Reviewed: 6/3/2025

ADMINISTRATIVE POLICIES/PROCEDURES

Issuance No: A-21
Issuance Date: 7/1/23
Subject: Complaint and Grievance Policy

I. BACKGROUND

The Workforce Development Board of North Missouri maintains a formal complaint and grievance process which meets requirements outlined in the Workforce Innovation & Opportunity Act (WIOA) and Implementing Regulations for Programs under the Act (Section 188). These requirements specify, for example, that different kinds of complaints will be processed differently, that everyone shall have access to the complaint procedure, and that certain timelines must be observed. The WDB will comply with OWD Issuances regarding complaints and grievances.

In accordance with CFR 29 Part 38, it is against the law for a 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, an 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 providing services must not discriminate against customers 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.

II. RECORD KEEPING

The WDB will designate a staff member as the Equal Opportunity Officer. This person will maintain a log of complaints and the activities conducted regarding complaints.

III. NOTIFICATION OF EQUAL OPPORTUNITY

The WDB requires the equal opportunity notices found in CFR Parts 38.34 and 38.35 to be

- Posted prominently, in reasonable numbers and places, in available and conspicuous physical locations, and on the recipient's Web site pages;

- Disseminated in internal memoranda and other written or electronic communications with staff;
- Included in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available; and
- Provided to each participant and employee; the notice must be made part of each employee's and participant's file. It must be a part of both paper and electronic files if both are maintained.

These notices must be provided in appropriate formats and languages to registrants, applicants, eligible applicants/registrants, applicants for employment, and employees and participants with visual impairments. Where notice has been given in an alternate format to registrants, applicants, eligible applicants/registrants, participants, applicants for employment, and employees with a visual impairment, a record that such notice has been given must be made a part of the employee's or participant's file.

IV. FILING COMPLAINTS

Discrimination Complaints

Individuals who feel they have been subjected to discrimination under a WIOA Title I financially assisted program or activity, may file a complaint within 180 days from the date of the alleged violation. Complaints alleging discrimination 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 may file with a state or local administrative entity, service provider, One-Stop operator or:

Jeanie Griffin
Interim Local Equal Opportunity Officer
WDB of North Missouri
912 Main Street, Trenton, MO 64683
Phone: (660)357-6232 (Relay 711)
Email: jgriffin@mail.ncmissouri.edu

Or

Danielle Smith
State Equal Opportunity Officer
Department of Higher Education & Workforce Development
PO Box 1087
Jefferson City, MO 65102
E-mail: danielle.smith@dhewd.mo.gov
Phone: (573) 751-2428 (Relay 711)

Or

The Director of the Civil Rights Center (CRC)
U. S. Department of Labor

200 Constitution Avenue NW, Room N-4123
Washington, D. C. 20210

The Missouri Nondiscrimination Plan provides procedures for processing discrimination complaints aligned with Section 188 of WIOA. All WIOA discrimination complaints must be submitted and processed through the State Equal Opportunity Officer.

Local Discrimination Compliant Procedure

- Complainants may use the WIOA Discrimination Complaint Form or submit their complaint in writing to the appropriate entity for processing. The complaint must include:
  - The complainant's name and address; and
  - The identity of the individual or entity the complainant alleges is responsible for the discrimination; and
  - A description of the complainant's allegations in enough detail to allow an initial determination of jurisdiction, timeliness, and the apparent merit of the complaint and the complainant's signature of the complainant's authorized representative.
- The Local EO Officer will acknowledge the receipt of the complaint in writing.
- The Local EO Officer will send the discrimination complaint to the State EO Officer within 48 business hours of receiving the initial written complaint.

If you file your complaint with the State or Local EO Officer 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 (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on 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 dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

Program Complaints

Any applicant, employee, participant, service provider, recipient, or another interested party may file a complaint alleging a violation of local or state WIOA policies, programs, activities, or agreements. Complaints may be filed with the Local EO officer or the State EO Officer within one (1) year from the date of the event or condition alleged to be a violation of WIOA. The OWD General Complaint Form may be used as a complaint intake tool. Any complaint received in writing will be accepted and handled in the same manner as if it were made on the General WIOA Complaint Form.

