

<b><u>MESA COUNTY WORKFORCE DEVELOPMENT BOARD</u></b>	
Policy and Procedure	
<b>Title:</b> Banned/Flagged Client Policy	<b>State Policy Guidance Letter:</b> ADM-2016-02
<b>Program:</b> Mesa County Workforce Center	<b>Effective Date:</b> 10/1/2016
	<b>Revision Date:</b> 6/2017
<b>Authorized Signature(s):</b>	

**I. REFERENCE(S):**

- Colorado Revised Statutes 24-34-402 (Discriminatory or Unfair Employment Practices)
- CDLE Standard Policies & Procedures (SPP-1053-15) Code of Conduct, Ethics and Values
- CDLE Standard Policies & Procedures (SPP-0047) Workplace Violence

**II. PURPOSE:**

It is the policy of the Mesa County Workforce Center to promote safety and security for all Workforce Center employees, contract workers, volunteers, partners, visitors, job seekers and employers. This local policy calls for implementing a system wherein customers exhibiting disruptive behavior and/or engaging in hostile acts/speech could be flagged or banned which, in turn, could limit or terminate some or all of the services provided to such customers by the workforce center.

**III. POLICY/ACTION:**

Mesa County Workforce Center (WFC) employees, contract workers, volunteers, partners, visitors, job seekers and employers shall be treated courteously and professionally, regardless of age, sex, race, national origin, sexual orientation, religious affiliation, or disabilities/handicaps (protected by state antidiscrimination laws, CRS 24-34-402(1)). Any action on the part of WFC employees, contract workers, volunteers, partners, visitors, job seekers and employers which jeopardizes the safety and/or security of the WFC and which could cause injury or harm to any other person and/or appear to be of a criminal nature shall be reported to the local authorities, e.g. police department, sheriff, or state patrol.

**A. Flagging an Employment Services (ES) Registrant/Job Seeker/WIOA Client/WFC Customer:**

Flags may be added to an ES registrant’s Connecting Colorado (CC) record from the Job Seeker Information page, Staff Only section, upon approval from that staff member’s supervisor/manager.

When adding a flag or ban to a CC record, first update the ES registration, Job Seeker Information, Staff Only section by selecting Flag and identifying the affected office(s). Next, add the appropriate Connecting Colorado service code, as indicated below.

When adding a flag or ban to a CC record, a note must be attached which clearly explains in detail the situation which occurred and which further provides the contact information of the person flagging the record, and that supervisor/manager approval was obtained. A template for this note is outlined under **Section B** of this policy.

**1. Caution Flag:**

Recommended action: proceed with caution when making contact and/or providing services to a customer with a caution flag indicated on their Connecting Colorado record. The following codes will be entered on the services screen in Connecting Colorado:

**Connecting Colorado Service Code: CF Subservice: PC**

**2. Restricted Flag:**

Recommended action: proceed with caution (similar to the caution flag) when making contact and/or providing services to a customer. The restricted flag indicates that a WFC staff member, under approval from a supervisor/manager and WFC Director, has identified restriction(s) for access to services and/or specified personnel at the Workforce Center due to special circumstances and/or a problem situation. The following codes will be entered on the services screen in Connecting Colorado:

**Connecting Colorado Service Code: CF Subservice: RA**

**3. Ban:**

Recommended Action: prohibit ES Registrants with a ban entered/indicated on their record from accessing services from the Workforce Center/Area indicated. Action may only be taken with authorization of supervisor/manager, and the WFC Director.

The registrant will be encouraged to use online services where possible and provided assistance remotely, if possible and only if requested. The following codes will be entered on the services screen in Connecting Colorado.

**Connecting Colorado Service Code: CF Subservice: 96**

**4. Statewide Ban:**

Recommended action: prohibit ES Registrants with a statewide ban entered/indicated on their record from accessing services from any Colorado Workforce Center and/or satellite office. Statewide bans are determined and imposed at the Department executive level after consultation with the WFC requesting the statewide ban.

In the best judgment of the WFC Manager(s) and/or WFC Director(s), if at any time the conduct of a customer is so egregious in nature or poses an immediate threat to an employee or staff member, the WFC Manager and/or the WFC Director may ask the Employment & Training Director (E&T Director) for CDLE to issue a statewide ban. The E&T Director will convene the Statewide Ban Panel which will be comprised of three (3) members: 1) the E&T Director; 2) the Department Equal Employment Opportunities (EEO) Director; and 3) a WFC Manager/Director of another WFC on a rotating basis, beginning alphabetically with Adams County.

The Manager/Director and possibly other staff of the WFC which served the customer may be brought in as ad hoc members of the Panel.

During the statewide ban, the registrant will be encouraged to use online services and provided assistance remotely, if possible and only if requested. The following codes will be entered into the services screen of Connecting Colorado once state and local approval from leadership has been granted:

**Connecting Colorado Service Code: CF Subservice: 86**

**B. Documentation Requirements of Caution Flag, Restricted Flag, Local Ban and**

**Statewide Ban:** All incidents that occur warranting a caution flag, restricted flag, local ban or statewide ban must be documented in the notes section of the ES registration.

**Template:**

Date:

MSK:

Agt ID: who is entering the flag or local ban, Agt ID, contact telephone number, approval obtained from supervisor/manager and WFC Director.

Narrative/Explanation: what transpired warranting the flag.

Letter of Notice: Statement that a letter of notice, please see attached templates, was sent.

**C. Notification Requirements of Restricted, Ban and Statewide Ban:**

All incidents that occur warranting a caution flag, restricted flag, local ban or statewide ban must be reported through the WFC staff person's supervisory chain of command.

The ES registrant shall be notified, in writing, when a restricted flag, ban, or statewide ban has been added to their CC record. **See Attachments 1-3** for template letters for restricted, banned, and statewide banned customers. **Letters of notice will be signed and sent by the Mesa County WFC Director.**

On a best efforts basis, the WFC employees and/or other staff initiating and noting any of the above actions in the customers' records will provide sufficient information to determine as many characteristics about the customer as possible. The goal will be not only to deter the possibility of discrimination but to ensure that there is not even the appearance of discrimination.

**D. Removal of Caution Flag, Restricted Flag, or Ban:**

The decision to remove the caution, restriction or ban is a local decision and must be discussed and reported through the WFC's supervisory chain of command. To document the removal of the caution, restriction or ban, the following shall be entered:

**Connecting Colorado Service Code: CF Subservice: 22**

**E. Removal of Statewide Ban:**

The decision to remove a Statewide ban is only allowable, if determined by the Statewide Ban Panel. The removal, if approved, will be handled by the State MIS Director.

**F. Appealing a Ban:**

An appeal of a local ban will be discussed and reported through the WFC's supervisory chain of command and handled per this local policy. An appeal of a statewide ban will be directed to the E&T Director and the appeal will be considered by the Statewide Ban Panel.