



## WORKFORCE INNOVATION AND OPPORTUNITY ACT

### PARTICIPANT RIGHTS

As a participant in Workforce Innovation and Opportunity Act (WIOA) Services, you have rights guaranteed to you through Workforce Innovation and Opportunity Act Grievance and Complaint procedures. Your rights include freedom from restraint, coercion, reprisal or discrimination.

#### **What is a grievance or complaint?**

Grievance or complaint means a written expression by a party alleging a violation of WIOA Title I grant program, regulations promulgated under WIOA, recipient grants, sub agreements, or other specific agreements under WIOA.

#### **How do I file a complaint?**

The grievance or complaint must be in writing, signed, dated, be within one (1) year of the alleged violation and should include:

- Full name, telephone number and mailing address of the complainant;
- Full name, telephone number and mailing address of the respondent;
- A clear, concise statement of the facts and dates describing the alleged violation;
- The provisions of the WIOA, the WIOA regulations, grant or other agreements under the WIOA believed to have been violated;
- Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with WIOA law, regulation or contract; and
- The remedy sought by the complainant.

#### **Can I get help with filing my complaint?**

Contact One-Stop staff for information on how to obtain technical assistance, including instructions on how to file a grievance or complaint, provision of relevant copies of documents such as the WIOA, regulations, local rules, contracts, etc. with clarification and interpretations of relevant provisions.

#### **How can I report fraud, abuse or other criminal activity?**

Information and complaints involving allegations of fraud, abuse or other criminal activity must be reported immediately to the EASTBAY Works Contra Costa One-Stop Administrator or the Executive Director of the Workforce Development Board of Contra Costa County.

#### **What can I do if I feel I have been discriminated against?**

If your complaint is based on discrimination, you must file your complaint with the Contra Costa County Equal Opportunity Officer or the Director, Civil Rights Center (CRC), U.S. Department of Labor in Washington DC.

#### **Who will resolve my complaint?**

- First discuss the complaint with your case manager and ask for technical assistance if needed to prepare your written grievance or complaint.
- If your complaint has not been resolved to your satisfaction after discussing it with your case manager, you may discuss the complaint with the Career Center Coordinator or Program Director (Title V and youth services programs).
- If the Career Center Coordinator or Program Director has not resolved your complaint to your satisfaction, you may discuss the complaint with the EASTBAY Works Contra Costa One-Stop Administrator or Assistant Administrator.
- If the complaint has still not been resolved to your satisfaction, you may discuss the complaint with the Executive Director of the Workforce Development Board of Contra Costa County.
- Whenever possible, an attempt will be made to resolve the complaint through an informal meeting within ten (10) calendar days of the receipt of the complaint.
- The Local Workforce Investment Area must issue a written decision within 60 days of the filing of the grievance or complaint.

What happens if I am not happy with the informal resolution of my complaint or grievance by Career Center staff or the Executive Director of the Workforce Development Board, or no decision has been issued at the Local Workforce Investment Area level within the 60-day time limit?

- If you are not satisfied with the informal resolution process, a formal hearing will be held.
- Hearings on any grievance or complaint shall be conducted within 30 days of filing a grievance or complaint. You must be notified in writing of the hearing ten (10) days prior to the date of the hearing.
- You may amend your grievance or complaint to correct technical issues at any time up to the time of the hearing, but you may not amend it to add new issues.
- You have the right to be represented, at your own expense, by a person(s) of your choosing at all levels of the grievance or complaint process.

**Can I withdraw my grievance or complaint?**

Grievances or complaints may be withdrawn at any time prior to the issuance of the hearing officer’s decision, by contacting the EASTBAY Works Contra Costa One-Stop Administrator or the Executive Director of the Workforce Development Board of Contra Costa County. If your complaint is based on discrimination, you may contact the Contra Costa County Equal Opportunity Officer to withdraw your complaint.

**Can I appeal the hearing officer’s decision?**

- The hearing officer must provide you with a written decision not later than 60 days after the filing of the grievance or complaint.
- You have the right to request a review of the decision by the State Review Panel within ten (10) days of the receipt of the decision.
- If you do not receive a decision within 60 days or are not satisfied with the decision received, you may file an appeal with the State.
- If a review and/or hearing of your grievance or complaint by the State is not satisfactory, or the State has not issued a decision within the required 60-day time limit of receipt by the Employment Development Department of the grievance or complaint, you have the right to initiate an appeal at the federal level with the Secretary of Labor.

**Can I withdraw from WIOA services?**

- Each participant is free to make choices about their participation in WIOA services. Once enrolled, you may withdraw from services. To withdraw from services, you must notify your case manager of you intentions in writing. Notification by email or voicemail is not considered adequate notification.

**Where to file:**

EASTBAY Works Contra Costa One-Stop Administrator  
4071 Port Chicago Highway, Ste. 250  
Concord, CA 94520

Chief, Compliance Review Division, MIC 22-M  
Employment Development Department  
P O Box 826880  
Sacramento, CA 94280-001

Executive Director, Workforce Development Board of Contra Costa County  
300 Ellinwood Way, 3<sup>rd</sup> Floor  
Pleasant Hill, CA 94523

**As a WIOA applicant, I have read and understood my rights under the WIOA Grievance and Complaint Resolution Procedure. I further acknowledge receipt of this form.**

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
WIOA Representative

\_\_\_\_\_  
Date

**This WIOA Title I financially assisted program or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.**

**EQUAL OPPORTUNITY EMPLOYER/PROGRAM**