

SOUTH CENTRAL OKLAHOMA WORKFORCE INVESTMENT AREA
GRIEVANCE AND COMPLAINT PROCEDURES

IMPORTANT! This document contains **important information** about your rights, responsibilities and/or benefits. It is critical that you understand the information in this document, and we will provide the information in your preferred language at no cost to you. **Call Lafonda Crowder (580) 357-3500** for assistance in the translation and understanding of the information in this document.

¡IMPORTANTE! Este documento contiene **información importante** sobre sus derechos, responsabilidades y/o beneficios. Es importante que usted entienda la información en este documento. Nosotros le podemos ofrecer la información en el idioma de su preferencia sin costo alguno para usted. **Llame al Lafonda Crowder (580) 357-3500** para pedir asistencia en traducir y entender la información en este documento.

Telephone Relay Service is available by dialing 711 or 800-722-0353

- I. This document outlines your rights as a South-Central Oklahoma Workforce Investment System Customer, or other parties affected by the local workforce development system including one-stop partners and service providers to submit grievances or complaints you might have on the type or level of service or treatment you receive while receiving Workforce Innovation and Opportunity Act (WIOA) services in this area. Services are normally delivered to customers in the American Job Centers in Chickasha, Duncan, and Lawton. Occasionally, services may also be provided at other locations, over the phone, or over the internet.

The grievances or complaints covered under these procedures are not those involving Equal Opportunity issues such as discrimination based upon race, color, religion, sex, national origin, citizenship, age, disability, or political affiliation or belief. Any beneficiary, potential beneficiary, or eligible service provider of federally-funded, federally-assisted, and federally-conducted programs and activities have the right to file a complaint alleging discrimination in the access to, participation in, or enjoyment of, services, aid, training, or benefits on one or more prohibited bases. This includes providing different, lesser, or segregated services, aid, training, or benefits. Prohibited bases of discrimination under the Workforce Innovation and Opportunity Act, at 29 U.S.C. § 3248, and related laws, are race, color, national origin (including limited English proficiency), gender (including pregnancy discrimination, childbirth, and related medical conditions, transgender status, and gender identity), age, religion, disability, political affiliation or belief, citizenship, and WIOA participant status. See 29 C.F.R. § 38.5. The procedures for filing an Equal Opportunity or Discrimination Complaint are addressed separately. For WIOA Section 188 complaint procedures see:

<https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnxzY293aWJpbmZvfGd4OjIzM2ZhNzJkNGVkOWQzOWY>

- II. There are several ways to submit a grievance or complaint:

a. You may submit the grievance or complaint verbally to the South-Central Oklahoma Workforce Board EO Officer by calling 1.580.357.3500. Telephone Relay Service is available by dialing 711 or 800-722-0353

b. You may submit your grievance or complaint in writing to the South-Central Oklahoma Workforce Investment Area EO Officer at SCOWB, Attn: EO Officer, 1711 S.W. 11th Street, Lawton, Oklahoma 73501, or email janafarmer@scworkforceboard.org, or

c. You may submit your grievance or complaint in writing to:

Oklahoma Office of Workforce Development(OOWD) Oklahoma State University – Oklahoma City
900 Portland Ave. Oklahoma City, OK 73107 Or email: workforce@osuokc.edu

- IV. Grievances must contain the following information:

- Full name, telephone number, mailing address, and e-mail address of the Complainant;
- Full name, telephone number, mailing address, and e-mail address of the respondent;

- Full names, telephone numbers, mailing addresses, and e-mail addresses of persons who may have knowledge of the facts of the grievance or complaint;
 - Date and with whom the grievance/complaint was filed;
 - A clear and concise statement of the facts describing the alleged violation and the dates and location in which the alleged violation occurred; The statement of facts should include enough information to allow the person or entity to determine whether:
 - There is jurisdiction over the complaint/grievance;
 - The grievance/complaint was timely filed; and
 - The grievance/complaint has merit, i.e., whether the allegations if true, would violate any Title I provisions of WIOA.
 - Provisions of WIOA, the WIOA regulations, grant, or other agreements under WIOA, believed to have been violated;
 - Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with the WIOA law, regulation, or contract;
 - The remedy sought by the complainant;
 - Signature of the complainant or his or her authorized representative; and
 - If applicable, a copy of the referral of a grievance/complaint filed with the State to remand to the local level for resolution.
- Whichever way you choose to file a grievance or complaint, it will be processed in a timely manner, with the right to appeal any decisions made. A complaint must be filed within 30 days of the alleged violation or occurrence, unless it alleges fraud or criminal activity.
 - a. Information and complaints involving criminal, fraud, waste, abuse, or other criminal activity must be reported to either the corresponding Regional Inspector General for investigations or to the Department's Incident Reporting System located at:

