



ADWS Policy Number: WIOA I-B – 4.3, Change 1 Effective Date: September 15, 2022

Requirements for Local Grievance, Complaint, and Appeal Procedures

PURPOSE: The purpose of this policy is to describe and to detail the regulations concerning the Title I-B grievance, complaint, and appeal procedures as they apply to the local area, in accordance with the Workforce Innovation and Opportunity Act of 2014 (WIOA), the WIOA Final Rule, and Arkansas State WIOA Title I policies.

REFERENCE:

WIOA § 181(c)(1)
20 CFR 683.600

Current version of ADWS Policy No. WIOA I – 6.1 (Arkansas Grievance, Complaint, and Appeal Procedures for WIOA Title I Activities)

POLICY:

Each local area, including the local workforce development board (LWDB), the Title I-B program provider, and the One-Stop operator, must have written procedures to address grievance and complaints for allegations concerning WIOA Title I-B. These procedures may be unique for each entity or they may be one procedure for all. Each procedure must include the information listed below [WIOA § 181(c)(1)]; 20 CFR 683.600(a)]. Although there are some connotations of differences between the terms “grievance” and “complaint,” the two words are used interchangeably in this policy. No inference may be taken concerning the meaning of the two terms, even when only one is used.

Reasonable efforts must be made to assure that the information in the grievance, complaint, and appeal procedures will be understood by affected participants and other individuals, including youth and those who are limited-English speaking individuals [20 CFR 683.600(b)(3)]. In order to meet the requirements of 20 CFR 683.600(b)(3), a brief version of the part of the grievance, complaint, and appeal procedures for the One-Stop operator must be displayed in the One-Stop and must also be available when requested; a brief version of the grievance, complaint, and appeal procedures for the program provider must be displayed in the offices of program staff, and a brief version of the grievance, complaint and appeal procedures of the LWDB must be displayed in the office of the staff of the board. All procedures must be available upon request to anyone who requests the procedures. Reasonable efforts must be made to help youth and those who are limited-English speakers understand the procedures [20 CFR 683.600(b)].

Each procedure must include:

- A process for dealing with grievances and complaints from participants and other interested parties affected by the local workforce development system, including one-stop partners and service providers [20 CFR 683.600(c)(1)].
- Assurance that the complaint will be investigated with an informal resolution to be proposed within 60 days of the filing of the grievance [20 CFR 683.600(c)(2)].
- The opportunity for a hearing to be completed, if requested, at the local level within 60 days of the filing of the grievance or complaint [WIOA § 181(c)(1); 20 CFR 683.600(c)(2)].
- A process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure if a collective bargaining agreement covering the parties to the grievance so provides [20 CFR 683.600(c)(3)].
- An opportunity to appeal to the state level, using appropriate portions of the current ADWS Policy No. WIOA I – 6.1 (*Arkansas Grievance, Complaint, and Appeal Procedures for WIOA Title I Activities*) when (1) no decision is reached within 60 days or (2) either party is dissatisfied with the local hearing decision [20 CFR 683.600(c)(4)].

Nothing in this policy precludes a grievant or complainant from pursuing a remedy authorized under another Federal, State, or local law [20 CFR 683.600(h)].