Local General Compliant and Grievance Procedure

The Missouri Nondiscrimination Plan provides procedures for processing general WIOA complaints. The Local EO Officer will ensure those procedures are followed when addressing all formal WIOA complaints.

Initial Review (Step 1)

Once the Local EO Officer receives the complaint they will log the complaint on the required form and establish a complaint file containing the required information.

- Completed General WIOA Compliant Form; and
- Chronological log of events or conditions alleged to be a violation of WIOA; and
- Any relevant correspondence; and
- Record of the attempted informal resolution

The purpose of the initial review will be to determine whether or not there appears to be a basis for the complaint and to gather more information from all concerned parties. The findings of the review will be used to assist in an informal resolution of the complaint and be made a part of the complaint file.

Informal Resolution (Step 2)

The complaint may be resolved informally to the satisfaction of all parties with the process being completed within ten (10) business days from the date the complaint is filed. Once the complaint is resolved, the terms and conditions of the resolution is documented in the complainant's file.

Formal Resolution (Step 3)

If the complaint is not informally resolved, the Local EO Officer shall review the complaint and will issue a determination within twenty (20) business days from the date the complaint was filed. The complainant shall have the right to request an appeal of the determination. If an appeal is not filed by the complainant within seven (7) business days, the complaint will be considered resolved and documented in the complainant's file.

Hearing (Step 4)

If the decision does not satisfactorily resolve the complaint, the complainant has seven (7) business days from the receipt of the decision to present a written request for a hearing and review of the decision. A hearing must be conducted by a qualified hearing officer within forty-five (45) business days of the original receipt of the written grievance.

A formal hearing is scheduled, and written notice is mailed to the complainant, the respondent, and any other interested party at least seven (7) business days prior to the hearing. The hearing notice will include the date, time, and place. As this is a formal hearing, parties may present witness and documentary evidence, and question others who present evidence and witnesses. The complainant may request the production of records and documents. Attorneys or other designated representative(s) may represent each party.

A complainant may amend or withdraw a complaint at any time prior to the scheduled hearing.

Final Decision (Step 5)

A written decision from the hearing officer must be presented to the Local EO Officer, within sixty (60) business days of its original receipt of the written complaint. If the decision fails to satisfactorily resolve the complaint, the hearing officer will request a state review for resolution.

Appeal to State EO Officer (Step 6)

If no decision is reached within sixty (60) business days or any party is dissatisfied with the local hearing decision an appeal may be made to the OWD State EO Officer (see contact information above). All requests for appeals must be filed within ninety (90) business days from the filing of the complaint. OWD will review the complaint file, the hearing record, and all applicable documents and issue a final decision on the appeal within thirty (30) business days from the date the appeal was received.

Appeals to the U.S. Department of Labor (USDOL)

A complainant who receives an adverse final or appeal decision from the State may appeal that decision to USDOL within sixty (60) days of the receipt of the decision being appealed. Parties have one hundred and twenty (120) from the date of filing, or filing of the appeal of a local grievance with the State to file an appeal via certified mail, return receipt requested, to the:

Secretary, U.S. Department of Labor,
Washington, DC 20210
Attention: ASET. The Employment and Training Administration (ETA) Regional Administrator

The Workforce Development Board of North Missouri is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri TTY users can dial 711. This information can be translated into another language if requested. Please contact the WDB Office for translation assistance.

Esta información se puede traducir a otro idioma si se solicita. Comuníquese con la Oficina de la Junta de Desarrollo de la Fuerza Laboral para obtener ayuda con la traducción.

Ces informations peuvent être traduites dans une autre langue sur demande. Veuillez contacter le bureau du Conseil de développement de la main-d'œuvre pour obtenir de l'aide en matière de traduction.