WORKFORCE INNOVATION AND OPPORTUNITY ACT

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 Colbert (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 Colbert (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

EQUAL OPPORTUNITY AND NONDISCRIMINATION STATEMENT: All Recipients and sub-recipients/subgrantees must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.

South Central Oklahoma Workforce Board's Workforce Innovation and Opportunity Act Title I program funding statement can be found at https://scowib.info/funding

Caddo County, Grady County, McClain County, and City of Chickasha Labor Market Area
Comanche County, Cotton County, Tillman County, and City of Lawton Fort Sill Labor Market Area
Jefferson County, Stephens County, and City of Duncan Labor Market Area

PURPOSE:
Provide this procedure as a resource to the South-Central Oklahoma Workforce Area stakeholders to communicate the South-Central Oklahoma Workforce Board (SCOWB) instructions for the grievance and complaint process under WIOA.

REFERENCES:
- Workforce Innovation and Opportunity Act (WIOA) (29 USC § 3241(c))
- 20 CFR Part 683
- 29 CFR 37.35
- 20 CFR 38.54
- WSD #31-2024

BACKGROUND:
WIOA requires each local area, state, outlying area, and direct recipient of funds under title I of WIOA, except for Job Corps, to establish and maintain a procedure for participants and other interested parties to file grievances and complaints of a non-criminal nature alleging violations of the requirements of title I of WIOA.

The grievance and complaint procedures in this policy apply to programmatic grievances and complaints, per 29 USC §3241(c), and do not apply to nondiscrimination and equal opportunity. SCOWB is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. complaints under 29 USC § 3248. Such complaints must be handled with the procedures set forth in that regulatory section.

Questions about or complaints alleging a violation of complaint the nondiscrimination and equal opportunity provisions of WIOA Sec. 188 may be directed to the South-Central Oklahoma Workforce Board Equal Opportunity (EO) officer at: carol@scworkforceboard.org

Grievance and complaint procedures do not apply to complaints and reports of criminal fraud and abuse addressed under WIOA. Information and complaints involving criminal fraud, waste, abuse, or other criminal activity must be reported immediately 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 Avenue NW, Washington, DC 20210

Such complaints must be filed along with a copy simultaneously provided to the Employment and Training Administration. The Hotline number is 1-800-347-3756.
The website is http://oig.dol.gov/contact.htm.

DEFINITIONS:
Complaint: is defined as a formal written statement of dissatisfaction or an issue related to the implementation of any provision of the Act or any regulation issued under the Act. This definition can be found in the WIOA regulations. It addresses situations where an individual or organization believes that there has been a failure to comply with the Act's provisions or that the services provided do not meet the standards set by WIOA.

Complainant: any participant or other personally interested or personally affected party, group, or agency alleging a non-criminal violation of the requirements of WIOA Title I or a related agreement or service.

Interested Parties: sub-grantees, subcontractors, service providers, employees, One-Stop partners, and training providers.

Grievance: It's a formal complaint that specifically refers to a breach of the rules or regulations outlined by WIOA.

Participant: an individual who has been determined to be eligible to participate in, and who is receiving services under, a program authorized by title I of WIOA.

PROCEDURES:

Right to Counsel: At all levels of the grievance or complaint process, complainants have the right to be represented, at their own expense, by a person(s) of their choosing.

Time Restriction on Filing Complaints Grievances: complaints must be filed within 30 days of the alleged violation. All grievances or complaints, amendments, and withdrawals must be in writing.

South-Central Oklahoma Workforce Board strictly prohibits any form of retaliation under WIOA. No individual may be discharged, intimidated, retaliated, threatened, coerced, or discriminated against because such person has filed a complaint, opposed a prohibited practice, furnished information, assisted or participated in any manner in an investigation or hearing.

Confidentiality: To the maximum extent possible, the identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation of the WIOA shall be kept confidential.

Additionally, the South-Central Oklahoma Workforce Board and sub-recipients of WIOA Title I grant funds will make reasonable efforts to ensure that information about the content of the grievance and complaint procedures will be understood by affected participants and individuals, including youth and those who are limited English-speaking individuals. SCOWB will comply with the language requirements of Title 29 CFR 37.35.

