

<b>Title:</b>	Grievance Procedure	<b>Policy #:</b>	1.7
<b>Effective Date:</b>	October 1, 2020	<b>Revision Date:</b>	October 1, 2020

**Purpose:**

This policy is established by the VCW-Piedmont Region (VCW-P) in accordance with Public Law 105-220 and in accordance with the Code of Virginia and the United States Department of Labor for programs under the Workforce Innovation and Opportunity Act (WIOA) Section 181 to outline the grievance procedure for Workforce Area 8.

**Policy:**

Any individual or organization may file a grievance alleging a violation of the Workforce Innovation and Opportunity Act, rules, regulation, grants, or other agreements made under the Grievance Act by the Commonwealth of Virginia, its Workforce Areas, sub-recipients, or contractors. Grievances, which do not involve a violation of the Act, are not subject to this procedure.

This policy must be provided to participants and other interested parties affected by the local workforce development system, including one-stop partners and service providers. In addition, the PWDB make reasonable efforts to ensure that affected participants, including persons who have limited English proficiency, can understand the policy, such as oral interpretation and written translation of both hard-copy and electronic materials in non-English languages.

**Procedures:**

The grievance and complaint procedures for the VCW-Piedmont Region apply to alleged violations of the requirements of the Workforce Innovation and Opportunity Act (WIOA). These grievances or complaints may be submitted by participants and other interested parties affected by the VCW-Piedmont Region, including one-stop partners and service providers.

**Filing a Grievance or Complaint**

All grievances or complaints must be submitted in writing to the Piedmont Workforce Development Board (PWDB) Executive Director at the following address:

PWDB Executive Director, Sarah Morton  
C/o Central Virginia Partnership for Economic Development  
1001 Research Park Blvd. #301  
Charlottesville, VA 22911

OR

Grievances or complaints may be submitted directly by contacting the U.S. Equal Employment Opportunity Commission at the following address:

Director, Civil Rights Center  
U.S. Department of Labor  
200 Constitution Avenue, N.W. Room N-4123 Washington, D.C. 20210  
(202) 219-8927

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
7. Eligible training providers

Each grievance or complaint must be filed, in writing, within thirty (30) calendar days of the alleged situation and must contain the following information:

1. The name, address, email and telephone number of the person filing the grievance or complaint;
2. The date of 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 allegation(s). This description must include enough detail to allow the reviewer to decide whether the allegation(s), 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**

The reviewer will provide, within ten (10) business days of receipt, written notice to the grievant or complainant that the grievance or complaint has been received. Such notice will include:

1. A summary of the allegation(s) submitted;
2. A notice that the Executive Director may arrange for an informal resolution to the complaint prior to the official meeting or hearing;
3. A proposed date, time, and place of the meeting, or hearing with the reviewer.
4. A notice that the grievant or complainant may be represented by an attorney; and
5. A notice that the grievant or complainant may present witnesses and documentary evidence.

The Commonwealth of Virginia's discrimination complaint process includes 60-days for the PWDB Executive Director to investigate and 30-days for a review at the State level if warranted. If the complainant files with both the PWDB Executive Director and the DOL Civil Rights Center (CRC), the complainant shall be informed that the PWDB Executive Director has 90-days to process the complaint and that CRC shall not investigate until the 90-day period has expired.

### **Notice of Final Action**

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

1. The reviewer's decision and the reasons supporting the decision;
2. A brief description of the investigation process implored to reach the decision;
3. A notice that, if no decision is reached within 60-days or if dissatisfied with the decision, the grievant or complainant may appeal to the Commonwealth of Virginia within 10 business days of receipt of the Notice of Final Action; and
4. A notice that the grievant or complainant may seek a remedy authorized under another Federal, State or local law.

A complaint may be filed with the CRC within 30-days of receiving the Notice of Final Action.

### **Record Keeping Requirements**

Records regarding grievances and complaints must be maintained for at least three (3) years from the date of resolution of the grievance or complaint. All records must 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 possible, 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 or activities in a
3. Other use authorized by the nondiscrimination and equal opportunity provisions of WIOA.

I, THE APPLICANT/PARTICIPANT, AGREE THAT I HAVE READ THE ABOVE STATEMENT AND UNDERSTAND IT.

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Signature of Applicant/Participant

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Date