

The Seventh Planning District Consortium Workforce Development Board

Administrative Office

4000 Viking Dr., Suite A-1, Bossier City, LA 71111 | (318) 632-2022

Matt Wheeler, Chairman | Candle Sattler, Director of Workforce Development

LWDA 70 GRIEVANCE AND COMPLAINT POLICY AND PROCEDURES & EQUAL OPPORTUNITY POLICY

EFFECTIVE DATE: September 9, 2022

PURPOSE

This policy and related procedures covers complaints alleging non-criminal violations of the requirements of Workforce Innovation and Opportunity Act (WIOA) in the operation of local WIOA programs and activities and transmits policy governing WIOA Title I related grievance and complaint procedures.

The purpose of this policy is to provide guidelines and criteria to be used by the Seventh Planning District Consortium Workforce Development Board (LWDB 70), The Coordinating & Development Corporation (LWDA 70 Staff) and Workforce Innovation and Opportunity Act (WIOA) Title 1 funded service providers in the administration of supportive services for current Workforce Innovation Opportunity Act (WIOA) eligible adult, dislocated worker and youth participants residing in Region 7.

BACKGROUND

Title 20 CFR Section 683.600 requires each Local area, State, and direct recipient of funds under Title I of WIOA to establish and maintain a procedure for grievances and complaints from participants and other interested parties affected by the local workforce development system, including One-Stop partners, service providers, and the Statewide workforce development programs.

REFERENCES

- WIOA Section 181(c), 20 Code of Federal Regulations (CFR.) Sections 683.600 and 683.610, 29 CFR Section 38.9
- Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin;
- the Equal Pay Act of 1963 (EPA), which protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;
- the Age Discrimination in Employment Act of 1967 (ADEA), which protects individuals who are 40 years of age or older;
- Title I and Title V of the Americans with Disabilities Act of 1990, as amended (ADA), which prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments;
- Sections 501 and 505 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified individuals with disabilities who work in the federal government;
- Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employment discrimination based on genetic information about an applicant, employee, or former employee; and
- the Civil Rights Act of 1991, which, among other things, provides monetary damages in cases of intentional employment discrimination.
- Louisiana Workforce Commission WIOA Grievance and Complaint Policy & Procedures OWD 1-7.

American Job Center Locations



cdconline.org

□ Bienville Parish
2434 Manning St.
Ringgold, LA 71068
(318) 894-9173

□ Bossier Parish
4000 Viking Dr., Suite B-1
Bossier City, LA 71111
(318) 741-7363

□ Caddo Parish
125 E. Louisiana Ave.
Vivian, LA 71082
(318) 676-5721

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□ Lincoln Parish
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Ruston, LA 71270
(318) 251-5023

□ Natchitoches Parish
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(318) 357-2414

□ Sabine Parish
1125 W. Mississippi Ave., Suite A
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(318) 256-2698

□ Webster/Claiborne Parish
902 Lee St.
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DEFINITIONS

A complaint is an allegation of discrimination on the grounds of race, color, religion, sex, sexual identification, national origin, age, disability, political affiliation, or belief for participation in the program and is covered by the nondiscrimination and equal opportunity provisions at 29 CFR 37.30.

A grievance is a complaint about services, working conditions, wages, work assignments, etc., arising in connection with WIOA programs operated by WIOA recipients including service providers, eligible training providers, and other contractors.

GENERAL POLICY

Applicants and participants of the Workforce Innovation and Opportunity Act (WIOA) program, including applicants for employment, and employees, have the right to enter into the grievance process to resolve disputes. Complaint/grievances must be filed in writing within 180 days after the alleged WIOA violation took place. Individuals in grievance investigations are protected from retaliation and are permitted to have translators, interpreters, readers and/or a representative of their choice during the grievance process.

If any individual, group or organization has a complaint/grievance, the problem should first be discussed informally between those involved before a complaint/grievance is filed. Complainant/griever may file their grievance at the local service provider level (LWDA 70), local Workforce Development Board level (LWDB 70), State Equal Opportunity (EO) Officer level and/or at the Federal Department of Labor (DOL) level.

