

## ATLANTA REGIONAL COMMISSION/ATLANTA REGIONAL WORKFORCE BOARD

### Workforce Investment Program Services Grievance/Complaint Procedures and Equal Opportunity Policy For Applicants and Participants Beginning November 1, 2011 During WIA Adult and Dislocated Worker Programs Gold Standard Evaluation

#### WIA ADULT AND DISLOCATED WORKER PROGRAMS GOLD STANDARD EVALUATION

ARC/ARWB has been randomly selected by USDOL Employment and Training Administration to participate in a rigorous random assignment evaluation to examine the effectiveness of intensive and training services offered through WIA Adult and Dislocated Worker Programs. Applicants have been advised of the evaluation and provided an opportunity to sign a consent form agreeing to accept random assignment to one of three study groups: the core group, the core-and-intensive group, or the full WIA group. The applicant study group status will remain the same until the evaluation ends.

**The following general complaint policies are not available to applicants dissatisfied with their random assignment service status. Customers may contact the Evaluation Team at 1-800-925-0356 between the hours of 9 am and 9 pm.**

#### GENERAL POLICY

If any individual, group, or organization has a complaint, the problem should first be discussed informally between those involved before a grievance is filed. Applicants and Participants for services through the Workforce Investment Act Title I (WIA) paid for by the Atlanta Regional Commission (ARC) and/or the Atlanta Regional Workforce Board (ARWB) will be treated fairly. Grievance/complaints should be filed in accordance with the written procedures established by the Workforce Development Division of the Atlanta Regional Commission. **If you believe you have been harmed by the violation of the Workforce Investment Act or regulations of this program, you have the right to file a grievance/complaint.**

#### EQUAL OPPORTUNITY POLICY

ARC adheres to the following United States law: "No individual shall be excluded from participation, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any such program because of race, color, religion, sex, national origin, age, disability, or political affiliation, belief or citizenship/status as a lawfully admitted immigrant authorized to work in the United States." References include: The Workforce Investment Act of 1998, P. L. 105-220; USDOL Regulations Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998; Final rule (29 CFR Part 37); USDOL, Employment and Training Division, Workforce Investment Act; Final Rules (20CFR Part 652 et al.).

#### COMPLAINTS OF DISCRIMINATION

The ARC is prohibited from discriminating on the ground of race, color, religion, sex, national origin, age, disability, political affiliation, or belief and for beneficiaries only, citizenship or participation in programs funded under the Workforce Investment Act (WIA), in admission or access to, opportunity or treatment in, or employment in the administration of or in connection with, any WIA-funded program or activity. If you think that you have been subjected to discrimination under a WIA-funded program or activity, you may file a complaint within 180 days from the date of the alleged violation with the Atlanta Regional Commission, WIA Equal Opportunity Officer, Anna Thompson, Workforce Development Division, 40 Courtland Street, NE, Atlanta, GA 30303, (404) 463-3331, TDD: 1-800-255-0056, voice: 1-800-255-0135, [workforce@atlantaregional.com](mailto:workforce@atlantaregional.com) or you may file a complaint directly with the Director, Civil Rights Center, U.S. Department of Labor, 200 Constitution Avenue, NW. Room N-4123, Washington, DC 20210. If you elect to file your complaint with ARC, you must wait until the ARC issues a decision (Notice of Final Action) or until 90 days have passed, whichever is sooner, before filing with the Civil Rights Center (see address above). During the 90-day period, all parties involved will be asked to enter into an informal resolution process. If the ARC has not provided you with a written decision within 90 days of the filing of the complaint, you need not wait for a decision to be issued, but may file a complaint with the Civil Rights Center within 30 days of the expiration of the 90-day period. If you are dissatisfied with the resolution of your complaint, you may file a complaint with the Civil Rights Center. Such complaint must be filed within 30 days of the date you received Notice of Final Action.

Complaints may also be filed with the Georgia Department of Labor Employment Opportunity Administrator, Elizabeth Warner, Suite 600, Sussex Place, 148 International Blvd, NE, Atlanta, GA. 30303, 404-232-3557.

