

## **TRRC Workforce Development Grievance and Complaints Procedure**

### **GENERAL POLICY**

If any individual, group, or organization has a complaint, the problem should first be discussed informally between those involved before a grievance is filed. Applicants and Participants for services through the Workforce Innovation and Opportunity Act Title I (WIOA) paid for by the TRRC Workforce Development and/or the Three Rivers Regional Commission Board will be treated fairly. Grievance/complaints should be filed in accordance with the written procedures established by Three Rivers Regional Commission Workforce Development. Signed and dated grievance forms with accurate contact information are included in all participant case files. **If you believe you have been harmed by the violation of the Workforce Innovation and Opportunity Act or regulations of this program, you have the right to file a grievance/complaint.**

### **EQUAL OPPORTUNITY POLICY**

TRRCWD adheres to the following United States law: "No individual shall be excluded from participation, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any such program because of race, color, religion, sex, national origin, age, disability, political affiliation or belief, or citizenship/status as a lawfully admitted immigrant authorized to work in the United States." References include: The Workforce Innovation and Opportunity Act of 2014 P. L. 113-128 USDOL Regulations Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act of 2014 29 C.F.R. § 38.36 effective July 22, 2015.

### **COMPLAINTS OF DISCRIMINATION**

The TRRCWD is prohibited from, and does not engage in, discriminating against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially assisted program or activity.

The complainant has the right to be represented in the complaint process by an attorney or other representative.

If you think that you have been subjected to discrimination under a WIOA-funded program or activity, you may file a complaint within 180 days from the date of the alleged violation with the Workforce Development TRRC, WIOA Equal Opportunity Officer, Hope King, Three Rivers Regional Commission, P.O. Box 818, 120 North Hill Street, Griffin, GA, 30224, (678) 692-0510, [hking@threeriversrc.com](mailto:hking@threeriversrc.com). **OR**

Complaints may also be filed with the Georgia Department of Economic Development, Workforce Division, David Dietrichs, WIOA Title I Equal Opportunity Officer, 75 Fifth Street, NW, Suite 845, Atlanta, GA 30308, 404-962-4136; [DDietrichs@georgia.org](mailto:DDietrichs@georgia.org); FAX: 404-486-1181; TTY/TDD 1-800-255-0056. **OR**

A complainant may file directly with the Director, Civil Rights Center, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210. Or at the website below:

<http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm>.

Furthermore, the USDOL Civil Rights Center provides a complaint form which should be utilized, if sending a discrimination-based complaint, and can be found at the website detailed above.

If the complainant chooses to file the discrimination complaint with The Workforce Development TRRC or Georgia Department of Economic Development, Workforce Division, (GDEcDWD) then GDEcDWD or the TRRCWD has 90 days to resolve the complaint and issue a written Notice of Final Action. Options for resolving the complaint must include alternative dispute resolution, at the complainant's choice.

If the complainant is dissatisfied with the resolution of his/her complaint at TRRCWD or the State level, the complainant may file a new complaint with the Civil Rights Center (CRC) within 30 days of the date on which the complainant receives the Notice of Final Action.

If GDEcDWD, or TRRCWD fails to issue the Notice within 90 days of the date on which the complaint was filed, the complainant may file a new complaint with CRC within 30 days of the expiration of the 90-day period (in other words, within 120 days of the date on which the original complaint was filed).

TRRCWD will offer full cooperation with any local, state, or federal investigation in accordance with the aforementioned proceedings, or with any criminal investigation.

#### **COMPLAINTS OF FRAUD, ABUSE OR OTHER ALLEGED CRIMINAL ACTIVITY**

In cases of suspected fraud, abuse or other alleged criminal activity, you should direct your concerns to the Office of Inspector General, U.S. Department of Labor, at 1-866-435-7644. There is no charge for this call.

#### **COMPLAINTS AGAINST PUBLIC SCHOOLS**

If the complaint is not resolved informally and it involves public schools of the State of Georgia, the grievance procedure will comply with WIOA and OCGA 20-2-1160.

#### **ALL OTHER COMPLAINTS (VIOLATIONS OF THE ACT OR REGULATIONS)**

All other complaints must be filed within one-hundred eighty (180) days after the act in question by first submitting a **written** request for resolution to:

Three Rivers Regional Commission  
P.O. Box 818  
120 North Hill Street  
Griffin, GA 30224

Complaints filed with TRRCWD must contain the following:

- A. The full name, telephone number, email (if any), and address of the person making the complaint.
- B. The full name, address and email of the person or organization against whom the complaint is made.
- C. A clear but brief statement of the facts including the date(s) that the alleged violation occurred, including the identification of all relevant parties.
- D. Relief requested.
- E. Complainant's signature and date.

For the grievance submission form, see page four of these procedures or the website: <http://www.threeriversrc.org>

A complaint will be considered to have been filed when TRRCWD receives from the complainant a written statement, including information specified above which contains sufficient facts and arguments to evaluate the complaint.

Upon receipt of the complaint, the TRRCWD WIOA Equal Opportunity Officer will initiate efforts with the complainant and others involved to bring about a resolution as soon as possible. This will include a meeting of all parties with the hope of reaching a mutually satisfactory resolution. If the complaint has not been resolved to the satisfaction of the complainant within thirty (30) days, the TRRCWD WIOA Equal Opportunity Officer will arrange appointment of a hearing officer to conduct a hearing for settlement of the complaint to be held within 60 days of grievance filing.