EQUAL OPPORTUNITY POLICY

As stated by Section 188 of WIOA, LWDB 70 and its local service providers are prohibited from discrimination of an individual from participation in, denial of the benefits of, or denial of employment in the administration of or in connection with, any programs and activities funded or otherwise financially assisted in whole or in part under Title I of WIOA because of race, color, religion, sex, sexual identification, national origin, age, disability, political affiliation, or belief, or for beneficiaries, applicants, and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under Title I of WIOA.

No individual in the United States shall be discriminated against on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation, or belief, and, for beneficiaries' only, citizenship or participation in WIOA. The nondiscrimination and equal opportunity provisions of WIOA prohibit discrimination against applicants, beneficiaries, and employees on the same basis.

It is the policy LWDA 70 that staff shall actively advocate for participants in the area of Civil Rights. In addition, we shall, ensure that all contractors, vendors and suppliers of services to the agency shall be equal opportunity employers. It is the policy of this agency that no applicant, client, and/or employee of LWDA 70 shall on the basis of race, color, national origin, religion, sex, disability, age, or political affiliation or belief, be excluded from participation in or be denied the benefits of, or otherwise be subjected to discrimination under any program or activity, which LWDA 70 operates or is applying for funding.

No person on the grounds of race, religion, color, national origin, sex, disability, age, or political affiliation or belief shall be subjected to discrimination or be denied employment in connection with any program or activity receiving federal financial assistance.

No person with responsibilities in the operation or administration of a program receiving federal financial assistance will discriminate with respect to any such program or activity receiving federal financial assistance.

It is expected that the Director of the Division of Workforce Development will become familiar with and have direct input into LWDA 70's Methods of Administration. The Director of the Division of Workforce Development will be held accountable for ensuring equality of opportunity within each component or program while fostering employment and program participation practices which are compatible with LWDA 70's Methods of Administration and Civil Rights Regulations.

Responsible officials and other staff that fail to adhere to this policy will be subject to immediate disciplinary action.

COMPLAINTS OF DISCRIMINATION

If you believe that you have been subjected to discrimination under a WIOA funded program or activity, you may file a complaint no later than 180 days after the date of the alleged act of discrimination to:

The local Equal Opportunity Coordinator or Human Resource Coordinator
LWDA 70 Equal Opportunity Coordinator
4000 Viking Drive Suite A1
Bossier City, LA 71111
Phone: (318) 632-2022

or with

Compliance Programs Director
Equal Opportunity & Compliance Division
1001 North 23rd Street
Baton Rouge, LA 70802
Phone: (225) 342-3075
Fax: (225) 342-7961

If you file your complaint with the State EO Officer, you must wait until the State EO Officer has issued a Notice of Final Action, or 90 days passed (whichever is sooner), before filing one with the Civil Rights Center. If you file your complaint with the State EO Officer and after 90 days have not received a written Notification of Final Action, you will have 30 additional days in which to submit your complaint to the Civil Rights Center. If the State EO Office does provide you with a Notice of Final Action within 90 days of filing your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC within 30 days of the date you received the State EO Officer's Notice.

The Director of the Civil Rights Center
US Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210
Phone: (202) 693-6500 TTY/TDD: (800) 877-8339
CivilRightsCenter@dol.gov

FILING A GRIEVANCE

A complainant may attempt to resolve all issues of unfair treatment by working with the appropriate Manager or Supervisor and staff member involved informally. After all avenues have been exhausted and the complainant is dissatisfied, a formal grievance may be filed. All non-discrimination or unfair treatment complaints as described in the previous definition may be filed within 180 days after the act in question by first submitting a written request for resolution to:

LWDA 70 Equal Opportunity Coordinator, 4000 Viking Drive A1, Bossier City, LA 71111, Phone: (318) 632-2022 ext 110.

