



Grievance/Complaint Hearing/Appeal Hearing Procedures

Workforce Investment Act (WIA), Trade Adjustment Act (TAA), Welfare Transition (WT/TANF) and Wagner-Peyser (WP) program participants and other interested parties (e.g., Contractors, One-Stop partners, One-Stop operators, and employers) affected by decision or actions of the local workforce system have a right to file grievances/complaints with the local Regional Workforce Board. The grievance/complaint should be filed with CareerSource Escarosa, Inc., in accordance with the procedures listed below. In the event you submit a grievance/complaint not under the authority of CareerSource Escarosa, Inc., CareerSource Escarosa will notify you within five (5) working days from the receipt of the grievance/complaint of the relevant agency responsible for the grievance/complaint.

Sexual Harassment Policy

CareerSource Escarosa Sexual Harassment Policy will be provided to you.

Criminal Fraud and Abuse

The procedures for reporting such incidents and instructions for completing the incident reporting form can be found at the following web site: <http://www2.myflorida.com/awilpdg/incidentreport/default.htm>. The form should be completed and mailed to: USDOL Office of Inspector General, Office of Investigations, Room S5514, 200 Constitution Ave. NW, Washington, D.C. 20210 or to USDOL South East Regional Inspector General for investigations, Office of Investigations, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Suite 6T1, Atlanta, GA 30303. Reports or complaints alleging fraud and abuse may also be reported through the USDOL Hotline at 1-800-347-3756.

Reporting Discrimination Complaints

To receive forms and procedures for filing discrimination complaints, call AWI at (850) 488-722, ext. 1330, 1340, 1338 or visit the following website: <http://www2.myflorida.com/awi/pdgcivilrights/forms.pdf>. You may file a discrimination complaint directly with the CareerSource Escarosa EEO Officer, Ms. Janay Sims, at 3670-2A North L Street, Pensacola, FL 32505, Phone: (850) 473-0939. A **WIA/TAA** complaint file with the U.S. Department of Labor, Civil Rights Center Discrimination Complaints 200 Constitution Ave., NW, Room N-4123 Washington, D.C. 20210 and a copy mailed to AWI, Office for Civil Rights, Suite 150, Caldwell Building, East Madison Street, Tallahassee, FL 32399-4129; and with the EEOC Tampa Area Office 501 East Polk Street, 10th floor Tampa, FL 33602, Phone: (813) 228-2310 or TTY (813) 228-2003. A **WT** complaint file with U.S. Department of Health and Human Services Office of Civil Rights, Inspector General Sam Nunn, Atlanta Federal Center, 61 Forsyth Street, SW, Suite 3B70, Atlanta, GA 30303 and a copy mailed to AWI, Office for Civil Rights, Suite 150, Caldwell Building, 107 East Madison Street, Tallahassee, FL 32399-4129; and with the EEOC Tampa Area Office 501 East Polk Street 10th Floor, Tampa, FL 33602 (813) 228-2310 or TTY (813) 228-2003. You may file electronically at the following website address: civil.rights@awi.state.fl.us. A **WP** complaint may be filed directly with a local-office EO Officer or with the U.S. Department of Labor, Civil Rights Center Discrimination Complaints 200 Constitution Ave., NW, Room N-4123 Washington, D.C. 20210. If the person filing the complaint is sight or speech impaired, they should call the Florida Relay System at 1-800-955-8771 (TDD) or 1-800-955-8770 for voice assistance.

Filing a Grievance/Complaint and request for Hearing/Appeal with Workforce Escarosa, Inc.

A WIA/TAA/WTP individual or entity, adversely affected by a CareerSource Escarosa action, to include but not limited to: displacement of employee; denial or termination as a WIA training provider; denial of eligibility as a WIA OJT or customized training provider; participant sanctioned for using controlled substances; termination of program eligibility or sanctioning for non-compliance with work activities, may submit a Grievance/Complaint or hearing request. Submissions should be concise and clearly written or typed; state the facts, laws, procedures, etc. that the grievant/complainant believes to be relevant for review; and must include a legible address where official notices may be mailed to the grievant/complainant; include the words **REQUEST FOR A HEARING** at the top of the first page in capital letters; and specifically state the type of violation and nature of the action that is the subject of the grievance. The grievance shall be no longer than five pages (exhibits and attachments are not included in the five-page limit) and submitted to CareerSource Escarosa, Executive Director at: 3670-2A North L Street, Pensacola, FL 32505. If possible, CareerSource Escarosa will attempt to resolve the grievance/complaint informally. If the matter cannot be resolved informally, CareerSource Escarosa must establish a hearing date, complete the hearing and issue a decision within a 60=calendar day timeframe from the date the grievance/complaint was filed. When the matter is not resolved informally, you will be notified by certified mail return receipt at least 15 calendar days prior to the hearing. The written hearing notice will include: hearing procedures date, time, and place of the hearing; pertinent sections of the WIA, WT, and any federal regulations involved. Affected parties may be represented at the hearing by an attorney or other representative, and may present witnesses or documentary evidence at the hearing. The parties will receive a written decision of the hearing within 30 calendar days after the hearing by certified mail return receipt requested.

