

NORTH CENTRAL ARKANSAS WORKFORCE DEVELOPMENT BOARD

1652 White Drive • Batesville, AR 72501 • (870) 793-5233 • Fax (870) 793-4035

Serving the Counties of
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WDB Policy#: 1.60

Effective Date: 6/12/2019

Revision Date:

SUBJECT Grievance Policy

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 North Central Arkansas 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 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. A complaint/grievance may be filed 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, NCAWDB 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:

Lee Hissong EEO Officer
White River Planning & Development District, Inc.
North Central Workforce Innovation & Opportunity Act Administrator
1652 White Drive, Batesville, AR 72501
870-793-5233
lee@wrpdd.org

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:

North Central Arkansas WIOA Program Director
White River Planning & Development District, Inc.
1652 White Drive, Batesville, AR 72501
870-793-5233

Complaints filed with NCAWDB 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 written request for hearing may be submitted to:

North Central WIOA Board Chair
White River Planning & Development District, Inc.
P.O. Box 2396
Batesville, AR 72503

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 NCAWDB, 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 NCAWDB. 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.

A decision by the NCAWDB may be appealed to the Arkansas State Workforce Development Board. If the complaint is not resolved within the 45 days, by the NCAWDB, it will be referred to the Arkansas Workforce Development Board Assistant Director of Employment Assistance (EA) for resolution.

Appeals must be sent by certified mail, return receipt request, to the address below.

Assistant Director of Employment Assistance
Arkansas Workforce Development Board
P.O. Box 2981
Little Rock, AR 72203-2981

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.

Approved by the NCAWDB on

_____ *June 12, 2019* _____

Pam Williams, NCAWDB Chairperson:

_____ *Pam Williams* _____