If the complaint is based on grounds other than on grounds of race, color, religion, sex, national origin, citizenship, age, handicap or political affiliation or belief, it is considered a non-equal opportunity or non-discrimination grievance or complaint. All non-discrimination grievances are processed by the SCOWB EO Officer.

Who May File a Grievance or Complaint? Any applicant, employee, participant, service provider, program recipient, or other interested party may file a grievance alleging a violation of local WIOA programs, agreements, or SCOWB policies and activities.

A non-discrimination Grievance/Complaint must be filed in writing **within thirty days (30) calendar days from the date of the alleged violation(s)** which is the basis of the grievance or complaint. The SCOWB EO Officer will determine if the grievance was filed on time.

All non-discrimination grievances/complaints will be processed by the SCOWB EO Officer and reported to the SCOWB Chair and Chief Local Elected Official. If the grievance or complaint is against the EO Officer or Executive Director, the grievance or complaint will be reported to the State EO and SCOWB Executive Committee.

Notification and Rights

- Notification of Right to File: SCOWB is committed to maintaining a transparent and equitable environment for all employees and relevant parties. As part of this commitment, the Grievance/Complaint Policy and Procedures will be available on the SCOWB website (www.scowib.info). Other channels of notification are through staff training and participant enrollment orientation.
- **Right to Technical Assistance**: The complainant will be informed that they have the right to receive technical assistance on related law and guidance, as well as on how to complete the local grievance and complaint process.

Filing the Grievance or Complaint (Must be Logged on Grievance/Complaint/Communication Log)
You must file your grievance in writing. However, prior to filing, you may choose to settle your grievance/complaint informally by contacting the SCOWB EO Officer to arrange an informal resolution hearing or mediation.

The SCOWB EO Officer may elect to utilize a referral process to the appropriate organization or service provider for informal resolution. An attempt should be made by the service provider to informally resolve the grievance to the satisfaction of all parties within 10 days. If an agreement is not reached during the informal hearing, the process will continue with the formal hearing process.

Written Grievance/Complaint:
The complainant must submit a formal written grievance or complaint, detailing the alleged violation or issue **within thirty days (30) calendar days from the date of the alleged violation(s)** which is the basis of the grievance or complaint. Grievance/Complaint must contain the following information:

- Date of alleged violation(s)

- 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.
- Submission: The written grievance or complaint should be submitted by email or mail to:

Carol Estes
South Central Oklahoma Workforce Board EO Officer
205 W Chickasha Ave, Suite 5
Chickasha, OK 73018
405-315-0328
Telephone Relay Service is available by dialing 711 or 800-722-0353
carol@scworkforceboard.org

Receipt and Acknowledgment

- Upon receiving the grievance or complaint, the SCOWB EO Officer will acknowledge receipt in writing within **5 business days** and provide the complainant with information about the next steps in the process.

Informal Resolution

- Opportunity for Informal Resolution: Before proceeding to a formal hearing, the SCOWB EO officer will attempt to resolve the grievance or complaint informally through discussion and negotiation between the parties involved **within 10 days**.

Resolution Agreement: If the grievance or complaint is resolved informally, a written agreement outlining the resolution will be drafted and signed by all parties.

Formal Hearing

- **Request for Hearing**: If informal resolution is unsuccessful, the complainant may request a formal hearing to be completed within 20 days of the filing of the grievance or complaint.
- **Scheduling**: The EO officer will schedule the hearing, ensuring that all parties are given sufficient notice of the date, time, and location.

  Prior to and during the Hearing you will have the right:

  a. To withdraw the request for a Hearing in writing (prior to the hearing).
  b. To request rescheduling for good cause.
  c. To present witnesses and documentary evidence.
  d. To question any witness or parties.