Individuals alleging a labor standards violation may submit the grievance/complaint to binding arbitration procedure if the affected parties are covered by a collective bargaining agreement. WP participants file discrimination complaints against the Agency for Workforce Innovation (AWI) or its employees or complaints alleging discrimination by an employer. Special handling procedures are required for complaints filed by Migrant and Seasonal Farm Workers (MSFW). The RWB shall attempt to resolve the MSFW complaint. If the MSFW complaints cannot be resolved within five working days of receipt of complaint by the RWB, the complaint form and copies of all documents in the complaint file are forwarded to the Agency for Workforce Innovation, Monitor Advocate Office, Caldwell Building, 107 East Madison Street, Ste. 150, Tallahassee, FL 32399-4133. Attention: Senior Monitor Advocate. *Note: Individuals with a disability needing special accommodations shall call CareerSource Escarosa at (850) 607-8700, or fax at (850) 607-8852 at least five (5) working days prior to the hearing and state what special accommodation requirements are needed in order to participate in the hearing.

Right to Appeal:

An individual, or entity, adversely affected by CareerSource Escarosa actions or decisions can file an appeal with the State WIA/TAA Administrative entity. An appeal may be made to the federal level (USDOL) if the state has not conducted a hearing a decision regarding the grievance/complaint within the mandated **60-calendar day timeframe**, or if either party is dissatisfied with the state hearing decision. If the AWI Administrative Entity in conjunction with State Board staff determines that a grievance/complaint filed at the State level should have been decided at the local level, then the grievance/complaint may be remanded back to CareerSource Escarosa.

Filing a Grievance/Complaint and request for Hearing/Appeal at the State Level:

Because of the many types of grievances/complaints and level of hearing/appeals allowed under WIA/TAA/WT regulations, AWI staff working in conjunction with the State Board staff will be responsible for reviewing and determining the appropriate processing of requests/appeals filed at the State level. The following procedures should be followed when filing a grievance/complaint and/or requesting a hearing/appeal regarding a CareerSource Escarosa decision. The request and/or grievance/complaint for a hearing appeal should be clearly identified at top of the first page, i.e., REQUEST FOR HEARING. The written hearing request should not exceed five pages (not including attachments) and should state the facts, procedures, etc. that the grievor/complainant believes to be relevant for review and, is applicable, shall include any written decision made by CareerSource Escarosa and an address where official notices may be mailed to the grievant/complainant. The request shall be sent by certified mail return receipt to AWI, Office of General Counsel, Caldwell Building-Suite 150, 107 East Madison Street, Tallahassee, FL, 32399-4128. The grievant/complainant and CareerSource Escarosa will be contacted at least (5) five working days of receipt of the complaint to attempt an informal resolution. If informal methods do not resolve the issue, then a hearing will be scheduled. The complainant/grievant will be notified of the specific procedures for the hearing and will receive a decision within 60 calendar days from receipt.

State and Federal Appeal Level Process:

If the DEO has not reached a decision on the appeal of a local decision or the grievant disagrees with the decision, the grievance/complainant can file an appeal to USDOL no later than 60 calendar days of receipt of the decision being appealed. That request is submitted by certified mail, return receipt to Secretary USDOL, Attention: ASET, Washington, D.C. 20210. A copy of the appeal must be simultaneously provided to AWI (address above). Actions that may not be appealed to USDOL include: sanctions applied at the local level for using a controlled substance; sanction for non-compliance with work activities; or denial of eligibility as a WIA/TAA training provider. WP states that non-ES related complaints (*employment, discrimination, health and safety, etc.*) must be forwarded as soon as possible after being received, to AWI, Office of General Counsel, Caldwell Building | Suite 150, 107 East Madison St, Tallahassee, FL, 32399-4128, or to the appropriate federal agency with a copy of the complaint sent to AWI Office of General Counsel. If the WP complaint is not resolved within 15 working days, then the complaint and associated file documents are forwarded to the AWI, Office of One-Stop and Program Support, Caldwell Building | Suite 105, 107 East Madison St, Tallahassee FL 32399-4133, Attention: ES Complaint Coordinator.

I certify that I have read and understand my rights and responsibilities as enumerated above.

Participant/Service Provider/ Employee/Employer or Other Signature & Date

As a representative of CareerSource Escarosa, I verify that the above-signed individual has read the Grievance Hearing/Appeal Procedures and has indicated an understanding of it.

CareerSource Escarosa Representative Signature & Date