GRIEVANCE PROCEDURE

(customers)

A. Coverage and Provisions

1. Any customer may file a grievance alleging a violation of the Act, Regulation, or other agreements under the Workforce Innovation and Opportunity Act.
2. Grievances alleging intimidation, coercion, or retaliation may be exempted from "exhaustion of local remedies" rule and filed directly at the Federal level.
3. These procedures also provide for resolutions of grievances arising from actions, such as audit disallowances or the imposition of sanctions taken by the Governor with respect to audit findings, investigations or monitoring reports.
4. This employer-established grievance procedure will provide for, upon request by the grievant, a review of an employer's decision by the WIOA Grant Recipient and the Governor.

5. Upon enrollment into a WIOA program each customer shall be provided with a written description of the grievance procedure.
6. Documentation verifying receipt of the grievance procedure is to be maintained in each customer's file folder.
7. If a person alleges a grievance and exhausts the subrecipient's grievance procedure or the 60-day time period has elapsed without a decision, either party to the grievance may submit the grievance to the USDOL Secretary of Labor. The Secretary shall investigate the allegations contained in the grievance and make a determination.

B. Structure and Timetables

1. All grievances, with the exception of grievances alleging fraud or criminal activity, must be made within one (1) year.
2. Hearings on any grievance shall be conducted within 30 days of the filing of a grievance and a decision rendered within 60 days except in cases alleging fraud or criminal activity.
3. At a minimum, the following steps shall be followed in regard to grievances:

Step 1

1. Any customer shall present the grievance to the EO Coordinator.
2. The grievance shall be acknowledged by the EO Coordinator and a hearing scheduled within 30 days.
3. The hearing procedure shall include:
 - a. Written notice of the date, time, and place of the hearing;
 - b. Opportunity to be represented by an attorney or other representative of the grievant's choice.
 - c. Opportunity to bring witnesses and documentary evidence.
 - d. Opportunity to question any witnesses or parties.
 - e. The right to an impartial hearing officer;
 - f. A written decision from the hearing officer to the grievant.
4. The EO Coordinator receiving the grievance shall provide the grievant with a written decision within 60 days of the filing of the grievance. This decision shall include the name and address to which an appeal may be made at the State level.

Step 2

1. If the grievant does not receive a decision at the local level within 60 days or receives a decision which is unsatisfactory, the grievant then has a right to request a review of his/her grievance by the Assistant Secretary, Louisiana Workforce Commission, or his/her designee, within the next 10 days.
2. The Assistant Secretary, Louisiana Workforce Commission, or his/her designee shall issue a written decision within 60 days of the request for review. The decision made by the Assistant Secretary, Louisiana Workforce Commission, is final.

Step 3

1. If the grievant does not receive a decision from the Assistant Secretary, Louisiana Workforce Commission, the grievant may request of the Secretary, U.S. Department of Labor, that a determination be made on whether there is probable cause.
2. The grievant shall make the request for review to the U. S. Secretary of Labor no later than 10 days from the date on which the decision should have been received. The U. S. Secretary of Labor will make a final decision on an appeal no later than 120 days after receiving the appeal.

The request from the grievant should contain the following:

- a. the full name, telephone number (if any), and address of the person making the grievance.
- b. the full name and address of the respondent against whom the grievance is made;
- c. a clear and concise statement of the facts, including pertinent dates, constituting the alleged violation;
- d. the provisions of the Act, Regulations, Grant or other agreements under the Act believed to have been violated;

- e. a statement disclosing whether proceedings involving the subject of the request have been commenced or concluded before any Federal, State, or local authority, and, if so, the date of such commencement or conclusion, the name and address of the authority and the style of the case; and
- f. a statement of the date the grievance was filed with the Assistant Secretary, Louisiana Workforce Commission, the date on which Assistant Secretary, Louisiana Workforce Commission, should have issued a decision, and an attestation that no decision was issued.

DELEGATION PROGRESS

A. Complaints against employers participating in On-the-Job Training (OJT) contracts, and which concern the terms and conditions of a participant's employment or OJT contract terms, shall first be handled directly with the employer or through the employer's grievance procedure. If the complaint cannot be resolved with an On-the-Job Training employer, the complaint shall be resolved in accordance with this grievance procedure.

