

*Crater Region XV One-Stop Centers
Grievance and Complaint Policy
Effective March 1, 2006*

Overview: In Accordance with the VEC policy 2001-01, Processing Grievances and Complaints, the Crater XV One-Stop Centers adopts the policy shown below.

References:

P.L. 15-229. Workforce Investment Action, Section 181 (c).

Federal Register, August 11, 2000, Part II, Department of Labor, Employment and Training Administration, 20 CFR Part 652 Ex AL., Workforce Investment Act, Final Rules, Part 667 600.

Definitions:

The following terms, when used in this policy, having the following meanings unless the context states otherwise:

Complainant -an individual group or agency that files a formal complaint alleging violation of WIA and/or provisions of a related agreement.

Direct Recipient -any person or government department, agency or establishment that receives WIA funds through the local area in order to carry out WIA programs, but does not include an individual who is beneficiary of such a program.

Grievant -an individual, group or agency that files a formal grievance alleging violation of WIA and/or provisions related agreement.

Participant -an individual who has been determined to be eligible to participate in and who is receiving services (except follow-up services authorized under the WIA) under a program authorized by the WIA. Participation commences on the first day, following determination of eligibility, on which the individual begins receiving subsidized employment training or other services provided by WIA.

Policy Statement: The Emporia and the Tri-Cities One-Stop Centers and the Petersburg Satellite office adopts the following for dealing with grievances and complaints, provides for prompt resolution within 30 days of receipt of the written complaint, and provides opportunity for the grievant or complainant to appeal the LWIB level decision to the local Crater Regional Workforce Investment Board when he/she is dissatisfied with the One-Stop Center's decision or no decision is reached within 30 calendar days.

Policy and Process for Receipt and Disposition of Grievances and Complaints

The grievance and complaint review procedures for the Emporia and Tri-Cities One-Stop Centers and the Petersburg Satellite office apply to the alleged violations of the requirements of WIA and/or provisions of a related agreement. These grievances or complaints may be submitted by participants and other interested parties affected by the Emporia and Tri-Cities One-Stop Centers and the Petersburg Satellite office, including one-stop partners and service providers.

Filing a Grievance or Complaint

The Emporia and Tri-Cities One-Stop Centers and the Petersburg Satellite office will advise participants to direct grievances and complaints to the One-Stop managers. For the Emporia One -Stop Center, the address is 1300 Greensville County Circle, Suite C Room 105, Emporia, Virginia 23847 and the phone numbers are (866)-270-9193 or (434) 634-3762. For the Tri-Cities

One-Stop Center and the Petersburg Satellite office, the address is 5240 Oaklawn Blvd., Hopewell, Virginia 23860 and the phone numbers are (866) 270-9184 or (804) 541-6541. Each grievance or complaint must be filed in writing within 30 calendar days of the alleged situation and must contain the following information:

- 1) The name, address and phone number of the person filing the grievance or complaint;
- 2) The date the alleged situation and the date the grievance or complaint was filed;
- 3) The identity of the respondent (i.e. the individual or entity against whom the grievance or complaint is alleged);
- 4) A description of the allegations. This description must include enough detail to allow the reviewer to decide whether the allegations, if true, would violate any of the provisions of WIA and;
- 5) The signature of the person filing the grievance or complaint.

Method of Resolution/Disposition of Complaints

Upon receipt of the grievance or complaint, the One-Stop Manager(s) or their designated person will provide written notice to the grievant or complainant. This correspondence will be sent within five (5) business days of the receipt of the written grievance or complaint and will include the following:

- 1) A summary of the allegations submitted;
- 2) The date, time and place of the hearing with the One-Stop Manager and/or WIA Coordinator;
- 3) A notice that the grievant or complainant may be represented by an attorney, and;
- 4) A notice that the grievant or complainant may present witnesses and documentary evidence.

NOTE: The One-Stop Manager will offer the complainant the opportunity for an informal resolution of the grievance or complaint. This discussion will occur after review of the documentation and may include a meeting with the complainant, and other parties involved prior to the hearing.

Should the complaint or grievance involve a training/service provider and is not resolved after WIA Coordinator and/or One-Stop Manager's designated person has made the initial contact, the complaint or grievance will then be forwarded to the CRWIB and/or the Certification and Assessment Committee for action.

The One-Stop Manager(s) or their designated person will conduct investigation and provide a resolution within thirty (30) calendar days of the receipt of the written complaint.

Notice of Final Action

Once the investigation is complete and a decision has been reached, a Notice of Final Action will be sent to grievant or complainant. If an informal resolution was provided, the Notice of Final Action will summarize the resolution agreed upon. If no informal resolution was provided, the Notice of Final Action will contain the following information:

1. The reviewer's decision and the reasons supporting the decision;
2. A brief description of the investigation process used to reach the decision;
3. A notice that, if dissatisfied with the decision, the grievant or complainant may appeal to the Crater Regional Workforce Investment Board within ten (10) business days of receipt of the Notice of Final Action. The EO officer is Levin Sullivan, Sr. whose contact information is 114 North Union Street, Petersburg, Virginia 23803, 804.732.7053;
4. A Notice that the grievant or complainant may seek a remedy authorized under another Federal, State or local law.

Record Keeping

The Emporia and the Tri-Cities One-Stop Centers and the Petersburg Satellite office will maintain the following information for at least three years from the date of the resolution of the grievance or complaint:

1. The name and address of the grievant or complainant;
2. A description of the grievance or complaint;
3. The date the grievance or complaint was filed;
4. The disposition (final action);
5. The date the disposition of the grievance or complaint; and
6. Any other pertinent information

Confidentially:

To the maximum extent possible, the identity of any person who has furnished information relating to, or assisting in, an investigation of possible violation of WIA shall be kept confidential. The information may only be used for the purpose of:

- 1) Record keeping and reporting.
- 2) Determining the extent to which an entity is operating WIA funded programs or activities in a nondiscriminatory manner; or
- 3) Other use authorized by the nondiscrimination and equal opportunity provision of WIA.

Case Manager Signature

Date

Participant Signature

Date