

**Workforce Development System
Technical Advisory #18-4
May 9th, 2018**

To: Workforce Development Community

SUBJECT: Processing Non-Criminal Complaints/Grievances under Title I of the Workforce Innovation and Opportunity Act (WIOA)

PURPOSE

Inform Local Workforce Development Boards (LWDBs) of the responsibility to ensure complaint/grievance procedures for processing of non-criminal complaints and grievances related to Title I of Workforce Innovation and Opportunity Act (WIOA) are in place for each LWDB, Local Workforce Development Area (LWDA), outlying area, and direct recipient of funds under WIOA Title I.

This Advisory does not cover complaints or grievances relating to either Wagner-Peyser Title III or WIOA Section 188 (the Equal Opportunity and Nondiscrimination Policy). Guidance on these topics are provided separately.

Rescind and replace Workforce Development System Technical Advisory (WDS TA #00-40) "Procedure for Processing Non-Criminal Complaints and Grievances at the Local Workforce Investment Area (Local Area) Level," (10/16/2000), WDS TA# 00-40, Revision #1, and Additional Information to WDS TA# 00-40.1 (12/04/2000).

POLICY

All direct recipients of WIOA Title I funds must have a complaint/grievance procedure in place and must provide information about the content of the complaint/grievance procedure to all participants and other interested parties. This includes, but is not limited to, LWDBs, NYS Career Center partners, service providers, and programs operated by subcontractors in the LWDA.

Participants must be informed of the complaint resolution process at their initial NYS One-Stop Career Center intake.

Complaints/grievances must be filed within one year of the alleged occurrence.

ACTION

LWDBs, NYS Career Center partners, service providers, and programs operated by subcontractors in the LWDA must implement the complaint/grievance procedure

outlined in **Attachment A: WIOA Title I Complaint/Grievance Procedure**. The procedure includes the handling of complaints/grievances arising in connection with WIOA Title I programs operated in their LWDA. Attachment A may be completed and provided to customers as notification of the grievance procedure, and includes a flowchart depicting the procedure.

LWDBs must appoint a Local Area Grievance Officer and Local Level Hearing Officer. These officers are responsible for investigating the complaint/grievance and seeking resolution. Career Center Managers should be consulted regarding the appointments. The names of the Local Area Grievance Officers and Local Level Hearing Officers are to be submitted to WIOA.Grievance.Procedure@labor.ny.gov via **Attachment B: Local Area Grievance Officers/Local Level Hearing Officers Form** by Thursday, May 31, 2018. In the event the position is vacated; a replacement must be appointed and submitted in the same fashion.

In addition, the following attachments provide information to assist in the implementation of a complaint/grievance process.

- **Attachment C: Customer Complaint Information Form.** This is the same complaint form used for Employment Service (Title III) complaints.
- **Attachment D: Sample Complaint/Grievance Log.** This log contains the minimum elements for tracking purposes.
- **Attachment E: Local Hearing and Decision – Required Elements.** Lists the required components of a formal hearing and the decision based on the hearing.

REFERENCES

WIOA Section 181(c)

20 CFR 683.600

INQUIRIES

Please direct any inquiries to: WIOA.Grievance.Procedure@labor.ny.gov.

ATTACHMENTS

- [WIOA Title I Complaint/Grievance Procedure](#)
- [Local Area Grievance Officers/Local Level Hearing Officers Form](#)
- [Customer Complaint Information Form](#)
- [Sample Complaint/Grievance Log](#)
- [Local Hearing and Decision – Required Elements](#)