B. Complaints by WIOA funded personnel involving the terms and conditions of their employment shall first be handled pursuant to the employing agency's procedures. If the complaint cannot be resolved with an employing agency, the complaint shall be resolved in accordance with this procedure.

C. Labor Standards Violations: Whenever participants have complaints alleging a Louisiana or federal labor standards violation, they shall use the established local and State Grievance Procedures or choose to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides.

GRIEVANCE PROCEDURE

(staff)

A. Scope and Purpose

This is the policy The Coordinating and Development Corporation has established to receive, investigate, resolve grievances, and conduct hearings to adjudicate disputes under the Workforce Innovation and Opportunity Act (WIOA). Each grant recipient or other subrecipient shall adopt these procedures or develop their own to include all the elements and timetables set forth herein that are in accordance with the WIOA (Section 188).

B. Coverage and Provisions

1. Employees are not only permitted but are encouraged to air any grievances that they may have with regard to their treatment or conditions on the job over which CDC might be expected to have some control. Punitive action shall not be taken against any employee for submitting a grievance in good faith. All CDC Division of Workforce Development employees must exhaust the agency's established procedures prior to submitting their grievance to the Louisiana Workforce Commission, Equal Opportunity and Compliance Division.

Step 1

1. The employee must first submit a written grievance to the Human Resource Coordinator with a copy to the Director within five (5) calendar days after the cause for grievance.

Step 2

1. It shall be the responsibility of the Human Resource Coordinator to study the grievance and attempt to resolve it within ten (10) days. If the employee feels the immediate supervisor's action is unsatisfactory or inadequate, his or her grievance will be forwarded to the President and CEO. The President and CEO has ten (10) working days to review the grievance. Any attempt by an employee to bypass a level of supervision in the grievance process could be considered grounds for disciplinary action.

2. Copies of final decisions shall be provided to the CDC Executive Committee, and appropriately filed.

3. The local level decision will be reviewed on the basis of adherence to reasonable established procedures. Where this is found not to have occurred and/or action was arbitrary or capricious, the case will be remanded back to the agency for reexamination and/or corrective action.

Step 3

1. If the CDC Division of Workforce Development employee feels that the local level decision is unsatisfactory or inadequate, his or her grievance can be submitted to the Louisiana Workforce Commission, Assistant Secretary, P.O. Box 94094, Baton Rouge, LA 70804-9004.

No applicant, participant, employee, service provider or training provider will be intimidated, threatened, coerced or discriminated against because they have made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing.

COMPLAINTS OF FRAUD, ABUSE, OR OTHER ALLEGED CRIMINAL ACTIVITY

In cases of suspected fraud, abuse or other alleged criminal activity, you should direct your concerns to the Office of Inspector General, U.S. Department of Labor, at 1-866-801-2549.

This policy is subject to change at any time, at the discretion of the Seventh Planning District Consortium Workforce Development Board, based on appropriate factors which the Board believes warrant adjustments to this document, or conflict with local, state, or Federal regulations, laws or policies.

Passed and approved on this 9th Day of September 2022.



The Seventh Planning District Consortium Workforce Development Board
Title: Matt Wheeler, Chairperson

9/9/2022
Date

ATTACHMENTS: LWDA 70 WIOA Grievance and Complaint Procedures and Certification Form(s)

The Seventh Planning District Consortium Workforce Development Board

Administrative Office

4000 Viking Dr., Suite A-1, Bossier City, LA 71111 | (318) 632-2022

Matt Wheeler, Chairman | Candle Sattler, Director of Workforce Development

MEMORANDUM

DATE: _____

FROM: Craig Sheppert
Monitor and EO Coordinator

SUBJECT: LWDA 70 GRIEVANCE AND COMPLAINT PROCEDURES AND CERTIFICATION FORM

This memorandum provides the guidance and establishes the procedures regarding grievances and complaints to ensure that grievances and complaints are resolved promptly and that complainants are advised of all steps taken to resolve the complaint.

