

**AB - # 8 Revised**  
**Effective Immediately**

**ACTION BULLETIN**

**TO:** All WIA Program Operators  
**DATE:** December 1, 2008  
**SUBJECT:** Grievance and Complaint Procedures

**Purpose of Bulletin:**

The purpose of this Bulletin is to transmit the Alameda County Workforce Investment Board's (ACWIB) formal Grievance and Complaint Procedures. The document enclosed provides guidance to all ACWIB Workforce Investment Act (WIA) program operators in the development, maintenance, and implementation of local-level grievance and complaint procedures. These procedures cover non-criminal violations of the requirements of WIA in the operation of local programs and activities. The document also covers the handling of complaints alleging fraud, criminal activity, or gross mismanagement and waste.

The ACWIB Grievance & Complaint Procedures contains the specific and detailed instructions on handling the various types of complaints.

**Citations:**

Section 188 of the Workforce Investment Act (WIA) of 1998  
WIA Sec. 181(c)  
Title 20 Codes of Federal Regulations (CFR) Parts 658.400, 667.600 and 667.275  
Title 41 CFR Subparts 101-19.6  
Americans with Disabilities Act of 1990, Title II, Subpart A  
Age Discrimination Act of 1975 as amended  
Section 504 of the Rehabilitation Act 1973  
Title IX of the Education Amendments of 1972  
Title VI and VII of the Civil Rights Act of 1964, as amended  
Title 29 CFR Parts 31, 32, and 37.35  
WIA D02-3 Incident Reporting  
WIA D04-20 Limited English Proficiency  
WSD 07-II Data Verification Requirements –WIA Customer Data Collection

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**Citations continued:**

WSD WIAD05-17 Audit Resolution  
Fair Employment and Housing Act (Gov. Code, Title 2, Div 3, Part 2.8), Chapters 1-6  
Dymally-Alatorre Bilingual Services Act, Gov. Code Sec. 7290-7299.8

**Policy and Procedures:**

Title 20 of the Code of Federal Regulations Sec. 667.600 requires each State, Local Workforce Investment Area (LWIA), and other direct recipients of Workforce Investment Act (WIA) funds to establish and maintain procedures for grievances and complaints from participants and other interested parties affected by the local workforce system, including one-stops, service providers, partners, employers, et al.

Any participant or other interested party adversely affected by a decision or an action by the local workforce system, including decisions by one-stop operators, their partners, youth program operators, et al has the right to file a grievance or complaint with the ACWIB.

The ACWIB Grievance & Complaint Procedures also complies with the State's requirements related to Incidents Reporting. Therefore the Procedures further describe allegations of fraud, abuse, and gross mismanagement and includes local, federal notification requirements, forms, etc. A separate Action Bulletin (AB #32) recently issued describes in more detail the statutory requirements for reporting these incidents of abuse.

For specific actions and the implementation of all the required procedures for the various types of complaints, please refer to the enclosed document entitled "ACWIB Grievance & Complaint Procedures" referenced in this Action Bulletin #8 (Revised).

**Action:**

This Action Bulletin revises AB #8, last issued in 2004. The new ACWIB Grievance and Complaint Procedures replaces those issued in 2006 independently of AB #8.

Please ensure all appropriate program staff, partners, employees, and employers with WIA trainees onsite are aware of these procedures.

Please destroy and replace the 2006 ACWIB Grievance & Complaint Procedures with the new documents.

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Notification Requirements: Initial and continuing notice of the grievance and complaint procedures with instructions on how to file a complaint must be:

- Posted in a public location and made available to any interested parties and members of the public.
- Made available to each participant. A copy of a written description of the local grievance and complaint procedures shall include 1) Notification that the participant has the right to file a grievance or complaint at any time within one year of the alleged violation; 2) Instructions and timeline for filing a grievance or complaint; and 3) Notification that the participant has the right to receive technical assistance in filing a contract. Such information shall be modified, as needed, whenever the Procedures have changed.
- Where a hard copy case file is maintained, a copy of an acknowledgement of receipt of the local grievance and complaint procedures shall be signed by the participant and included in each case file. Where an electronic case file is maintained, staff must make a note indicating that this notification did occur, the date of the notice, and the name of the staff person who provided it.
- Technical assistance is available by calling your assigned ACWIB Program Liaison if you have questions about the notification procedures.

**Information & Inquiries:**

For questions about the ACWIB Grievance & Complaint Procedures document or the content of AB #8 (Revised), please contact Patti Castro, Assistant WIB Director at [pcastro@acgov.org](mailto:pcastro@acgov.org) or at (510) 259-3843.

For grievances or complaints, unresolved at the program level, please contact Dorothy Chen, Director, WIB Director at [dchen@acgov.org](mailto:dchen@acgov.org) or at (510) 259-3842.

**Enclosure:**

Alameda County Workforce Investment Board's Grievance & Complaint Procedures