

## Policy and Procedure

<b>Title:</b>	Grievances and Complaints, General	<b>Number:</b>	OP-12-05
<b>Effective Date:</b>	July 1, 2012	<b>Revisions:</b>	July 31, 2025

### Purpose

This policy outlines the procedures required under the Workforce Innovation and Opportunity Act (WIOA) to address grievances or complaints alleging a violation of WIOA requirements, or related agreements, policies, and procedures, by the Shenandoah Valley Workforce Development Board (SVWDB) or its service providers.

This policy does not address the procedures for processing complaints alleging discrimination under WIOA section 188 and/or 2 CFR, Chapter I, Chapter II, Part 200. Such complaints must be handled in accordance with the procedures set forth in that regulatory part. Questions about or complaints alleging a violation of the nondiscrimination provisions of WIOA section 188 may be directed or mailed to the SVWDB Equal Opportunity Officer.

### Reference

P.L 113-128 WIOA Section 181c  
20 CFR Part 683, Subpart F- Grievance Procedures, Complaints, and State Appeals Processes  
20 CFR Part 683, Subpart (d)  
29 CFR Part 38, WIOA Section 188 Nondiscrimination and Equal Opportunity Regulations

### Policy

It is the policy of the Shenandoah Valley Workforce Development Board (SVWDB) to provide workforce services in compliance with the Workforce Innovation and Opportunity Act, state regulations and procedures, as well as the SVWDB's policies and procedures.

### Procedure

The grievance and complaint procedures for the SVWDB apply to alleged violations of the requirements of WIOA and/or provisions of related agreements, policies, and procedures. These grievances or complaints may be submitted by participants and other interested parties affected by the SVWDB system, including one-stop partners and service providers.

### Definitions

The following terms, when used in this policy, have the following meanings unless the context indicates otherwise:

**Complainant** - an individual, group, or agency that files a formal complaint alleging violation of the WIOA and/or provisions of a related agreement/service.

**Grievant** - an individual, group, or agency that files a formal grievance alleging violation of the WIOA and/or provisions of a related agreement/service.

**Interested Parties** - includes sub-grantees, subcontractors, service providers, employees, one-stop partners, and training providers.

**Participant** - an individual who has been determined to be eligible to participate in and who is receiving services (except follow-up services authorized under the WIOA) under a program authorized by the WIOA. Participation commences on the first day, following determination of eligibility, on which the individual begins receiving subsidized employment, training, or other services provided under WIOA.

### Filing A Grievance or Complaint

Examples of who may file a grievance or complaint include the following:

1. Applicants and/or registrants for aid, benefits, services, or training;
2. Eligible applicants/registrants;
3. Participants;

4. Employers;
5. Applicants for employment under WIOA;
6. Service providers; or
7. Eligible service providers.

Each grievance or complaint must be filed with the SVWDB CEO, in writing, within 30 calendar days of the alleged incident and shall contain the following information:

1. The name, address, and phone number of the person filing the grievance or complaint;
2. The date of the alleged situation and the date the grievance or complaint was filed;
3. The identity of the respondent (i.e., the individual or entity against whom the grievance or complaint is alleged);
4. A description of the allegations. This description must include enough detail to allow the reviewer to decide whether the allegations, if true, would violate any of the provisions of WIOA; and
5. The signature of the person filing the grievance or complaint.

Reasonable efforts will be made to ensure that affected participants can understand the policy, including persons who have limited English proficiency.

#### Methods of Resolution/Disposition of Complaints

Upon receipt of the grievance or complaint, the reviewer (SVWDB CEO or their designated representative) will provide written notice to the grievant or complainant. This correspondence will be sent within five (5) business days and shall include the following:

1. A summary of the allegations submitted;
2. The date, time, and place of the meeting or hearing with the reviewer (The SVWDB will attempt to resolve the issue through informal discussions; however, such discussions shall not automatically extend or delay other deadlines contained in this procedure);
3. A notice that an attorney may represent the grievant or complainant; and
4. A notice that the grievant or complainant may present witnesses and documentary evidence.

Individuals involved in grievance investigations are protected from retaliation and are permitted to have a translator, interpreter, reader, and/or a representative of their choice during the grievance process.

The SVWDB has a maximum of sixty (60) calendar days to conduct an investigation of the allegations and offer a resolution. Time frames may be extended for good cause if both parties agree, in writing, to waive the time frames. Any such agreement will outline specific revised deadlines for the written acknowledgement of the grievance or complaint, including setting a hearing date, conducting the hearing, and/or issuing a Notice of Final Action. If by the end of the sixty (60) days from the date on which the complaint was filed, the grant recipient fails to issue a Notice of Final Action, the complainant or grievant may file a complaint directly with the State WIOA Administrative entity (WIOA Title I Administrator).

#### **Notice of Final Action**

Once the investigation is complete and a decision has been reached, a Notice of Final Action shall be sent to the grievant or complainant. If an informal resolution was provided, the Notice of Final Action must summarize the resolution agreed upon. If no informal resolution was provided, the Notice of Final Action shall contain the following information:

1. The reviewer's decision and the reasons supporting the decision;
2. A brief description of the investigation process employed to reach the decision;
3. A notice that, if dissatisfied with the decision, the grievant or complainant may appeal to the Commonwealth of Virginia within thirty (30) calendar days of receipt of the Notice of Final Action; and
4. A notice that the grievant or complainant may seek a remedy authorized under another Federal, State, or local law.

## **Record Keeping Requirements**

Records regarding grievances and complaints shall be maintained for at least three years from the date of resolution of the grievance or complaint.

Records shall include:

1. The name and address of the grievant or complainant;
2. A description of the grievance or complaint;
3. The date the grievance or complaint was filed;
4. The disposition (final action);
5. The date of disposition of the grievance or complaint; and
6. Any other pertinent information.

To the maximum extent possible, the identity of any person who has furnished information relating to, or assisted in, an investigation of a possible violation of the WIOA shall be kept confidential. The information may only be used for purposes of:

1. Record-keeping and reporting;
2. Determining the extent to which an entity is operating its WIOA-funded programs or activities in a nondiscriminatory manner; or
3. Other uses authorized by the nondiscrimination and equal opportunity provisions of WIOA.

Revisions:

October 10, 2019

July 31, 2025

**Equal Opportunity Employer/Program**  
**Auxiliary aids and services are available upon request to individuals with disabilities**  
**TDD: VA Relay Center: 711 or 800.828.1120**

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This workforce product was created using 100% of federal U. S. Department of Labor Employment and Training Administration Workforce Innovation and Opportunity Act (WIOA) award made to Page County on behalf of the Shenandoah Valley Workforce Development Area by the pass-through entity, the Department of Workforce Development and Advancement. No costs of this product were financed by nongovernmental sources. The information contained herein does not necessarily reflect the official position of the **U.S. Dept. of Labor.**