LWDA 70 Grievance and Compliant Policy and Procedures applies to all WIOA Title I recipients and subrecipients in Region 7.

Should you have any questions, please contact me.

Craig Sheppert
Monitor and EO Coordinator

Enclosure

American Job Center Locations



cdconline.org

☐ Bienville Parish
2434 Manning St.
Ringgold, LA 71068
(318) 894-9173

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Natchitoches, LA 71457
(318) 357-2414

☐ Sabine Parish
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Matt Wheeler, Chairman | Candle Sattler, Director of Workforce Development

Grievance and Complaint Procedures Certification Form

Acknowledging receipt of notice about where to obtain information on WIOA Grievance and Complaint Procedures.

I certify that I have been advised of my rights under Department of Labor's Regulations at 29 CFR Parts 31 and 38, Title VI and VII of the Civil Rights Act of 1964, and Section 188 of the Workforce Innovation and Opportunity Act of 2014 and understand these rights as they have been explained to me.

This is to further certify that I have been advised of the Grievance Procedures and Complaint Procedures as a customer in the WIOA Program and have been given a copy of each. I am aware that Mr. Craig Sheppert is the Senior Monitor/EO Coordinator at (318) 632-2022 and that I should contact him if a problem arises concerning either of these two (2) areas.

I, the below signed customer, have read and will abide by the stated requirements of the WIOA Program as operated by The Coordinating and Development Corporation (LWDA 70 Staff).

Program: ☐ Classroom Training ☐ On-the-Job Training ☐ Work Experience

Program Enrollee's Name (Print)

Program Enrollee's Signature

Date

American Job Center Locations



cdonline.org

☐ **Bienville Parish**
2434 Menning St.
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This is to further certify that I have been advised of the Grievance Procedures and Complaint Procedures as an employee of the LWDA 70 and have been given a copy of each. I am aware that Mr. Craig Sheppert is the Senior Monitor/EO Coordinator at (318) 632-2022 and that I should contact him if a problem arises concerning either of these two (2) areas.

I, the below signed customer, have read and will abide by the stated requirements of the WIOA Program as operated by The Coordinating and Development Corporation.

Employee's Name (Print)

Employee's Signature

Date

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This is to further certify that I have been advised of the Grievance Procedures and Complaint Procedures as a employer/ service provider in the WIOA Program and have been given a copy of each. I am aware that Mr. Craig Sheppert is the Senior Monitor/EO Coordinator at (318) 632-2022 and that I should contact him if a problem arises concerning either of these two (2) areas.

I, the below signed customer, have read and will abide by the stated requirements of the WIOA Program as operated by The Coordinating and Development Corporation (LWDA 70 Staff).

Program: ☐ Classroom Training ☐ On-the-Job Training ☐ Work Experience

Employer/Service Provider's Name (Print)

Employer/Service Provider's Signature

Date

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DISCRIMINATION COMPLAINT PROCEDURES



THE COORDINATING & DEVELOPMENT CORPORATION

Nondiscrimination Provision: No individual in the United States shall, on the Basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially assisted program or activity, the benefits of, subjected to discrimination under, or denied employment in the administration of or, in connection with, any Louisiana Workforce Commission (LWC) or WIOA-Title I funded program or activity.

Who May File:

Any person who believes that he or she, individually or as a member of a specific class of individuals, is being subjected to discrimination based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, and, against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially assisted program or activity.

Examples of who may file a complaint:

Applicants for aid, benefits, services or training, eligible applicants, participants, employee's applicants for employment, service providers, eligible service providers.

