Grievance Procedure

Field Guidance Memorandum 105

Issue Date 6/8/2022

Reference: FGM 103 Nondiscrimination and Equal Opportunity Policy

References:
- Workforce Innovation and Opportunity Act of 2014 (Public Law 113-128), Section 188, NonDiscrimination

Purpose:
Pursuant to the Workforce Innovation and Opportunity Act of 2014 (Public Law 113-128) and Virginia Workforce Letters (VWL) #15-05 and #16-09 WIOA program participants have a right to file a grievance. Grounds for a grievance involve individual discrimination based on 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.

If a participant thinks that he/she has been subjected to discrimination under a WIOA-funded program or activity, a complaint can be filed within 180 days from the date of the alleged violation with the Local Workforce Development Area's (LWDA) Equal Employment Opportunity (EEO) Officer, or the participant may file a complaint directly with the State-Level EO Officer of the VEC and/or the Civil Rights Center (CRC).

Program Operators will make every effort to resolve complaints at their level. If a resolution cannot be achieved, the complaint has the option of contacting the Hampton Roads Workforce Council's (HRWC) EO Officer or go directly to either the State-Level EO Officer or the Director, Civil Rights Center in Washington, D.C.

Procedure:
If a participant believes that he/she has a complaint regarding a violation of his/her civil rights, he/she can take the following steps:

Step 1: Go to the HRWC's EO Officer within 180 days of the alleged violation and bring the problem to that organization's attention. The HRWC has 90 days to respond.

Holly Bryant, EO Officer
Hampton Roads Workforce Council
999 Waterside Drive, Suite 1314, Norfolk, VA 23510
757-314-2370 Ext. 115
hmbryant@theworkforcecouncil.org
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Step 2: If the HRWC does not respond within 90 days and/or the participant is not satisfied with the resolution of the complaint, he/she can file the complaint with the State-Level EO Officer of the VEC.

Vicki M. Tanner, VCCS EEO Officer
300 Arboretum Place, Suite 200
Richmond, Virginia 23236
804-819-1682 vtanner@vccs.edu
(or)
Shirley M. Bray-Sledge, State-level EO Officer
VEC 703 East Main Street Room 102
Richmond, Virginia 23218
804-786-3466 Shirley.bray-sledge@vec.virginia.gov

Step 3: If the State-Level EO Officer does not respond within 90 days and/or the participant is not satisfied with the resolution of the complaint, he/she can file the complaint with the Civil Rights Center.

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

General:

A. All HRWC internal time limits for grievances will be strictly adhered to unless it is not possible due to schedule limitations. The HRWC’s President and CEO will approve/disapprove any requests for extension based on the facts of the case. The Director of the Civil Rights Center is the only person who can grant extensions on time limits regarding discrimination complaints.

B. A copy of the grievance procedure and civil rights form will be given to each participant enrolled in WIOA activities for their review and signature. The original copy of this form will be placed in their participant folder.
C. The HRWC’s EO Officer is Ms. Holly Bryant, 757-314-2370 Ext. 115 or hmbryant@theworkforcecouncil.org. If you have any questions, please discuss them with your Career Planner first and Ms. Bryant later if the participant needs additional information. For hearing impaired, the Virginia Telecommunications Relay Service is a service that relays a conversation between a person with a speech or hearing disability using a TTY (Text Telephone) and a hearing person using a regular telephone. To reach Virginia Relay simply dial 711.

D. Complaints not resolved at the Program Operator’s level will be referred directly to this office for resolution. If a suitable solution is not attained at this level, the next step is to forward the complaint to the State-Level EO Officer at VEC and then if a suitable solution is not attained at this level, the next step is to forward to the Director, Civil Rights Center, Washington, D.C. Ms. Bryant is available as the technical advisor for both the Program Operator and the complainant. WIOA participants, Board staff and Program Operators should feel free to contact Ms. Bryant for advice should a need arise.

E. The participant is requested to sign to indicate that he/she has read and understands the information contained in this procedure. The Career Planner is required to counter sign that the participant has read and understands these grievance procedures.
Complaint/EEO Information Form

1. Name: _____________________________________________

   Last       First       MI

   Street: _____________________________________________

   City_________________________________________ State_______ Zip__________

2. Your telephone number(s):

   Home________________ Work____________ Contact Person_____________

   Email: ________________________________________________

3. What is the most convenient time and place for us to contact you about this complaint?

   _______________________________________________________

4. Provide name, address and phone number of agency/employer/individual(s) involved with this complaint:

   _______________________________________________________

5. To the best of your knowledge, which program was involved?

   [ ] One-Stop Operator (WIOA)       [ ] Adult Program (WIOA)
   [ ] Dislocated Worker Program (WIOA) [ ] Youth Program (WIOA)
   [ ] Other: Specify________________________

6. To your best recollection on what date(s) did the referenced complaint take place?

   Date of first occurrence:_________________ Date of most recent occurrence:________________

7. Have you ever attempted to resolve this complaint at the local level?

   [ ] No    [ ] Yes  If yes, give date and explain what occurred:______________________________

   ______________________________________________________

   ______________________________________________________
8. Explain as briefly and clearly as possible the nature of your complaint. Indicate who was involved and include all significant events. Also, attach any written material pertaining to your complaint.

9. What other information do you think is relevant to our investigation of your complaint?

10. How would you like your complaint to be resolved?

*Signature of Complainant: ____________________________ Date: ____________________________
EEO COMPLAINT LOG

Responsible for complaint resolution:
- Holly Bryant, Equal Opportunity Officer
- Gary Butler, Chief Administration Officer
- Shawn Avery, President and CEO

<table>
<thead>
<tr>
<th>Complaint Number</th>
<th>Date Received</th>
<th>Complainant's Name and Address</th>
<th>Complaint Against and Reason</th>
<th>Brief Description</th>
<th>Referred to and Date</th>
<th>Disposition Date</th>
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