The Department of Labor Office of Inspector General Office of Investigations, Room s5514
200 Constitution Ave NW Washington DC 20210

V. Grievances Filed at The Local Level. What you need to know:

- a. I understand that I have the right to due process in filing a grievance or complaint and that every applicant, participant, employee, or other interested party shall have the right, without fear of interference, coercion, restraint, discrimination, or reprisal, to present a grievance or complaint.

It is important to file your grievance or complaint in writing. However, prior to filing, you may choose to settle it informally by consulting your WIOA Counselor/Case Manager, instructor, or designated WIOA Grievance and Complaint Officer: Jana Farmer, 1711 S.W. 11th Street, Lawton, Oklahoma 73501; 1-580.357.3500. Telephone Relay Service is available by dialing 711 or 800-722-0353.

- b. You may request an informal meeting with the appropriate individual(s) and indicate the general nature of the grievance or complaint. Every effort should be made to resolve the issue within (60) days.
- c. If the grievance or complaint is not settled informally, it should then be put in writing. Your written complaint must identify: the complainant; contain a brief summary of the facts; state that the grievance or complaint is non-discrimination related; outline the corrective action sought; and any other relevant material or information.
- d. You have the right to receive technical assistance on related law and guidance and how to complete the local process.

e. You have the right to a Hearing on your grievance or complaint and should be given an opportunity for a Hearing within (60) days of filing the grievance or complaint. You will be given written notice of the date, time, and place of the Hearing, the manner in which it will be conducted, and the issues to be decided.

f. Prior to, and during, the Hearing, you understand you have the right:

i. To withdraw the request for Hearing in writing (prior to the Hearing);

ii. To request rescheduling for Good Cause;

iii. To be represented by an attorney or their representative of choice, provided that the cost of such representation is borne by the complainant;

iv. To present witnesses and documentary evidence;

v. To have records/documents relevant to the issues produced by their custodian when such records or documents are kept by the grant recipient;

vi. To question any witness or parties;

vii. To the appointment of an impartial Hearing Examiner; and

viii. To a written decision from the Hearing Examiner.

g. A written decision to you will be rendered by the Hearing Examiner and transmitted to all concerned parties within sixty (60) days from the date the written complaint was filed. The written decision shall include a summary of the facts and a statement of remedies (if necessary). It will also contain information on filing an appeal with the State of Oklahoma.

h. If a decision is not reached within sixty (60) days from the date of receipt of the grievance, you may file an appeal with OOWD (See contact information in III. c. above) within thirty (30) days from the expiration of the sixty (60) day time period. Or, if you are not satisfied with the decision that was reached, you may file an appeal with OOWD. within thirty (30) days of the date the decision was mailed to you by certified mail. The hearing process will be completed within sixty (60) days from the date the grievance was received by OOWD. More information regarding the state process can be found in OWDI #16-2017.

VI. Grievances Filed Directly to OOWD. You should also know that:

a. You can file a grievance or complaint directly with OOWD or any appeals of grievance or complaint decisions issued by the South Central Oklahoma Workforce Investment Area.

b. The grievance/complaint or appeal must be sent to the address contained above (III. c.).

c. Your rights and procedures are essentially the same; OOWD will inform you of any deviations.

VII. Appeal to U.S. Department of Labor Secretary or Investigation by Secretary. (More information regarding the federal contacts and process can be found in OWDI #16-2017) The Secretary will investigate an allegation of a violation as set forth above if:

a. A decision relating to such a violation has not been reached within sixty (60) days after the date of filing of the grievance and either party appeals to the Secretary; or

b. A decision relating to such a violation has not been reached within sixty (60) days and the party who is adversely affected appeals to the Secretary.

You will be provided a copy of this document for reference should the need arise.

This is to certify that I have read and understand my rights regarding grievances. If I am 17 or under, I understand that my Parent/Guardian must co-sign this document.

_____ Date _____ Customer's Signature

_____ Date _____ Parent/Guardian Signature

_____ Date _____ Staff Signature

Revised 08/13/18