Where to File:

The complaint may be filed with any of the following:

The local Equal Opportunity Coordinator or Human Resources Coordinator
LWDA 70 EO Coordinator
4000 Viking Drive, Suite A-1
Bossier City, LA 71111
Phone: (318) 632-2022

Compliance Programs Director
Equal Opportunity & Compliance Division
1001 North 23rd Street
Baton Rouge, LA 70802
Phone: (225) 342-3075

The Director of the Civil Rights Center
US Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210

GRIEVANCE PROCEDURE (CUSTOMERS)



THE COORDINATING & DEVELOPMENT CORPORATION

A. Coverage and Provisions

1. Any customer may file a grievance alleging a violation of the Act, Regulation, or other agreements under the Workforce Innovation and Opportunity Act.
2. Grievances alleging intimidation, coercion, or retaliation may be exempted from "exhaustion of local remedies" rule and filed directly at the Federal level.
3. These procedures also provide for resolutions of grievances arising from actions, such as audit disallowances or the imposition of sanctions taken by the Governor with respect to audit findings, investigations or monitoring reports.
4. This employer-established grievance procedure will provide for, upon request by the grievant, a review of an employer's decision by the WIOA Grant Recipient and the Governor.
5. Upon enrollment into a WIOA program each customer shall be provided with a written description of the grievance procedure.
6. At the time of hire, each customer shall be provided with a written description of the grievance procedure. Documentation verifying receipt of the grievance procedure is to be maintained in each customer's file folder.
7. If a person alleges a grievance and exhausts the subrecipient's grievance procedure or the 60-day time period has elapsed without a decision, either party to the grievance may submit the grievance to the USDOL Secretary of Labor. The Secretary shall investigate the allegations contained in the grievance and make a determination.

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 2. Opportunity to be represented by an attorney or other representative of the grievant's choice;
 3. Opportunity to bring witnesses and documentary evidence;
 4. Opportunity to question any witnesses or parties;

5. The right to an impartial hearing officer;

6. A written decision from the hearing officer to the grievant.

4. The EO Coordinator receiving the grievance shall provide the grievant with a written decision within 60 days of the filing of the grievance. This decision shall include the name and address to which an appeal may be made at the State level.

Step 2

1. If the grievant does not receive a decision at the local level within 60 days or receives a decision which is unsatisfactory, the grievant then has a right to request a review of his/her grievance by the Assistant Secretary, Louisiana Workforce Commission, or his/her designee, within the next 10 days.

2. The Assistant Secretary, Louisiana Workforce Commission, or his designee shall issue a written decision within 60 days of the request for review. The decision made by the Assistant Secretary, Louisiana Workforce Commission, is final.

Step 3

1. If the grievant does not receive a decision from the Assistant Secretary, Louisiana Workforce Commission, the grievant may request of the Secretary, U.S. Department of Labor, that a determination be made on whether there is probable cause to believe that a violation of the Act, Regulation, or other agreements have occurred.

2. The grievant shall make the request for review to the U. S. Secretary of Labor no later than 10 days from the date on which the decision should have been received. The U. S. Secretary of Labor will make a final decision on an appeal no later than 120 days after receiving the appeal.

The request from the grievant should contain the following:

- a. the full name, telephone number (if any), and address of the person making the grievance;
- b. the full name and address of the respondent against whom the grievance is made;
- c. a clear and concise statement of the facts, including pertinent dates, constituting the alleged violation;
- d. the provisions of the Act, Regulations, Grant or other agreements under the Act believed to have been violated;
- e. a statement disclosing whether proceedings involving the subject of the request have been commenced or concluded before any Federal, State, or local authority, and, if so, the date of such commencement or conclusion, the name and address of the authority and the style of the case; and
- f. a statement of the date the grievance was filed with the Assistant Secretary, Louisiana Workforce Commission, the date on which Assistant Secretary, Louisiana Workforce Commission, should have issued a decision, and an attestation that no decision was issued.

Delegation Progress

A. Complaints against employers participating in On-the-Job Training (OJT) contracts, and which concern the terms and conditions of a participant's employment or OJT contract terms, shall first be handled directly with the employer or through the employer's grievance procedure. If the complaint cannot be resolved with an On-the-Job Training employer, the complaint shall be resolved in accordance with this grievance procedure.

B. Complaints by WIOA funded personnel involving the terms and conditions of their employment shall first be handled pursuant to the employing agency's procedures. If the complaint cannot be resolved with an employing agency, the complaint shall be resolved in accordance with this procedure.

