

<b>Office of Workforce Investments Policy Draft</b>	
<b>Focus: <input checked="" type="checkbox"/> WIOA Title I <input checked="" type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:</b>	
<b>Grievance Procedure Policy</b>	
First Draft: 1/7/2022	First Draft Comment Due: 1/21/2022
Draft Finalized for Public Comment: [4/22/2022]	30 Day Comment Period: [4/22/2022 to 5/23/2022]
Final Policy to Template: [ ]	Final Policy Posted: [ ]

**Overview**

This policy describes the procedures which local areas and the state must have in place by which an individual may initiate/submit a non-criminal complaint or grievance associated with Oregon’s workforce development system.

**Policy Statement**

Local areas must establish and maintain procedures for participants and other interested parties to file grievances and complaints alleging violations of the requirements of Title I of the Workforce Innovation and Opportunity Act (WIOA).

Information about the content of the grievance and complaint procedures must be provided to participants and other interested parties affected by the local workforce development system, including one-stop partners and service providers.

Local areas must ensure that every entity to which it awards WIOA Title I funds provides the information to participants receiving WIOA Title I – funded services, and to other interested parties.

Reasonable efforts must be made to ensure that the grievance procedure information will be understood by participants and other individuals, including youth, and those who are limited-English speaking individuals. These efforts must comply with the language requirements of 29 CFR 37.35 regarding the provision of services and information in languages other than English.

Local area procedures must provide a process for dealing with grievances and complaints from participants and other interested parties affected by the local workforce development system, including one-stop partners and service providers.

The local area procedures must provide an opportunity for an informal resolution and a hearing to be completed within 60 days of the filing of the grievance or complaint.

The procedures must include a process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides.

An opportunity for a local level appeal to a state entity must also be included in the procedure, in the event that no decision is reached within 60 days, or either party is dissatisfied with the local hearing decision.

The Higher Education Coordinating Commission Office of Workforce Investments (OWI) is the primary entity for:

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- Dealing with complaints about the statewide workforce investment programs.
- Resolving appeals from local-level complaints not resolved within 60 days or to the satisfaction of either party.
- Remanding complaints to local level entities.

Complaints and appeals must be submitted directly to OWI via physical letter. Letters should be sent to:

Workforce Programs Director  
Office of Workforce Investments  
3225 25<sup>th</sup> Street SE  
Salem, OR 97302

All complaints must include:

- A description of the nature of the complaint, including all relevant details (location, date, etc.).
- A description of any prior efforts to resolve the complaint.
- A return mailing address.

Within 60 days of receiving a complaint or appeal, the Office of Workforce Investments will conduct fact-finding activities and provide the complainant with an opportunity for an informal resolution/hearing.

OWI will issue resolutions/decisions within 60 days of receipt of complaint. If OWI does not render a decision within 60 days, or if any party to the decision wishes to appeal the state-level decision, appeals will be directed to the Secretary of Labor, U.S. Department of Labor.

Remedies that may be imposed under this section for a violation of any requirement of this title shall be limited:

- to suspension or termination of payments under this title;
- to prohibition of placement of a participant with an employer that has violated any requirement under this title;
- where applicable, to reinstatement of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment; and
- where appropriate, to other equitable relief.

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**Effective Date**

TBD

**Contact**

Questions are to be referred to [hecc.owi-workforce-policy@hecc.oregon.gov](mailto:hecc.owi-workforce-policy@hecc.oregon.gov)

**References**

- WIOA Section 181(c)
- 20 CFR 683.600
- 29 CFR 37.35

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