

## ATTACHMENT A5

### JURISDICTION AND TIMEFRAME QUICK-REFERENCE GUIDES



Commonwealth of Massachusetts  
Executive Office of Labor and Workforce Development  
MassHire Department of Career Development  
State Complaint Officer (SCO)

Nature of Complaint	MDCS	MCC
<b>Wagner-Peyser Act (WP) – Title III</b>		
<i>Alleged violations (by action or omission) related to services and/or activities funded under the Wagner-Peyser Act, as amended, fall under the jurisdiction of the MWB/MCC.</i>		
<ul style="list-style-type: none"> <li><b>Employment-related law</b> <i>Alleged violations brought by Migrant Seasonal Farm Workers (MSFWs) fall under the jurisdiction of the MWB/MCC.</i> <ul style="list-style-type: none"> <li><b>Migrant Seasonal Farm Workers (MSFWs)</b></li> <li><b>Non-Migrant Seasonal Farm Workers (Non-MSFWs)</b></li> </ul> </li> <li><b>Against an Employer - H2A / H2B-related Complaints</b> <ul style="list-style-type: none"> <li><b>Out-of-state employer or another SWA</b></li> <li><b>Multiple SWAs</b></li> <li><b>MassHire Career Center (MCC)</b></li> <li><b>Multiple MassHire Career Centers (MCCs) – State-wide violations</b></li> <li><b>Alleged violation that occurred in the same state but different MassHire Career Center</b></li> </ul> </li> <li><b>Apparent Violations</b> <i>A suspected violation of employment-related laws or WP regulations by an employer, except as provided under the field checks or complaints section of the regulations</i></li> </ul>	<p><b>Y</b></p> <p><b>Y</b></p> <p><b>N</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p>	<p><b>Y</b></p> <p><b>N</b></p> <p><b>N</b></p> <p><b>Y</b></p> <p><b>N</b></p> <p><b>Y</b></p> <p><b>N</b></p> <p><b>Y</b></p> <p><b>Y</b></p>
<b>Workforce Innovation and Opportunity Act (WIOA) – Title I</b>		
<i>Alleged violations (by action or omission) related to programs, services, and/or activities funded under WIOA fall under the jurisdiction of the MWB/MCC.</i>		
<ul style="list-style-type: none"> <li><b>Program-related</b></li> <li><b>Criminal fraud and abuse</b></li> <li><b>Termination of eligibility as a Training Provider</b></li> <li><b>Non-designation of initial or subsequent local Workforce Development Area</b></li> <li><b>Appeal of One-Stop infrastructure amount designated by the State under its infrastructure funding mechanism</b></li> <li><b>Appeal of local Workforce Board Competitive Selection of local MCC Operator/Service Provider</b></li> <li><b>WIOA – Labor standards violations (Binding Arbitration) – Section 181(b)(5)</b></li> </ul>	<p><b>Y</b></p> <p><b>N</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p> <p><b>Y</b></p>	<p><b>Y</b></p> <p><b>N</b></p> <p><b>N</b></p> <p><b>N</b></p> <p><b>N</b></p> <p><b>N</b></p> <p><b>Y</b></p>
<b>Discrimination</b>		
<ul style="list-style-type: none"> <li><b>Equal Employment Opportunity Commission (EEOC) / Civil Rights Center (CRC)</b></li> </ul>	<b>Y</b>	<b>Y</b>
<b>Other Types of Complaints</b>		
<ul style="list-style-type: none"> <li><b>Unemployment Insurance (UI), Veterans, Job Corps, Department of Transitional Assistance, Trade Program eligibility, State/Federal Minimum Wage, Federal Contractors</b></li> </ul>	<b>N</b>	<b>N</b>

Action	Subpart	Timeframe
File a complaint	WIOA Title I	Within one (1) year
	Wagner Peyser Title III	Within two (2) years
	Discrimination	Within 180 days
Informal resolution	Applicable to all	Within five (5) working days
Complaint processing timeframes	WIOA Title I	Within 60 days
	Wagner-Peyser Title III	MSFWs – Within five (5) days Non-MSFWs – Within 15 days
	Discrimination	Within 90 days
If additional information is required	WIOA Title I	Within (original) 60 days
	Wagner-Peyser Title III	MSFWs – Within 40 days Non-MSFWs – Within 20 days
	Discrimination	Within (original) 90 days
Re-opening a complaint	Wagner-Peyser Title III	Within one (1) year from failure to respond to request for information
Hearing/Appeal	WIOA Title I	Within 30 days after decision
	Wagner-Peyser Title III	Within 20 days after decision
	Discrimination	Within 30 days from failure to respond or after receipt of NOFA

*Timeframe Quick-Reference Guide*

### Acronyms

**WIOA** – Workforce and Innovation Opportunity Act

**MSFW** – Migrant Seasonal Farm Worker

**Non-MSFW** – Non-Migrant Seasonal Farm Worker

**NOFA** – Notice of Funding Availability