C. Labor Standards Violations: Whenever participants have complaints alleging a Louisiana or federal labor standards violation, they shall use the established local and State Grievance Procedures or choose to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides.

CUSTOMER GRIEVANCE FORM (STEP 1)



THE COORDINATING & DEVELOPMENT CORPORATION

EO Coordinator: _____ Date: _____

From: _____ Class Title: _____
(Grievant's Name)

Office: _____ Location: _____

GRIEVANCE STATEMENT

The relief I am seeking is: _____

Grievant's Signature: _____

DECISION OF LWDA 70 EO COORDINATOR

EO Coordinator's Signature: _____ Date: _____

CUSTOMER GRIEVANCE FORM (STEP 2)



THE COORDINATING & DEVELOPMENT CORPORATION

Assistant Secretary, LWC: _____ Date: _____

From: _____ Class Title: _____
(Grievant's Name)

Office: _____ Location: _____

I would like to appeal the decision of my EO Coordinator, a copy of which is attached, for the following reason(s):

Grievant's Signature: _____

DECISION OF ASSISTANT SECRETARY LOUISIANA WORKFORCE COMMISSION (LWC)

Assistant Secretary, LWC, Signature: _____ Date: _____

CUSTOMER GRIEVANCE FORM (STEP 3)



THE COORDINATING & DEVELOPMENT CORPORATION

U. S. Secretary of Labor: _____ Date: _____

From: _____ Class Title: _____
(Grievant's Name)

Office: _____ Location: _____

I would like to appeal the decision of the Assistant Secretary, Louisiana Workforce Commission, a copy of which is attached, for the following reason(s):

Grievant's Signature: _____

DECISION OF U. S. SECRETARY OF LABOR

U. S. Secretary of Labor Signature: _____ Date: _____

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SEC. 188. NONDISCRIMINATION

a) IN GENERAL

1) **FEDERAL FINANCIAL ASSISTANCE-** For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), on the basis of disability under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or on the basis of race, color, or national origin under title VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.

2) **PROHIBITION OF DISCRIMINATION REGARDING PARTICIPATION, BENEFITS, AND EMPLOYMENT-** No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

3) **PROHIBITION ON ASSISTANCE FOR FACILITIES FOR SECTARIAN INSTRUCTION OR RELIGIOUS WORSHIP-** Participants shall not be employed under this title to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).

4) **PROHIBITION ON DISCRIMINATION ON BASIS OF PARTICIPANT STATUS-** No person may discriminate against an individual who is a participant in a program or activity that receives funds under this title, with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.

5) **PROHIBITION ON DISCRIMINATION AGAINST CERTAIN NONCITIZENS** Participation in programs and activities or receiving funds under this title shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

b) **ACTION OF SECRETARY-** Whenever the Secretary finds that a State or other recipient of funds under this title has failed to comply with a provision of law referred to in subsection (a)(1), or with paragraph (2), (3), (4), or (5) of subsection (a), including an applicable regulation prescribed to carry out such provision or paragraph, the Secretary shall notify such State or recipient and shall request that the State or recipient comply. If within a reasonable period of time, not to exceed 60 days, the State or recipient fails or refuses to comply, the Secretary may—

1) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted; or

2) take such other action as may be provided by law.

c) **ACTION OF ATTORNEY GENERAL -** When a matter is referred to the Attorney General pursuant to subsection (b)(1), or whenever the Attorney General has reason to believe that a State or other recipient of funds under this title is engaged in a pattern or practice of discrimination in violation of a provision of law referred to in subsection (a)(1) or in violation of paragraph (2), (3), (4), or (5) of subsection (a), the Attorney General may bring a civil action in any appropriate district court of the United States for such relief as may be appropriate, including injunctive relief.

d) **JOB CORPS -** For the purposes of this section, Job Corps members shall be considered as the ultimate beneficiaries of Federal financial assistance.

e) **REGULATIONS -** The Secretary shall issue regulations necessary to implement this section not later than one year after the date of the enactment of the Workforce Innovation and Opportunity Act of 2014. Such regulations shall adopt standards for determining discrimination and procedures for enforcement that are consistent with the Acts referred to in a subsection (a)(1), as well as procedures to ensure that complaints filed under this section and such Acts are processed in a manner that avoids duplication of effort.

