

# Southwest Wisconsin Workforce Development Board



## Participant Complaint, Grievance, and Appeal Procedure Acknowledgement

As a Workforce Innovation and Opportunity Act (WIOA) participant, whenever you believe that services, training opportunities and/or any decision related to your participation in WIOA programs have been applied in an unfair, inequitable, or improper manner you may file a grievance. If you believe you've been subjected to discrimination you may file a complaint.

A **grievance** is a complaint about services, working conditions, wages, work assignment, etc., arising in connection with WIOA programs operated by WIOA recipients including service providers, eligible training providers, and other contractors.

A grievance may arise out of a decision reached or action taken in the performance of official duties by a member of the Southwest Wisconsin Workforce Development Board (SWWDB), its administrative staff, an authorized program operator, or an organization contracting with SWWDB to provide client services.

SWWDB has established its complaint, grievance, and appeal process, to ensure due process and provide a methodology for the timely and impartial investigation and review of the issues, and to ensure that the rights of the complainant are properly recognized and protected. **The steps involved in the grievance are summarized below.** For more information on the grievance process, talk to your Case Manager or Job Center Complaint Coordinator.

- **Step 1** – Informal Resolution – You must first try to resolve the grievance informally through a discussion with the staff member or a representative of program operator.
- **Step 2** – Organizational Resolution – If the grievance is not resolved, within five (5) days after the Step 1 meeting, you may submit a formal grievance using the SWWDB Grievance Information Form (Form E-110-A). A representative of the organization will meet with you within three (3) days to hear the grievance. Following the hearing, the organization will render a written decision within two (2) days.
- **Step 3** – SWWDB Resolution – If your grievance is not resolved in Step 2, you may file an appeal, in writing, to SWWDB within three (3) days of receiving the Step 2 decision. Again, use the SWWDB Grievance Information Form (Form E-110-A). Within five (5) days of receipt of your appeal request, the SWWDB Complaint Coordinator will hold an appeal hearing –

Jimmy Watson, Complaint Coordinator – 1900 Center Ave. Janesville, WI 53546 – Phone: 608.314.3300 (#309) – Wisconsin Relay Service: #7-1-1 - Email: [j.watson@swwdb.org](mailto:j.watson@swwdb.org) – Fax: 608.741.3528 - A written decision will be rendered within two (2) days of the hearing.

- **Step 4** – SWWDB Executive Committee Appeal – Either party may appeal the Step 3 decision to the SWWDB Executive Committee within three (3) days after receiving the Step 3 decision. Use the SWWDB Grievance Information Form (Form E-110-A) to request an appeal. The Executive Committee will conduct an appeal hearing within ten (10) days. Following the hearing the decision of the Executive Committee will communicate its decision to all parties in writing within five (5) days.
- **Step 5** – Department of Workforce Development (DWD) Appeal – Either party may appeal the Step 4 decision to DWD within ten (10) days of receipt of the Step 4 decision or if no Step 4 response is received after 15 days following the hearing.

Requests for a DWD appeal should be addressed to the Division Administrator, Department of Workforce Development/Division of Employment and Training, 201 E. Washington Avenue, Post Office Box 7972, Madison, WI 53707-7946.

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A **complaint** is an allegation of discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, or participation in the program, and is covered by the nondiscrimination and equal opportunity provisions at 29 CFR 38. An allegation of retaliation, intimidation or reprisal for taking action or participating in any action to secure rights protected under WIOA will be processed as a **complaint**.

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, **you may file a written complaint.**

Such complaints must be filed within 180 days of when an incident happens. Discrimination complaints may be filed at the local, state or federal level. You may use the CRC's Complaint Information and Privacy Act Consent Form (CIF) with filing your complaint at any level. The form is available at the following link:

<http://www.dol.gov/oasam/programs/crc/DL1-2014a-English.pdf>

**Local Level:** Southwest Wisconsin Workforce Development Board (SWWDB) Equal Opportunity Officer: Ryan Schomber – 1900 Center Ave. – Janesville, WI 53546 - Email: [r.schomber@swwdb.org](mailto:r.schomber@swwdb.org) – Faxed: (608) 741-3528 – Phone: (608) 314-3300 (#303) – Wisconsin Relay Service: #7-1-1

**State Level:** David Duran, Equal Opportunity Officer Wisconsin Department of Workforce Development Equal Rights Division 201 East Washington Avenue, Rm G100 - PO Box 7972 Madison WI 54307-7972 – Email: [david.duran@dwd.wisconsin.gov](mailto:david.duran@dwd.wisconsin.gov) - Phone: (608) 266-6889 / TTY (866) 275-1165 - Fax: (608) 261-8506

**Federal Level:** Sent by postal mail to: Director Civil Rights Center (CRC) ATTENTION: Office of External Enforcement U.S. Department of Labor 200 Constitution Avenue - NW Room N-4123 Washington, DC 20210 Faxed: (202) 693-6505, ATTENTION: Office of External Enforcement (limit of 15 pages) - Email: to [CRCEXternalComplaints@dol.gov](mailto:CRCEXternalComplaints@dol.gov)

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*If you file your complaint with the local or state level, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).*

Please sign below to acknowledge your understanding of the information contained in this notice. A copy of this notice will be placed in your case file to certify that the complaint, grievance, and appeal process has been explained to you.

\_\_\_\_\_ **Participant's Signature** (Parent/Guardian if applicant is under 18 years of age)      **Date**    Mo    /    Day    /    Year

*SWWDB is an Equal Opportunity Employer/Program. Auxiliary Aids and services are available upon request to individuals with disabilities. If you need assistance to access services or material in an alternate format, please contact Ryan Schomber/ Phone: (608) 314-3300 (#303) – All listed phone numbers may be reached by Wisconsin Relay #7-1-1.*

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