

## **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 procedures apply 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.

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

**Interested Parties** - includes sub-grantees, subcontractors, service providers, employees, workforce partners, and training providers.

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

**Respondent** - the individual or entity against whom the grievance or complaint is alleged.

### **How to File a Grievance or Complaint**

**Grievances and Complaints must be directed to:**

Dr. Mychael Lee, EO Officer  
121 Cedar Fork Road, Suite B, Henrico, VA 23223  
804-652-3220 / VA Relay 711, Fax 804-236-0153

### **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 of training services.

### **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.

Reviewer of grievance or complaint must provide a written response to grievant or complainant within 5 business days and will include the following:

- a. A summary of the allegations submitted
- b. The date, time, and place of the meeting or hearing to be held with the reviewer; (Note: The complainant or grievant may have an opportunity for an informal resolution of a grievance or complaint which, if provided, shall be completed in a meeting before the hearing date. See informal solution section below)
- c. Notice that the grievant or complainant may be represented by an attorney; and
- d. Notice that the grievant or complainant may present witnesses and documentary evidence.

### **Notice of Determination**

Once the investigation is complete and a decision has been reached, a Notice of Final Action shall be sent to the grievant/ complainant. The WDB has a maximum of 60 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. If dissatisfied with the decision, the grievant/ complainant may appeal to the Commonwealth of Virginia state WIOA Title I agency **within 30 business days** of receipt of the Notice of Final Action. Send to State WIOA Title I Director, Department of Workforce Development and Advancement, 2221 Edward Holland Drive, 5<sup>th</sup> floor, Richmond, VA 23230.

### **Alternate Opportunity for Informal Resolution:**

The complainant may also opt to seek informal resolution and a hearing to be completed within 60 days of filing the complaint. This preference must be noted in the initial written filing.

If neither party is satisfied with the decision, or no decision has been issued within 60 days, an appeal may be filed to: State WIOA Title I Director, Department of Workforce Development and Advancement, 2221 Edward Holland Drive, 5th floor, Richmond, VA 23230.

### **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 30, 2025**



By: Brian K. Davis, WDB Executive Director