THE COORDINATING & DEVELOPMENT CORPORATION

GRIEVANCE PROCEDURES (STAFF)



THE COORDINATING & DEVELOPMENT CORPORATION

Scope and Purpose

This is the policy The Coordinating and Development Corporation has established to receive, investigate, resolve grievances, and conduct hearings to adjudicate disputes under the Workforce Innovation and Opportunity Act (WIOA). Each grant recipient or other subrecipient shall adopt these procedures or develop their own to include all the elements and timetables set forth herein that are in accordance with the WIOA (Section 188).

Coverage and Provisions

Employees are not only permitted but are encouraged to air any grievances that they may have with regard to their treatment or conditions on the job over which CDC might be expected to have some control. Punitive action shall not be taken against any employee for submitting a grievance in good faith. All CDC Division of Workforce Development employees must exhaust the agency's established procedures prior to submitting their grievance to the Louisiana Workforce Commission, Equal Opportunity and Compliance Division.

Step 1

1. The employee must first submit a written grievance to the Human Resources Coordinator with a copy to the Director within five (5) calendar days after the cause for grievance.

Step 2

1. It shall be the responsibility of the Human Resources Coordinator to study the grievance and attempt to resolve it within ten (10) days. If the employee feels the immediate supervisor's action is unsatisfactory or inadequate, his or her grievance will be forwarded to the President and CEO. The President and CEO has ten (10) working days to review the grievance. Any attempt by an employee to bypass a level of supervision in the grievance process could be considered grounds for disciplinary action.

2. Copies of final decisions shall be provided to the CDC Executive Committee, and appropriately filed.

3. The local level decision will be reviewed on the basis of adherence to reasonable established procedures. Where this is found not to have occurred and/or action was arbitrary or capricious, the case will be remanded back to the agency for re-examination and/or corrective action.

Step 3

1. If the CDC Division of Workforce Development employee feels that the local level decision is unsatisfactory or inadequate, his or her grievance can be submitted to the Louisiana Workforce Commission, Assistant Secretary, P.O. Box 94094, Baton Rouge, LA 70804-9004.

STAFF GRIEVANCE FORM (STEP 1)



THE COORDINATING & DEVELOPMENT CORPORATION

Human Resources: _____ Date: _____

From: _____ Class Title: _____
(Grievant's Name)

Office: _____ Location: _____

GRIEVANCE STATEMENT

The relief I am seeking is: _____

Grievant's Signature: X _____

DECISION OF HUMAN RESOURCE OF THE COORDINATING & DEVELOPMENT CORPORATION

Human Resource of CDC Signature: X _____ Date: _____

STAFF GRIEVANCE FORM (STEP 2)



THE COORDINATING & DEVELOPMENT CORPORATION

President & CEO: _____ Date: _____

From: _____ Class Title: _____
(Grievant's Name)

Office: _____ Location: _____

I would like to appeal the decision of Human Resources of CDC, a copy of which is attached, for the following reason(s):

Grievant's Signature: X _____

DECISION OF PRESIDENT & CEO

President & CEO Signature: X _____ Date: _____

STAFF GRIEVANCE FORM (STEP 3)



THE COORDINATING & DEVELOPMENT CORPORATION

Assistant Secretary, Louisiana Workforce Commission, State of Louisiana

Date

From: _____
(Grievant's Name)

Class Title: _____

Office: _____

Location: _____

I would like to appeal the decision of my President & CEO, a copy of which is attached, for the following reason(s):

Grievant's Signature: X _____

DECISION OF ASSISTANT SECRETARY, LOUISIANA WORKFORCE COMMISSION, STATE OF LOUISIANA

Assistant Secretary, Louisiana Workforce Commission, State of Louisiana

Date