

## **NEW RIVER / MOUNT ROGERS WORKFORCE INVESTMENT BOARD PROCESSING WIA GRIEVANCES AND COMPLAINTS POLICY**

### **Purpose**

This policy sets forth the procedures required under the Workforce Investment Act (WIA) to address grievances or complaints alleging a violation under the requirements of WIA by the Commonwealth of Virginia, the New River / Mount Rogers Workforce Investment Board (NR/MR WIB), a One-Stop Center, Service or Training Providers.

This policy does not address the procedure for processing complaints alleging discrimination under WIA section 188 and/or 29 CFR part 37. Such complaints must be handled in accordance with the procedures set forth in that regulatory part. Questions about or complaints alleging a violation of the non-discrimination provision of WIA section 188 may be directed or mailed to the EO Officer, NR/MR WIB, 6580 Valley Center Drive, Box 23, Radford VA 24141 or Director, Civil Rights Center, US Department of Labor, Room N4123, 200 Constitution Avenue, NW, Washington, DC 20210, for processing.

### **References**

P.L. 105-220 Workforce Investment Act, Section 181 (c)  
Federal Register, August 11, 2000, Part II, Department of Labor, Employment and Training Administration, 20 CFR Part 652 et al., Workforce Investment Act; Final Rules, Part 667-600.

### **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 WIA and/or provisions of a related agreement.

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

**Grievant** – an individual, group or agency that files a formal grievance alleging violation of the WIA and/or provision 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 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 under WIA.

## **POLICY STATEMENT**

Each direct recipient of funds under Title I of WIA, except for Job Corps, must develop a grievance and complaint policy outlining the procedures set forth in *Attachment A: New River / Mount Rogers Workforce Investment Board Processing Grievances and Complaints*. The policy shall provide:

1. A process for dealing with grievances and complaints;
2. An opportunity for an informal resolution to be completed within 30 calendar days of the filing of the grievance or complaint; and
3. An opportunity for the grievant or complainant to appeal the local agency decision to either the NR/MR WIB or the Commonwealth of Virginia when he/she is dissatisfied with the agency's decision or no decision is reached within 30 calendar days.

The policy developed at the local agency must be provided to participants and other interested parties affected by the local workforce system. Additionally, the local agency must make reasonable efforts to ensure that affected participants, including youth and persons who have limited English proficiency, can understand the policy.

## **ATTACHMENT A**

### **Grievances and Complaints Processing**

## **ATTACHMENT B**

### **Processing Appeals**