

**Purpose.**

The Workforce Innovation and Opportunity Act (WIOA) requires that local areas and direct recipients of funds under Title I of WIOA establish and maintain a process for handling and resolving complaints and grievances alleging violations of the requirements of WIOA by participants and other interested or affected parties. Other federal and state funded programs have similar requirements. This policy outlines the position of the Southwest Wisconsin Workforce Development Board (SWWDB) to ensure the proper and timely disposition of any complaint filed regarding the management and oversight of any grant funded activities including all functions related to WIOA.

Policy.

The SWWDB declares that any client, prospective client, grantee or program operator, or grant applicant may file a complaint or grievance when the person or organization considers a practice, policy, rule, or regulation related to the provision of services or training and/or administration of procedures has been applied in an unfair, inequitable, improper, or discriminatory manner; or in any other way hinders access to services, the delivery of services, or limits the opportunity to provide services. A complaint or grievance may arise out of a decision reached or action taken in the performance of official duties by a member of 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 conform to applicable federal and state requirements, ensuring due process, and providing 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.

SWWDB encourages the informal resolution of all complaints. When informal resolution is not achieved, the aggrieved may file a written grievance with the respondent organization. The grievance decision may be appealed to progressively higher authority through the SWWDB Executive Committee. All steps in the SWWDB complaint, grievance, and appeal process shall be completed within sixty (60) calendar days of the date that the complaint was originally filed. The decision of the SWWDB Executive Committee is final but may be appealed under certain conditions to the Wisconsin Department of Workforce Development (DWD) and the U.S. Department of Labor (DOL) and/or other state and federal agencies as appropriate to the contractual service relationship by following the steps delineated by those agencies. Complaints that are not resolved within sixty (60) days will be automatically referred to DWD.

SWWDB further declares that, under no circumstances, will the filing of a complaint, grievance, or appeal result in retaliation by the person or organization against whom the complaint is filed. Any suggestion of retaliation will be thoroughly investigated and could lead to disciplinary action, up to and including termination, as well as any person involved in the retaliatory action or termination for cause of a contract with the program operator or other agency providing services.

This policy does not specifically govern complaints by an individual alleging workplace discrimination or labor standards violations. These complaints are considered personnel issues that are address by separate polices; B-111 and B-631.

**COMPLAINTS, GRIEVANCES, AND APPEALS POLICY****E-110**

The Board directs the Chief Executive Officer (CEO) to establish and maintain a complaint, grievance and appeal process for SWWDB that is consistent with federal and state regulations. The complaint, grievance and appeal process should be prominently displayed at job centers and available to clients upon request. The Chief Executive Officer shall ensure that every program operator or entity contracting with SWWDB is made aware of the SWWDB policy. Program operators shall make their clients aware of the process for filing a complaint. Reasonable efforts shall be taken by program operators to make the information known to limited-English speaking individuals.

References: Workforce Innovation and Opportunity Act of 2014, Public Law 113-128; Section 181 (c) and 188;
Wisconsin Fair Employment Statute 111.31-111.395, Stats
Wisconsin Department of Workforce Development (DWD), Workforce Investment Act Programs Guide, Part 2, Section E
SWWDB Policy B-111 and B-631

Policy Adopted: **December 14, 2011**

Policy Revised: **December 17, 2014; June 27, 2016**