

Attachment A

UNIFIED COMPLAINT SYSTEM PROCEDURES

Local complaint procedures must be developed to assure Workforce Innovation and Opportunity Act (WIOA) customers and entities of their rights and to process complaints, hearings and appeals in an objective and consistent manner. Procedures must provide for:

- dealing with written complaints, local level informal resolution, local hearings and appeals from customers and other interested parties affected by the local workforce system as well as entities and organizations administering funds and providing services under the Workforce Innovation and Opportunity Act, including Local Boards, One-Stop Career Center Operators and partners, WIOA Title I Administrators, WIOA Fiscal agents and WIOA service providers;
- protecting a complainant's confidentiality to the extent possible and, when consent has been provided for the release of the complainant's identity, ensuring that such disclosure is made under conditions that will promote the continued receipt of confidential information;
- advising complainants and respondents of their right to due process including the right to:
 - ✓ representation by an attorney or other individual of his/her choice (at their own cost);
 - ✓ present evidence;
 - ✓ review and have access to the case record before, during and/or after the informal resolution and/or local hearing and/or state appeal level;
 - ✓ question others who present evidence; and
 - ✓ receive an impartial decision made strictly on fact finding and recorded information;
- ensuring that no person, organization or agency may discharge or in any manner retaliate against any person or WIOA entity because that person/entity has filed a complaint, instituted any proceeding related to the WIOA Title I and Wagner-Peyser Regulations, testified or is about to testify in a proceeding or investigation, or has provided information or otherwise assisted in an investigation;
- providing an opportunity for informal resolution (see Attachment E1 for sample informal resolution process flow chart) and a hearing consistent with the parameters established in this issuance;
- submitting the complaint of alleged violation to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the complaint so provides;
- providing an opportunity for a local level hearing;
- provide an opportunity for an appeal to the State entity (DCS);
- implementing corrective action and/or sanctions when warranted; and
- Maintaining all complaint related written materials in a secure file to reasonably assure confidentiality for a period of 3 years.