- **Conducting the Hearing**: The hearing will be conducted fairly and impartially in front of three members of the SCOWB Executive Committee. Both parties have the right to present written and or oral testimony and arguments; the right to request and examine records and documents relevant to the issues; and the right to be represented. All evidence and a list of witnesses must be made available in advance to all parties 7 days prior to the hearing, the Chair of the SCOWB Executive committee will inform the parties, in writing, of the hearing process. The hearing will be recorded electronically.

  A written decision will be rendered by the SCOWB Executive Committee or SCOWB Executive Director and transmitted to all concerned parties within sixty (60) days from the date the written grievance was filed. The written decision shall include a determination regarding the grievance and a statement of remedies (if applicable).

Binding Arbitration (if applicable)

- **Labor Standards Violation**: If the grievance involves an alleged labor standards violation and a collective bargaining agreement covering the parties so provides, the complainant may submit the grievance to a binding arbitration procedure.
- **Selection of Arbitrator**: The process for selecting an arbitrator will follow the procedures specified in the collective bargaining agreement.
- **Arbitration Hearing and Decision**: The arbitrator will conduct a hearing and issue a binding decision on the grievance.

Written Response and Appeal

- **Written Response**: The SCOWB Executive Director will provide a written response to the complainant, notifying them of the outcome of the grievance or complaint, including information on filing an appeal with the State if applicable.
- **Local Level Appeal**: The complainant has the right to appeal to a state entity if:
  - No decision is reached within 60 days.
  - Either party is dissatisfied with the local hearing decision.
  - Complaints to the state will be taken by email or mail to:

eoofficer@oesc.ok.gov
Oklahoma Employment Security Commission

2401 N Lincoln Blvd. Oklahoma City, OK 73105

- **Notification to the State**: The SCOWB EO Officer or Executive director will notify the State regarding any grievance that has not been resolved within the 60 days at the local level.

Record Keeping and Reporting

- **Grievance/Complaint/Communications Log**: The SCOWB EO officer will maintain a log of all grievances and complaints filed, including the actions taken and outcomes.
- **Quarterly Reporting**: The Grievance/Complaint/Communications Log will be submitted to the State EO Officer at eoofficer@oesc.ok.gov on the following dates:
    - March 31
    - June 30
    - September 30
    - December 31
- **Maintenance of Records**: SCOWB will maintain recordings and other records for such time to protect the record through judicial review, or at least three years. Copies of the electronic recordings shall be provided at the request of any party to the proceeding.

ACTION REQUIRED: SCOWB will disseminate the Grievance and Complaint Procedures to all SCOWB contractors, staff, and board members. All contractors, staff, and board members will be responsible for following this policy.

APPROVED: 11/04/25

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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.

I. 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: Section 188 Discrimination Complaint Procedures.docx

II. **Right to Counsel**: At all levels of the grievance or complaint process, complainants have the right to be represented, at their own expense, by a person(s) of their choosing.

III. **Time Restriction on Filing Complaints Grievances**: complaints must be filed within 30 days of the alleged violation. All grievances or complaints, amendments, and withdrawals must be in writing.

IV. **South-Central Oklahoma Workforce Board** strictly prohibits any form of retaliation under WIOA. No individual may be discharged, intimidated, retaliated, threatened, coerced, or discriminated against because such person has filed a complaint, opposed a prohibited practice, furnished information, assisted or participated in any manner in an investigation or hearing.

V. **Confidentiality**: To the maximum extent possible, the identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation of the WIOA shall be kept confidential. Additionally, the South-Central Oklahoma Workforce Board and sub-recipients of WIOA Title I grant funds will make reasonable efforts to ensure that information about the content of the grievance and complaint procedures will be understood by affected participants and individuals, including youth and those who are limited English-speaking individuals. SCOWB will comply with the language requirements of Title 29 CFR 37.35.

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Who May File a Grievance or Complaint? Any applicant, employee, participant, service provider, program recipient, or other interested party may file a grievance alleging a violation of local WIOA programs, agreements, or SCOWB policies and activities.

A non-discrimination Grievance/Complaint must be filed in writing **within thirty days (30) calendar days from the date of the alleged violation(s)** which is the basis of the grievance or complaint. The SCOWB EO Officer will determine if the grievance was filed on time.