In the event TRRCWD arranges a hearing for settlement of the complaint, the complainant(s) will be given a written notice of the date, hour, place of the hearing, a statement of the authority and jurisdiction under which the hearing is to be held, a reference to the particular section of the Act, regulations, sub-grants or other contracts under the Act involved, a notice to all parties of the specific charges involved, a statement of the right of both parties to be represented by legal counsel, an indication of the right of each party to present evidence both written and through witness and a statement of the right of each party to cross-examination. Hearing officers who are independent of the TRRCWD and who have been approved by all concerned parties will be responsible for conducting the hearing.

Hearings on any grievance/complaint filed shall be conducted within thirty (30) days of failed informal resolution. Written decisions shall be rendered not later than sixty (60) days after the hearing. Attempts at informal resolution may proceed during the 30-day period between the filing and hearing of the grievance/complaint and prior to the rendering of a decision on the grievance/complaint.

If the complainant(s) does not receive a written decision from the Hearing Officer within sixty (60) days of the hearing of the grievance/complaint, or receives a decision unsatisfactory to the complainant(s), the complainant(s) then has/have a right to request a review by the State using the WIOA Complaint Information Form found at <http://www.georgia.org/competitive-advantages/workforce-division/technical-assistance/>.

Ben Hames, Deputy Commissioner  
Georgia Department of Economic Development, Workforce Division  
75 Fifth Street, NW Suite 845  
Atlanta, GA 30308  
Phone: 404-962-4005  
FAX: 404-876-1181

The Deputy Commissioner shall act as the Governor's authorized representative. Either an informal resolution or a hearing will take place within 60 calendar days of the filing. If the State does not respond within the 60 days, or either party wants to appeal the decision, WIOA allows for a formal appeal by certified mail, return receipt requested to Secretary, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210, Attention: ASET (202) 693-3015. A copy of the appeal must be simultaneously provided to the appropriate ETA Regional Administrator and the opposing party.

Federal appeals must be made within 30 calendar days of the receipt of the local or State decision. DOL will make a final decision no later than 120 days after receiving a formal appeal. DOL will only investigate grievances and complaints arising through the established procedures. WIOA does not allow for federal intervention until and unless the proper, formal procedure has been followed.

No applicant, participant, employee, service provider or training provider will be intimidated, threatened, coerced or discriminated against because they have made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing.

**I CERTIFY THAT I HAVE RECEIVED A COPY OF THIS POLICY AND PROCEDURES.**

\_\_\_\_\_  
NAME

\_\_\_\_\_  
DATE



1210 Greenbelt Drive - P.O. Box 97  
Griffin, GA 30224  
Office: 770-229-9799  
Fax: 770-229-9924  
www.threeriversrc.com

*Serving Butts, Carroll, Coweta, Heard, Lamar, Meriwether, Pike, Spalding, Troup and Upson Counties*

## THREE RIVERS REGIONAL COMMISSION WORKFORCE DEVELOPMENT

### Applicants and Participants Grievance and Complaints EQUAL OPPORTUNITY IS THE LAW

#### *Welcome to one of Georgia's Workforce Investment Act Programs.*

It is against the law for a recipient who receives Federal financial assistance to discriminate against any individual in the United States, on the basis of race, religion, sex, national origin, age, disability, political affiliation or belief, and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIOA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her 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 program activity; or making employment decisions in the administrative or, in connection with, such a program or activity.

If you think that you have been subjected to discrimination under a WIOA Title I financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with the Equal Opportunity Officer, TRRC Workforce Development, P. O. Box 818 120 North Hill Street Griffin, GA 30224, or the State WIOA EO Officer, **GOWD, Governor's Office of Economic Development Workforce Division, 75 Fifth Street NW, Suite 845 Atlanta, GA, 30308**, or the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210.

If you file your complaint with the recipient, 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. If the recipient does not give you a written Notice of Final Action within 90 days of the day in which you filed your complaint, you do not have to wait for the recipient to issue that Notice for filing a complaint with CRC. However, you must file your complaint with CRC within 30 days of the 90 day deadline (in other words, within 120 days after the day in which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are not satisfied with the decision or resolution, you may file a complaint with CRC. You must file your complaint within 30 days of the date in which you received the Notice of Final Action.

This means that:

1. No individual will be discriminated against with regard to recruitment, examination, appointment, training, promotion, retention, discipline, or any other aspect of personnel administration.
2. No benefits or services may be denied you because of your race, sex, age, color, religion, disability, political affiliation, belief, or citizenship.
3. You cannot be segregated or treated any differently from other applicants or enrollees because of your race, color, religion, sex, national origin, age, disability, political affiliation, belief or citizenship while you are being registered, interviewed, counseled, or tested; or while in any activity funded under WIOA.
4. You have an equal chance to use all facilities available on the project.

The Civil Rights Act of 1964, as amended, and the Workforce Investment Act of 1998, as amended, guarantee you the right to file a complaint or alleged action in any area concerning discrimination as stated above.

TRRC Workforce Development has a grievance procedure for all other complaints other than those concerning discrimination. If you believe you have been adversely affected by the violation or misapplication of a procedure or regulation of this program, you have the right to file a grievance. This grievance should be filed in accordance with the written procedure established by TRRC Workforce Development, which may be obtained by contacting Hope King, Human Resource Generalist, TRRC Workforce Development, at P. O. Box 818, 120 North Hill Street, Griffin, GA 30224.

In case of suspected fraud, abuse, or other alleged criminal activity, you should direct your concerns to the office of Inspector General, U. S. Department of Labor at 1-202- 693-6999 or 1-800-347-3756.

Participant Signature

Date