



Grievance and Complaints

Effective Date

4/22/2021 – Revisions 2/2/2026, 3/2/2026

Purpose

These procedures are for individuals who have been denied access to WIOA Basic or Individualized Services. Service providers may provide customers with access to programs and services operated and administered by other organizations and agencies.

Applicants/clients/participants may file a complaint about any aspect of their WIOA participation. If an individual has a complaint or grievance about programs or services administered by other organizations and agencies, he/she may need to process the complaint or grievance in accordance with the rules and procedures in place for that entity. Except for complaints alleging fraud, criminal activity, discrimination or sexual harassment, complaints shall be made within one year of the alleged occurrence.

Procedure

Complaints must be filed within 180 days from the start date of the event or condition that is alleged to be a violation of WIOA.

Policy

Civil Rights

No action may be taken in selecting customers, in assigning them to services, employment or training site, or in exiting them from WIOA or from a WIOA activity if such action is based on discrimination with regard to race, color, national origin, political affiliation, or belief, religion, disability, or age or marital status.

Additional Rights and Benefits

- Each participant shall be assured of worker's compensation or of comparable insurance coverage, as appropriate.
- Each participant, before starting WIOA sponsored services, training, or employment, shall be informed of all rights and benefits to which the customer may be entitled in connection with such training or employment. This shall be provided in a program orientation session.
- Each participant will receive individualized counseling services and be an active partner in the development of an Individual Employment Plan (IEP) or Individualized Service Strategy (ISS), based on individual service strategies developed for the participant. The participant shall receive a copy of the IEP or ISS.
- Participants will not be permitted to work, be trained, or receive services under conditions, which are unsanitary or hazardous in any way to their health or safety.



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- Each applicant/participant shall be informed of the complaint and hearing procedure applicable to the WIOA activity in which they are enrolled. The right to file a complaint about any aspect of WIOA is granted by law to all applicants and participants.

COMPLAINTS AND GRIEVANCES

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A GRIEVANCE MAY BE FILED IF:

- The grievance is regarding the WIOA programs or if there has been a violation of the law concerning a WIOA program and the filer was affected by that violation.
- The individual seeking WIOA services was denied a program service or benefit for which he/she was eligible.

TYPES OF COMPLAINTS NOT COVERED BY THESE PROCEDURES

1. WIOA is not an entitlement program. This means that even if an individual is eligible to receive services under these programs, the individual may be denied access to a specific service allowable under program rules. This is not considered a violation of the law and may occur, because:
 - a. There may not be sufficient funds to enroll an individual into a program or provide a service at the time of application or the time of need for the service.
 - b. Local Areas determine the types and mix of services to offer and may have decided not to offer a particular benefit or service. In such instance, there would be no grounds upon which to file a grievance. A copy of the applicable policy will be made available upon request.
 - c. Under WIOA there are eligibility requirements and prioritization criteria. Individuals who are seeking services but who do not meet the eligibility or prioritization criteria cannot be served with these funds.
 - d. Local Areas have the flexibility to impose requirements or to develop policies and procedures applicable to the programs and services. Requirements, policies, and procedures that have been adopted may restrict access to a program service or may limit the availability of a program service.

COMPLAINT PROCEDURE

Complaints must be filed within 180 days from the start date of the event or condition that is alleged to be a violation of WIOA.



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Informal Resolution

Every attempt must be made to work things out informally before a grievance can be filed. Concerns must first be discussed with WIOA staff with whom the individual is currently working. If the matter is not resolved, a meeting with the **Title I Director** may be requested. This informal resolution process must be completed within 10 business days from the date the complaint was filed. If all parties are satisfied, the complaint will be considered resolved.

State and Federal Resolution

If an individual believes to have been subjected to discrimination under WIOA Title I-financially assisted program or activity, a complaint may be filed within 180 days from the date of the alleged violation with either: the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose);

Iowa State WIOA EO Officer
1000 East Grand Ave.,
Des Moines, Iowa 50319-
Ph. (515) 281-8149

Or

Director, Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210

If a complaint is filed with the recipient, the filer must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever comes sooner), before filing with the Civil Rights Center (see address above). If the recipient does not provide a written notice of Final Action within 90 days of the day on which the complaint was filed, the filer does not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, the CRC complaint must be filed within 30 days of the 90-day deadline (in other words, within 120 days after the day on which the complaint was filed with the recipient). If the recipient does provide a written Notice of Final Action on the complaint, but the filer is dissatisfied with the decision or resolution, a complaint may be filed with CRC. The CRC complaint must be filed within 30 days of the date on which the notice of final action was received.

What Information Should a Complaint Contain

The complainant may also submit a written and signed complaint narrative, at any level, containing the information required under 29 CFR 38.73, which describes what a complaint must contain as follows:

1. The complainant's name and address (or another means of contacting the complainant);
2. The identity of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination);
3. A description of the complainant's allegations. This description must include enough detail to allow the State WIOA EO Officer or the Director of the DOL CRC as applicable, to decide whether.
 - a. CRC or the recipient, as applicable, has jurisdiction over the complaint;
 - b. The complaint was filed in time; and



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- c. The complaint has apparent merit; in other words, whether the complainant's allegations, if true, would violate any of the nondiscrimination and equal opportunity provisions of WIOA or 29 CFR Part 38; and.
- d. The complainant's signature or the signature of the complainant's authorized representative.

The complaint may be filed with the IowaWORKS EO Liaison to be forwarded to the State WIOA EO Officer for processing; at Iowa Workforce Development, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209, Telephone 515-281-8149. Hearing Impaired dial 711. Or complainants may be filed with the U.S. Department of Labor, Director, Civil Rights Center, 200 Constitution Ave. NW, Room N-4123, Washington, DC 20210. Discrimination complaints must be submitted within 180 days. All discrimination complaints filed must be submitted within 180 days of the alleged violation. An extension of the 180-day filing period may be allowed by the CRC when the complainant demonstrates good cause. Filing a complaint at the state level shall be deemed to have occurred on the date that written notice is actually received by Iowa Workforce Development (IWD).

The State WIOA EO Officer shall accept and investigate only those discrimination complaints within IWD's jurisdiction alleging a violation of Section 188 of the WIOA or 29 CFR 38 by a respondent.

WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)

EQUAL OPPORTUNITY IS THE LAW NOTICE

It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

- Against any individual in the United States, on the basis of race, color, religion, national origin (including limited English proficiency), age, disability, or political affiliation or belief, or,
- Against any beneficiary of, applicant to, or participation 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.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.