

**Capital Region Workforce Development Board
Administrative Policy 103**

Grievance and Complaint Policy and Procedures

Purpose

This policy sets forth the procedures to address grievances or complaints by local workforce area staff, service providers, partners, and customers.

This policy does not address the procedures for processing complaints alleging discrimination under the Workforce Innovation and Opportunity (WIOA). Such complaints must be handled in accordance with the procedures set forth in Administrative Policy 102. Questions about or complaints alleging a violation of the nondiscrimination provisions of WIOA should be directed to local EO Officer identified in said policy.

Policy

This grievance and complaint procedure applies to alleged violations of the requirements of WIOA and/or provisions of any related WIOA agreement.

These grievances or complaints may be submitted by applicants, participants and other interested parties who may be affected by Capital Region Workforce Development Board (WDB), inclusive of staff, Workforce Center partners, service providers, and customers.

The WDB shall provide these grievance and complaint procedures to applicants, participants, workforce partners, service providers, and other interested parties that may be affected by the workforce system. Reasonable efforts shall be made to ensure that potentially affected parties, including youth and persons who have limited English proficiency, can understand the policy and the procedures for filing complaints and grievances.

Definitions:

The following terms, when used in this policy, have the following meanings unless the context clearly indicates otherwise:

Complainant – an individual, group or agency that files a formal complaint alleging violation of the WIOA and/or provisions of a related agreement.

Direct Recipient – any person or governmental department, agency or establishment that receives WIOA funds through the WDB in order to carry out WIOA programs, but does not include individuals who are the beneficiaries of such programs.

Grievant – an individual, group, or agency that files a formal grievance alleging violation of the WIOA and/or provisions of a 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 WIOA) under a program

authorized by the WIOA. Participation commences on the first day, following determination of eligibility, on which the individual begins receiving subsidized employment, training or other services provided under WIOA.

Applicant- an individual who applies for participation in a WIOA program or service

How to File a Grievance or Complaint

Grievances and Complaints must be directed to:

Brian Davis, Director
Capital Region Workforce Development Board
121 Cedar Fork Road., Suite B
Henrico, VA 23220
Phone: 804-652-3220; email: dav113@henrico.us

Who Can File a Grievance or Complaint

Examples of who may file a grievance or complaint include the following:

1. Applicants and/or registrants for aid, benefits, services or training,
2. Eligible applicants/registrants,
3. Participants,
4. Employers,
5. Applicants for employment under WIOA,
6. Service providers; **or**
7. Eligible service providers.

The Timeline for Filing Grievances and Complaints

Each grievance or complaint must be filed, in writing, **within 30 calendar days** of the alleged violation of WIOA Regulations/Requirements and must contain the following information (**see Attachment A**):

1. The name, address and phone number of the person filing the grievance or complaint;
2. The date of the alleged violation or 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 WIOA; and
5. The signature of the person filing the grievance or complaint.

Methods of Resolution / Disposition of Complaints

Upon receiving a properly filed complaint, the WDB Director shall within five (5) business days provide written notice to the grievant or complainant including:

1. A summary of the allegations submitted,
2. The date, time and place of the meeting or hearing with the reviewer
3. Notice that the grievant or complainant may be represented by an attorney; and Notice that the grievant or complainant may present witnesses and documentary evidence.

A hearing must be held within 60 days at which time a determination is made and resolution offered based on the investigation. If this does not occur, the complaint may be filed directly with the State WIOA Administrative Entity.

An informal resolution of a grievance may also be provided and shall be completed in a meeting prior to the hearing date; meaning less than 60 days of the filing.

Notice of Determination

Once the investigation is complete and a decision has been reached, a Notice of Determination shall be sent to the grievant/ complainant. The WDB has a maximum of 30 calendar days to conduct an investigation of the allegations and offer a response.

The Notice of Determination shall contain the following information:

1. WDB's decision and the reasons supporting the decision;
2. A brief description of the investigative process used to reach the decision;
3. A notice that, if dissatisfied with the decision, the grievant/ complainant may appeal to the Commonwealth of Virginia **within 30 business days** of receipt of the Notice of Final Action.
4. The grievant may also seek remedy as may be authorized under another federal, state or local law.

Record Keeping Requirements

Records regarding grievances and complaints shall be maintained for at least three years from the date of resolution of the grievance or complaint. All records shall include the following:

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 of disposition of the grievance or complaint; and
6. Any other pertinent information

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

1. Record keeping and reporting;
2. Determining the extent to which an entity is operating its WIOA-funded programs in accordance with WIOA regulations, policies, and procedures; or
3. Other use authorized by the nondiscrimination and equal opportunity provisions of WIOA.

Effective July 1, 2015

REVISED August 1, 2021

**CAPITAL REGION WORKFORCE DEVELOPMENT BOARD
GRIEVANCE AND COMPLAINT FORM**

To be used by Enrollees, Applicants for Services, Vendors, and Potential Vendors of the Virginia Career Works-Capital Region System										
	Date Grievance Filed									
Complainant Information	Your Name (Complainant)									
	Street Address									
	City/State/ZIP									
	Home Phone Include Area Code									
	Fax Number and area Code									
	Email Address									
	Alternate Contact Information									
Complainant Details	Agency/Organization and/or person against whom the grievance or complaint is alleged:									
	Name									
	Agency/Organization/Department/Individual									
	Street Address									
	City/State/Zip									
	Phone Number of Agency									
	Date of occurrence									
	Detailed Description of the Allegations (use additional sheets as necessary)									
	What remedy do you wish to obtain by filing this complaint? (use additional sheets as necessary).									
	I affirm the above information is true to the best of my knowledge, information and belief.									
	Complainant's Signature									
Date:										
Staff Use	Delivery Method for Complaint (Check One)		Walk-in	<input type="checkbox"/>	Mail	<input type="checkbox"/>	Email	<input type="checkbox"/>	Fax	<input type="checkbox"/>
	Date Received at Center		Month		Day		Year			

Submit to: Brian Davis, Director, CRWDB, 121 Cedar Fork Road, Suite B, Henrico, VA 23223 or dav113@henrico.us. Fax number is 804-236-0503

Virginia Career Works in an Equal Opportunity Program; auxiliary aids available on request. VA Relay 711.
All programs 100% funded by the Workforce Innovation and Opportunity Act