

Workforce Innovation and Opportunity Act (WIOA) 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 area Workforce Board. The grievance/complaint should be filed with CareerSource Escarosa, in accordance with the below listed procedures. In the event you submit a grievance/complaint not under the authority of CareerSource Escarosa, CareerSource Escarosa will notify you within 5 working days from the receipt of the grievance/complaint of the relevant agency responsible for the grievance/complaint.

Sexual Harassment Policy

An individual or entity desiring a copy of the CareerSource Escarosa Sexual Harassment Policy should write or call CareerSource Escarosa, 6913 N. 9th Ave., Pensacola, FL 32504; telephone number (850) 607-8700.

Criminal Fraud and Abuse

Incidents of criminal fraud and abuse can be reported through the U. S. Department of Labor, Office of Inspector General Hotline Portal at the following link: <https://oigportal.oig.dol.gov/eCasePortal/Forms/Complaints.aspx?templateName=Hotline>

Reports or complaints alleging fraud and abuse may also be reported through the USDOL Hotline at 1-800-347-3756.

Reporting Discrimination Complaints

Forms for filing discrimination complaints can be found at the following website:

<https://www.floridajobs.org/office-directory/office-for-civil-rights/about-our-services/discrimination-complaints>

You may file a discrimination complaint by completing the Complaint Information Form found at the above referenced website or by sending information listed on form in writing as directed below:

WIOA/TAA complaints may be filed with CareerSource Escarosa’s Equal Opportunity Officer or the U.S. Department of Labor’s Civil Rights Center, with a copy mailed to Florida Department of Commerce and EEOC Tampa Area Office.

CareerSource Escarosa
Attn: Mrs. Janay Sims EEO
6913 N. 9th Ave.
Pensacola, FL 32504

or

U.S. Department of Labor
Civil Rights Center
200 Constitution Avenue, N.W., Room N-4123
Washington, DC 20210

Florida Department of Commerce
Office for Civil Rights, MSC 150
107 East Madison Street,
Tallahassee, FL 32399-4129

and

Equal Employment Opportunity Commission (EEOC)
Tampa Area Office
501 East Polk Street, Suite 100
Tampa, FL 33602
813-710-9340 or TTY 1-800-669-6820

WT complaints may be filed with the U. S. Department of Health and Human Services via the OCR Complaint Portal at the following address:

<https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>

Instructions for filing a complaint in writing by mail, fax or email can be found at the above OCR Complaint Portal address. Copies of written complaints are to be mailed to the Florida Department of Commerce and EEOC Tampa Area Office, as well (see addresses above).

Regional Office: 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

WP complaints may be filed with the CareerSource Escarosa's Equal Opportunity Officer or the U.S. Department of Labor, Civic Rights Center (see addresses above).

You may contact **The Florida Commission on Human Relations, 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, (850) 488-7082** to file a discrimination complaint within 365 days from date of the alleged violation.

Communication impaired persons filing a complaint should call the Florida Relay Service Voice (statewide) 711, TDD ASCII (800) 955-1339 and TDD Baudot (800) 955-8771.

Filing a Grievance/Complaint and request for Hearing/Appeal with CareerSource Escarosa

An **WIOA/TAA/WT** individual or entity, adversely affected by an CareerSource Escarosa action, to include but not limited to: displacement of employee; denial or termination as a **WIOA** training provider; denial of eligibility as a **WIOA 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.

For Hearing Request, 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, 6913 N. 9th Ave., Pensacola, FL 32504. 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 time frame 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 **WIOA, 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 may file discrimination complaints against the Florida Department of Commerce (Florida Commerce) or its employees of complaints alleging discrimination by an employer. Special handling procedures are required for complaints filed by Migrant and Seasonal Farm Workers (MSFW). CareerSource Escarosa shall attempt to resolve the MSFW complaint. If the MSFW complaints cannot be resolved within five working days of receipt of complaint by CareerSource Escarosa, the complaint form and copies of all documents in the complaint file are forwarded to the Florida Department of Commerce (Florida Commerce), Monitor Advocate Office, MSC 150, 107 East Madison St, 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) 473-0935 at least five 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 WIOA/TAA Administrative entity. An appeal may be made to the federal level (USDOL) if the state has not conducted a hearing or made 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 Florida Department of Commerce 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 WIOA/TAA/WT regulations, Florida Department of Commerce 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 grievant/complainant believes to be relevant for review and, if 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 Florida Department of Commerce, Office of General Counsel, MSC 150, 107 East Madison Street, Tallahassee, FL, 32399-4128. The grievant/complainant and CareerSource Escarosa will be contacted at least 5 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 Level Appeal Process

If the Florida Department of Commerce has not reached a decision on the appeal of a local decision or the grievant disagrees with the decision, the grievant/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 Florida Department of Commerce (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 WIOA/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 Florida Commerce, Office of General Counsel, MSC 150, 107 East Madison St, Tallahassee, FL, 32399-4128, or to the appropriate federal agency with a copy of the complaint sent to Florida Department of Commerce 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 Florida Department of Commerce, Office of One-Stop and Program Support, MSC 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