the Local Workforce Board, you must wait until the NWDB issues a decision or until 30 days have passed (whichever is sooner), before filing one with State EEO Officer. If the NWDB has not provided you with a written decision within 30 days of filing the complaint, you need not wait for a decision to be issued. If you are dissatisfied with the NWDB resolution of your complaint, you may file a complaint with MDOL. Complaints can be submitted to:

Ms. Michaela Loisel, EEO Officer
Maine Department of Labor
45 Commerce Drive
Augusta, ME 04330

Phone: (207) 623-6735
TTY Users Call Maine Relay 711
Michaela.T.Loisel@maine.gov

If you file your complaint with the State EEO Officer, you must wait until the State EEO Officer has issued a Notice of Final Action, or 90 days passed (whichever is sooner), before filing one with the Civil Rights Center. If you file your complaint with the State EEO Officer and after 90 days have not received a written Notification of Final Action, you will have 30 additional days in which to submit your complaint to the Civil Rights Center. If the State EEO Office does provide you with a Notice of Final Action within 90 days of filing your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC within 30 days of the date you received the State EEO Officer's Notice.

Director, Civil Rights Center
U.S. Department of Labor
200 Constitution Ave. NW, Rm. N-4123
Washington, D.C., 20210

Phone: (202) 693-6500
TTY/TDD: (800) 877-8339
Fax: (202) 693-6505
CivilRightsCenter@dol.gov

FILING A GRIEVANCE:

A complainant may attempt to resolve all issues of unfair treatment by working with the appropriate Manager or Supervisor and staff member involved informally. After all avenues have been exhausted and the complainant is dissatisfied, a formal grievance may be filed.

All non-discrimination or unfair treatment complaints as described in the previous definition may be filed within 180 days after the act in question by first submitting a written request for resolution to:

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Northeastern Workforce Development Board
PO Box 737
Bangor, ME 04402

Phone: (207)992-0770
jrussell@northeasternwdb.org

Complaints filed with NWDB shall contain the following:

- A. The full name, telephone number (if any), and address of the person making the complaint.
- B. The full name(s) and address of the persons or organizations against which the complaint is made.
- C. A clear but brief statement of the facts including the dates(s) that the alleged violation occurred.
- D. Relief requested.

Upon receipt of the complaint, the Executive Director will initiate efforts with the complainant and others involved for a timely resolution. If the complaint has not been resolved to the satisfaction of the complainant within thirty (30) days, the complainant may file a written request for a hearing.

A request will be considered to have been filed when the reviewing authority receives from the complainant a written statement, including information specified above which contains sufficient facts and arguments to evaluate the complaint.

After the written request is submitted as indicated above and received by NWDB, the complainant(s) and all parties involved will be contacted for resolution within 15 days. Hearings on any grievance filed shall be conducted within thirty (30) days of its filing with NWDB. Written decisions shall be rendered not later than sixty (60) days after the filing. Attempts at informal resolution or mediation may proceed during the 30-day period between the filing and hearing of the grievance and prior to the rendering of a decision on the grievance.

No applicant, participant, employee, service provider or training provider will be intimidated, threatened, coerced or discriminated against because they have made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing.