



GUIDE TO RESOLUTION OF COMPLAINTS AND GRIEVANCES

Policy Statement

Northwest Wisconsin WDA #7 believes that all job seekers, workers, employers, workforce program applicants, and participants should:

- Be treated respectfully.
- Be provided physical access to services.
- Be provided with reasonable accommodation for benefits, including language translation.
- Be assured of personal privacy and information security.

Local Equal Opportunity Officer (EEO)

The Northwest Wisconsin WDA #7 Equal Opportunity Officer (EEO) can assist anyone in contacting the appropriate person to work with in filing a grievance or addressing a complaint. The EEO is:

Dawn Knapp

301 Ellis Ave, Suite 3

Ashland, WI 54806

715-685-1425

TTY access via WI Relay: 711 or 800-947-3529

dknapp@nwwib.com

Other information about employment law and employee rights can be found at the website of the Wisconsin Department of Workforce Development, Equal Rights Division: <https://dwd.wisconsin.gov/er/> and at the United States Equal Opportunity Commission: <http://www.eeoc.gov/>.

Types of Grievances

Sometimes individuals who are applying for or participating in public programs are unhappy with the treatment they receive, or the decisions made by program staff. Different kinds of problems can arise, and each might be handled differently.

One kind of problem might be about the rules and regulations of a particular program and whether the program workers have followed those rules and regulations.

The second kind of problem might be deciding about program eligibility or benefits. Whether about regulations or decisions, problems related to a particular program (WIOA, W-2, Foodshare, Veterans, and others) should be sent to the Supervisor of the specific program. That information may be obtained from the people at the Reception Desk in the job center or the EEO. In addition, most programs have a written Grievance Procedure that describes how grievances and complaints are handled.

Northwest Wisconsin Workforce Investment Board #7 administers the Workforce Innovation and Opportunity Act (WIOA) programs and will address any grievances or complaints about WIOA services and programs. In

addition to program applicants and participants, contracting agencies and proposers may also file a grievance or complaint if they believe a procurement process has not been conducted equitable or a contract provision has been violated.

A special kind of problem involves potential discrimination. Discrimination means that an individual did not receive program services because 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.

Discrimination complaints are severe. 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.

Local

Dawn Knapp
Equal Opportunity Officer
Northwest Wisconsin Workforce Investment Board
301 Ellis Ave, Suite 3, Ashland, WI 54806
715-685-1425
TTY access via WI Relay: 711 or 800-947-3529
dknapp@nwwib.com

State

Susana Vázquez García
Equal Opportunity Officer
Wisconsin Department of Workforce Development
Division of Employment and Training
201 E Washington Ave, Room E 100
PO Box 7972
Madison, WI 53707-7972
608-405-4067
TTY access via WI Relay: 711
DETEOContact@dwd.wisconsin.gov

Federal

Director, Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123,
Washington, DC 20210
or electronically as directed on the
CRC website at www.dol.gov/crc

Sometimes there are problems or grievances against an employer. These might involve discrimination and concerns about wages, hours worked and related to employment laws. If the employer has a written complaint process, that should be the first step to address a complaint.

Complaints about an employer for things such as wages, work hours, being fired, and workplace injuries may also be directed to the state Equal Rights Division:

Wisconsin Department of Workforce Development
Equal Rights Division
201 E Washington Ave; Room A100
Madison, WI 53703
Phone: 608-266-6860
Fax: 608-327-6001
TTY: 608-264-8752

U.S. Equal Employment Opportunity
Commission Reuss Federal Plaza
310 West Wisconsin Avenue, Suite 500
Milwaukee, WI 53203-2292
Phone: 800-669-4000
Fax: 414-297-4133
TTY: 800-669-6820
ASL Video: 844-234-5122
Info@eeoc.gov

Lastly, although it is rare, there are times when someone has reason to believe that program staff and administrators are doing something illegal. This is usually called fraud and misconduct. Such cases may be brought to the attention of the Local EEO. Complainants who fear that their positions will be compromised by submitting information at the local level may file at the state or federal level:

Wisconsin Department of Workforce Development Administrator
Division of Employment and Training
PO Box 7972
Madison WI 53707
<https://dwd.wisconsin.gov>

Office of Inspector General
7171 4th Street N.W., 5th Floor
Washington, DC 20005
800-521-1629
hotline.oig@dc.gov
<http://oig.dc.gov>

Grievance Process

Suppose the grievance or complaint involves the WIOA program or any other program administered by Northwest Wisconsin Workforce Development Board or its service provider. In that case, the Local Equal Opportunity Officer (EEO) will usually attempt to reach a mutually satisfactory resolution to the complaint through negotiation, problem-solving, and other available resources. If the complaint cannot be resolved through such means; a formal hearing may be scheduled if requested in writing by the complainant with the EEO serving as Hearing Officer. If a conflict of interest exists for the EEO, they can select an independent Hearing Officer for the case. If the grievance or complaint is directed toward another workforce program, the EEO can contact the appropriate person or agency.

The EEO cannot negotiate a satisfactory resolution to a grievance or complaint regarding WIOA or another program administered by Northwest Wisconsin Workforce Development Board or its service provider. In that case, the complainant may request a formal or "fair" hearing writing to resolve the matter. A fair hearing involves the following things:

1. Notice to all parties of the complaint's specific allegations and the responses of those involved.
2. Timely resolution of the complaint.
3. An impartial decision-maker.
4. The right of the parties to representation.
5. The right of each party to present evidence, both in writing and through witnesses.
6. The right of each party to question evidence and witnesses.
7. A decision was made solely on the recorded evidence.

Preparing a Grievance/Complaint

1. Complaints and grievances may be initiated with the Local Equal Opportunity Officer by telephone, personal contact, or written correspondence.
2. Complaints and grievances not involving a discrimination claim should be made within one year of the alleged violation. Discrimination claims must be made within 180 days of the date of the alleged violation. After the initial contact, the Local EEO may require a written statement. Generally, grievances beyond the local level will require written statements.
3. Complaints should be addressed to the appropriate level of authority.
4. A complaint/grievance must be factual and sufficiently accurate to be evaluated on its own merits by an objective reviewer.
5. The "Filing Date" of a complaint/grievance is established when a complainant submits the following information:
 - a. The full name, address, and phone number of the complainant.
 - b. The respondent's name and address against whom the complaint is being made.
 - c. A clear, concise statement of the facts of the case, including pertinent dates regarding the alleged violation.
 - d. The provisions of a particular program, its regulations, processes, or administrative rules have allegedly been violated.

- e. A statement disclosing whether the complaint/grievance has been cross-filed with any other jurisdiction and whether such proceedings have commenced or been concluded, including dates, authorities, and additional pertinent information.
6. Once a Filing Date is established, the EOO will acknowledge receipt of the complaint within five working days unless there is a specific reason for a delay. After accepting the complaint or grievance, the EOO will conduct a hearing within thirty (30) calendar days of the Filing Date and issue a decision to the complainant within sixty (60) days. Complainants receiving an adverse determination or no decision on a complaint/grievance within sixty (60) calendar days may file an appeal requesting a state-level independent review. The appeal must be filed within ten (10) calendar days after the complainant received the decision or within fifteen (15) calendar days after the decision was due to the Wisconsin Department of Workforce Development:

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Equal Opportunity Officer
Wisconsin Department of Workforce Development
Division of Employment and Training
201 E Washington Ave, Room E 100
PO Box 7972
Madison, WI 53707-7972
608-405-4067
TTY access via WI Relay: 711
DETEOContact@dwd.wisconsin.gov

The Local EOO will provide all necessary information to assist an individual in filing a grievance, complaint, or appeal with the appropriate authority. Participating in a complaint process is protected from retaliation under all circumstances.

Grievance Authorities

There are several levels at which complaints and grievances may be heard. Therefore, it is essential to submit the grievance to the appropriate individual or agency to respond promptly. In most cases, a higher-level authority will not hear a grievance until a lower-level process has handled it. The following are individuals and agencies that deal with complaints and grievances:

Local Employment Opportunity Officer

The person most grievances and complaints should be addressed to in Northwest Wisconsin Workforce Development Area unless there is good reason to go around them. The Local EOO will assist anyone in developing a grievance or complaint and directing that grievance or objection to the appropriate authority.

Northwest Wisconsin Workforce Development Board #7

Suppose there is a severe concern about NWWIB or service provider staff, including the Local EOO. In that case, a complainant may contact the Northwest Wisconsin Workforce Development Board Chair or another member directly by using the information about board membership at: <http://www.nwwib.com/about>.

DWD Division of Employment and Training

The state office is the second level for submitting a grievance or complaint and will usually hear appeals of decisions. Such requests must be filed within ten days of a decision being made or 15 calendar days if no decision was received with 60 days of the Filing Date. The state office will not take the place of the local process and usually will not set up a new hearing but only review the documentation submitted in the local hearing after it is complete.

Grievances and complaints involving employment discrimination and employer issues are best directed to the DWD Equal Rights Division as above or to the federal Equal Opportunity Commission as indicated above. Those offices are best trained to deal with employment law issues.

United States Department of Labor Employment and Training Administration

The ultimate authority for many federal employment and training programs, including the Workforce Innovation and Opportunity Act (WIOA) programs, is the U.S. Department of Labor Employment and Training Administration (DOL ETA). Therefore, a complainant can contact the U.S. Department of Labor as a matter of last resort. Information is available at <https://www.doleta.gov/>. Complaints alleging discrimination may also be filed with the U.S. Department of Labor Civil Rights Center at <http://www.dol.gov/oasam/programs/crc/index.htm>.

Incidents of alleged fraud, misconduct, misapplication of funds, gross mismanagement, or other possibly illegal use of public funds may be reported to the U.S. Department of Labor Office of the Inspector General at 1-800-347-3756 with additional information available at: <http://www.oig.dol.gov/hotlinecontact.htm>.

Any questions about this guide or request for additional information about filing a grievance can be addressed to the Local Employment Opportunity Officer:

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Northwest Wisconsin Workforce Investment Board is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please call us through Wisconsin Relay Service (7-1-1) or at 800-947-3529. To request information in an alternate format, including language assistance or translation of the information, please get in touch with us at (715)-685-1425.

Babel Notice

Wisconsin Relay Service (7-1-1) or at 800-947-3529

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(715) 685-1425 تاملعمللا مهف ناكمب ةيمهلاً ن م . كئذئاوف وأ/و كئذئاوف وسمو كقوخذ لوح ةمهه تاملعمللا ىءء ءنتسما اءه يوتحي !مهه تاملعمللا ةمجرء ي ء ءءعاسم ىءء لوصحلا مقرلا ىءء ل صتا . ءفلكء يا كلمء نوء ءلضفملا كءغلب تاملعمللا رفونسو ،ءنتسما اءه ي ءءراولا .اهمهفو ءنتسما اءه ي ءءراولا

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