

<b><u>MESA COUNTY WORKFORCE DEVELOPMENT BOARD</u></b>	
Policy and Procedure	
<b>Title:</b> WIA Complaint Procedure Policy	<b>State Policy Guidance Letter:</b> ADM-2015-01
<b>Program:</b> Career Development Program (WIA)	<b>Effective Date:</b> 1/7/2015
	<b>Revision Date:</b> N/A
<b>Authorized Signature(s):</b>	

**I. REFERENCE(S):**

- Workforce Investment Act (WIA) of 1998, section 181 (c) and WIA Final Rules, Subpart F – Grievance Procedures, Complaints, and State Appeals Processes §667.600.

**II. PURPOSE:**

To establish WIA grievance and complaint procedures. Grievance procedures are required under WIA in order to ensure that all participants and other interested parties are aware of their rights under the Act, and, in addition, to ensure that individuals who believe their rights have been negatively affected by WIA related actions have access to appropriate remedies.

**III. POLICY/PROCEDURE(S):**

- A. All participants enrolled in the Career Development Program (WIA) will be given an Equal Opportunity Notice and Complaint Procedures form. The Career Development Program will make reasonable efforts to assure that the process for dealing with grievances and complaints from participants and other interested parties affected by the local Workforce Investment System, including One-Stop partners and service providers, is understood by affected participants and other individuals, including youth and those who are limited-English speaking individuals.
- B. If a participant, or other interested party affected by the local Workforce Investment System, including One-Stop partners and service providers, feels their rights have been negatively affected may follow this formal complaint process:
  1. Submit a formal written complaint in person to the Reception desk of the Mesa County Workforce Center, or through mail to 512 29 ½ Road, Grand Junction, CO 81504.
  2. Please address written complaint to Management for the Career Development Program (WIOA).

3. An informal hearing and resolution will be conducted with Career Development (WIOA) Management and the Mesa County Workforce Director within 60 days of the filing of the written complaint.
4. A written decision regarding the complaint will be issued by Career Development (WIOA) Management and the Mesa County Workforce Center Director within the aforementioned 60 days.

C. Formal Written Complaint Requirements:

The following items must be included in a complainant's formal written complaint to be accepted for hearing and resolution at the local level:

1. Full name, mailing address and phone number of the party or parties filing the complaint;
2. Full name, mailing address and phone number of the party or parties alleged to have committed the act;
3. A clear, concise statement of the facts of the case, and the nature of the violation(s);
4. The date of the alleged act and factual information supporting the complaint;
5. The remedy that is sought.

D. Appeals to the State:

If no decision is reached by the Local Area within sixty (60) calendar days, or the complainant is dissatisfied with the decision, the complainant may appeal the decision as follows:

1. An appeal must be in writing and filed with the Colorado Department of Labor and Employment (CDLE) within ten (10) calendar days after notification of the local decision or, if a timely decision is not rendered, within fifteen (15) calendar days from the date on which the complainant should have received a timely decision.
2. Whenever a Local Area has failed to provide procedural process in a timely manner to a complainant, and such failure results in an appeal to CDLE, the Local Area shall bear any costs associated with disposition of the appeal.
3. The following defines the appeal process:

- The appeal must be received by:  
**Colorado Department of Labor and  
Employment ATTN: State Grievance Administrator 633 17th Street, Room  
700 Denver, Colorado 80202-3627**
  
- The appeal must contain:
  - A specific statement of the grounds upon which the appeal is sought
  - A copy of the written, formal complaint submitted to the Local Area
  - A transcript or recording of the hearing proceedings, and
  - A copy of the written decision of the Local Area being appealed
- The State Grievance Administrator will make a final decision within sixty (60) calendar days of receipt of the appeal.
  
- Notification of the State Grievance Administrator’s final decision will be provided to the complainant.
  
- For reasonable cause, as determined by the State Grievance Administrator, the time line of the state review hearing process may be extended.

E. Appeals to the U.S. Department of Labor:

1. Should the CDLE State Grievance Administrator not render a decision, an appeal in writing may be made to the:  
**Secretary of Labor U.S. Department of Labor,  
Washington, DC 20210  
Attention: ASET**
  
2. A copy of the appeal must be simultaneously provided to the:  
ETA Regional Administrator  
U.S. Department of Labor  
525 S. Griffin Street Dallas, TX 75202  
and the Colorado Department of Labor and Employment (address above in D.3)
  
3. The CDLE State Grievance Administrator decision is final unless the Secretary of Labor exercises the authority for Federal-level review.
  
4. Should the Secretary of Labor determine that the State or a Local Area has violated any requirement of the law, remedies may be imposed, as determined by the Secretary of Labor. These include:

- Where applicable, reinstatement of lost benefits
- Where appropriate,  
suspension or termination of payments to the State or Local Areas under  
WIA
- Where appropriate, other equitable relief.