#### COMPLAINTS OF FRAUD, ABUSE OR OTHER ALLEGED CRIMINAL ACTIVITY

In cases of suspected fraud, abuse or other alleged criminal activity, you should direct your concerns to the Office of Inspector General, U.S. Department of Labor, at 1-800-347-3756. There is no charge for this call.

#### COMPLAINTS AGAINST PUBLIC SCHOOLS

If the complaint is not resolved informally and it involves public schools of the State of Georgia, the grievance procedure will comply with WIA and OCGA 20-2-1160.

**ALL OTHER COMPLAINTS (VIOLATIONS OF THE ACT OR REGULATIONS)**

All other complaints must be filed within one-hundred eighty (180) days after the act in question by first submitting a written request for resolution to:

Workforce Development Division  
Atlanta Regional Commission  
40 Courtland Street, NE  
Atlanta, Georgia 30303  
ATTN: WIA Equal Opportunity Officer

Complaints filed with ARC must contain the following:

- A. The full name, telephone number, email (if any), and address of the person making the complaint.
- B. The full name, address and email of the person or organization against whom the complaint is made.
- C. A clear but brief statement of the facts including the date(s) that the alleged violation occurred.
- D. Relief requested.

A complaint will be considered to have been filed when Atlanta Regional Commission receives from the complainant a written statement, including information specified above which contains sufficient facts and arguments to evaluate the complaint.

Upon receipt of the complaint, the ARC WIA Equal Opportunity Officer will initiate efforts with the complainant and others involved to bring resolution as soon as possible. If the complaint has not been resolved to the satisfaction of the complainant within thirty (30) days, the ARC WIA Equal Opportunity Officer will arrange appointment of a hearing officer to conduct a hearing for settlement of the complaint.

In the event ARC arranges a hearing for settlement of the complaint, the complainant(s) will be given a written notice of the date, hour, place of the hearing, a statement of the authority and jurisdiction under which the hearing is to be held, a reference to the particular section of the Act, regulations, subgrant or other contract under the act involved, a notice to all parties of the specific charges involved, a statement of the right of both parties to be represented by legal counsel, an indication of the right of each party to present evidence both written and through witness and a statement of the right of each party to cross-examination. Hearing officers who are independent of the ARC and who have been approved by all concerned parties will be responsible for conducting the hearing.

Hearings on any grievance/complaint filed shall be conducted within thirty (30) days of failed mediation. Written decisions shall be rendered not later than sixty (60) days after the filing. Attempts at informal resolution may proceed during the 30-day period between the filing and hearing of the grievance/complaint and prior to the rendering of a decision on the grievance/complaint.

If the complainant(s) does not receive a written decision from the Hearing Officer within sixty (60) days of the filing of the grievance/complaint, or receives a decision unsatisfactory to the complainant(s), the complainant(s) then has/have a right to request a review of the grievance/complaint by the Commissioner of Labor, the Governor’s authorized representative. The request for review should be submitted to:

Commissioner  
Georgia Department of Labor  
Room 600 Sussex Place  
148 Andrew Young International Boulevard, NE  
Atlanta, Georgia 30303

The Commissioner shall act as the Governor's authorized representative. The request for review shall be filed within ten (10) days of receipt of the adverse decision or fifteen from the date on which the complainant(s) shall have received a decision. The Governor will conduct a review of the grievance/complaint and issue a written decision within thirty (30) days from the date of receipt of the review request. The decision rendered by the Commissioner of Labor will be final.

No applicant, participant, employee, service provider or training provider will be intimidated, threatened, coerced or discriminated against because they have made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing.

WIA Americans With Disabilities Act (ADA) Compliance Officer: Jo Simón, Workforce Development Division, Atlanta Regional Commission, 40 Courtland Street NE, Atlanta, GA 30303 phone: 404-463-3336

I CERTIFY THAT I HAVE RECEIVED A COPY OF THIS POLICY AND PROCEDURES.

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NAME

\_\_\_\_\_  
DATE