



Grievance and Complaint Procedures for the North Central Workforce Development Area NC-125

Revised April 2016
Effective July 1, 2021

Grievance and Complaint Procedures

All program-related grievances or complaints (**non**: discrimination, criminal, fraud, waste, abuse or other criminal in nature) arising in connection with the administering of Workforce Innovation and Opportunity Act (WIOA) Title I-funded programs, activities, etc. by the North Central Workforce Development Board (NCWDB) via the PA CareerLink® centers, Recipients, Subrecipients, Service Providers, etc. shall seek resolution through the Grievance and Complaint Procedures as herein provided. The grievance or complaint shall be forwarded to the NCWDB and include the: *Full Name, Telephone Number, Email Address, and Mailing Address of the Complainant and be dated; *Full Name, Telephone Number, Email Address, and Mailing Address of the Respondent; *A clear and concise statement of the facts and dates describing the alleged violation; *The provisions of the WIOA, the WIOA regulations, grant, or other agreements under the WIOA, believed to have been violated; *Grievances or complaints against individuals, including staff or participants, shall specifically indicate how those individuals did not comply with the law, regulations, or contract; and, *The remedy sought by the complainant. **The grievance or complaint shall be filed promptly after the alleged violation occurred** and forwarded to the:

Workforce Solutions for North Central Pennsylvania
North Central Workforce Development Board
Attention of: Ms. Pamela A Streich, Workforce Development Board Director
425 Old Kersey Road
Kersey, PA 15846
Email: pstreich@ncwdb.org

The processes as herein described shall be followed for the processing of any grievance or complaint:

Informal Resolution Process

Upon receipt of the grievance or complaint the Local Workforce Development Area (LWDA) shall notify the Complainant and the Respondent of the opportunity for an Informal Resolution. Complainants and Respondents shall make a good faith effort to resolve all grievances or complaints prior to any scheduled hearing. Failure on the part of either in the grievance or complaint to exert good faith efforts shall not constitute a basis for dismissing the grievance or complaint, nor shall this be considered to be a part of the facts to be judged in the resolution process. Where a complaint alleges a violation of WIOA Title I, grant or agreement under WIOA, the LWDA must assure that every grievance or complaint not resolved informally or not withdrawn is given a Hearing, regardless of the grievance or complaint's apparent merit or lack of merit.

The Informal Resolution Process may be waived at the request of the Complainant. The request as such shall be forwarded to the NCWDB, attention of the WDB Director and include a request for a Hearing. The Hearing will then be scheduled with all applicable parties being advised accordingly following the below described process.

Notice of Hearing Process

A hearing on any grievance or complaint shall be conducted within 30 days of filing of a grievance or complaint. The Complainant and the Respondent shall be notified in writing of the Hearing at least 10 days prior to the date of the Hearing and contain the following information: *The date of the notice, name of the complainant, and the

name of the party against whom the grievance or complaint is filed; *The date, time, and place of the Hearing before an impartial Hearing Officer; and, *A statement of the alleged violations. The statement **must** accurately reflect the content of the grievance or complaint as submitted by the Complainant; and, *the name, address, email address and telephone number of the contact person issuing the notice.

Conduct of Hearing Process

The impartial Hearing Officer shall conduct the Hearing in an informal manner with strict rules of evidence not being applicable. Both parties will have the right to present written and/or oral testimony and arguments; the right to call and question witnesses in support of their position; and the right to examine records and documents relevant to the issues; and the right to be represented. The Hearing will be recorded electronically by an individual assigned by the WDB Director with that individual acting in the capacity as the Hearing Secretary.

Decision Process

Not later than 60 days after the filing of the grievance or complaint, the Hearing Officer **shall** mail a written Decision to both parties by first class mail. The Hearing Officer's Decision shall be dated and contain the following information: *The names of the parties involved; *A statement of the alleged violation(s) and issues related to the alleged violation(s); *The Hearing Officer's Decision and the reasons for the Decision; *A statement of the facts; A statement of corrective action or remedies for violation; if any; to be taken; and, *Notice of the right of either party to request a review of the Decision by the State within 10 days of the receipt of the Decision by the Complainant.

Appeal Process

If the Complainant does not receive a Decision at the LWDA level **within 60 days after the filing of the grievance or complaint**, or receives an adverse Decision, the Complainant then has the right to file an Appeal with the State which shall be forwarded to:

The Director
Pennsylvania Department of Labor and Industry
Bureau of Workforce Development Administration
651 Boas Street, Room 1200
Harrisburg, PA 17121-0450

Discrimination Complaint Process

The aforementioned provisions of the Grievance and Complaint Procedures **do not apply to Discrimination Complaints brought under WIOA Section 188**. Such complaints shall be handled in accordance with the procedures set forth in that regulatory part. Question regarding complaints alleging a violation of the Nondiscrimination Provisions of WIOA Section 188 may be directed to the:

Pennsylvania Department of Labor & Industry or
Office of Equal Opportunity
651 Boas Street, Room 1402
Harrisburg, PA 17121-0750
Telephone: (717) 787-1182 Fax: (717) 772-2321
TDD/TTY: 800-654-5984

North Central Workforce Development Area
LWDA Equal Opportunity Officer-Linda Franco
425 Old Kersey Road
Kersey, PA 15846
Telephone (814)245-1835

Criminal Fraud and Abuse Complaint Process

Information and complaints involving criminal fraud, waste, abuse, or other criminal activity must be reported immediately through the Department's Incident Reporting System to the Department of Labor (DOL) Office of Inspector General, Office of Investigations Room 55514, 200 Constitution Avenue, NW, Washington, DC 20210 or to the corresponding Regional Inspector General for Investigations. With a copy simultaneously provided to the Employment & Training Administration. The Hotline number is 1-800-347-3756. The website is <http://www/org.dol.gov/contract.hetm>. Information and complaints as such must also be reported immediately to the North Central Workforce Development Board to the attention of Ms. Pam Streich, Executive Director, Workforce Solutions for North Central PA, 425 Old Kersey Road, Kersey, PA 15853-9700 or via email to pstreich@ncwdb.org.

Documentation Requirements

Any process as previously described/utilized shall be documented by the LWDA with that documentation maintained confidential and on file for a period of not less than 3 years from the close of the applicable program year. The documented information shall be made available upon request to the Workforce Development Board Director.

**Auxiliary aids and services are available upon request to individuals with disabilities.
Equal Opportunity Employer/Program**