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VI. **Notification and Rights**

a. Notification of Right to File: SCOWB is committed to maintaining a transparent and equitable environment for all employees and relevant parties. As part of this commitment, the Grievance/Complaint Policy and Procedures will be available on the SCOWB website (www.scowib.info). Other channels of notification are through staff training and participant enrollment orientation.

b. **Right to Technical Assistance**: The complainant will be informed that they have the right to receive technical assistance on related law and guidance, as well as on how to complete the local grievance and complaint process.

VII. **Written Grievance/Complaint** The complainant must submit a formal written grievance or complaint, detailing the alleged violation or issue **within thirty days (30) calendar days from the date of the alleged violation(s)** which is the basis of the grievance or complaint. Grievance/Complaint must contain the following information:

- Date of alleged violation(s)
- 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 statement of facts should include enough information to allow the person or entity to determine whether:
    - There is jurisdiction over the complaint/grievance.
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- The grievance/complaint has merit, i.e., whether the allegations if true, would violate any Title I provisions of WIOA.

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- Submission: The written grievance or complaint should be submitted by email or mail to:

Carol Estes
South Central Oklahoma Workforce Board EO Officer
1727 W Alabama, Trout Hall, Room 218
Chickasha, OK 73018
405-315-0328
Telephone Relay Service is available by dialing 711 or 800-722-0353
carol@scworkforceboard.org

VIII. **Receipt and Acknowledgment** Upon receiving the grievance or complaint, the SCOWB EO Officer will acknowledge receipt in writing within **5 business days** and provide the complainant with information about the next steps in the process.

IX. **Informal Resolution** Opportunity for Informal Resolution: Before proceeding to a formal hearing, the SCOWB EO officer will attempt to resolve the grievance or complaint informally through discussion and negotiation between the parties involved **within 10 days**.

X. **Resolution Agreement**: If the grievance or complaint is resolved informally, a written agreement outlining the resolution will be drafted and signed by all parties.

XI. **Formal Hearing**

- **Request for Hearing**: If informal resolution is unsuccessful, the complainant may request a formal hearing to be completed within 20 days of the filing of the grievance or complaint.
- **Scheduling**: The EO officer will schedule the hearing, ensuring that all parties are given sufficient notice of the date, time, and location.

Prior to and during the Hearing you will have the right:

e. To withdraw the request for a Hearing in writing (prior to the hearing).
f. To request rescheduling for good cause.
g. To present witnesses and documentary evidence.
h. To question any witness or parties.

- **Conducting the Hearing**: The hearing will be conducted fairly and impartially in front of three members of the SCOWB Executive Committee. Both parties have the right to present written and or oral testimony and arguments; the right to request and examine records and documents relevant to the issues; and the right to be represented. All evidence and a list of witnesses must be made available in advance to all parties 7 days prior to the hearing, the Chair of the SCOWB Executive committee will inform the parties, in writing, of the hearing process. The hearing will be recorded electronically.

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XII. **Binding Arbitration** (if applicable)

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- **Selection of Arbitrator**: The process for selecting an arbitrator will follow the procedures specified in the collective bargaining agreement.
- **Arbitration Hearing and Decision**: The arbitrator will conduct a hearing and issue a binding decision on the grievance.

XIII. **Written Response and Appeal**

- **Written Response**: The SCOWB Executive Director will provide a written response to the complainant, notifying them of the outcome of the grievance or complaint, including information on filing an appeal with the State if applicable.
- **Local Level Appeal**: The complainant has the right to appeal to a state entity if:
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  - Complaints to the state will be taken by email or mail to:

    eoofficer@oesc.ok.gov
    Oklahoma Employment Security Commission
    2401 N Lincoln Blvd. Oklahoma City, OK 73105

- **Notification to the State**: The SCOWB EO Officer or Executive director will notify the State regarding any grievance that has not been resolved within the 60 days at the local level.

This is to certify that I have read and understand my rights regarding grievances.

_____ _____
Customer's Signature Date

_____ _____
Staff Signature Date