



Community Relations- Social Development Commission Complaint/Grievance Procedures

The Social Development Commission Grievance Procedures applies to all programs including Workforce Innovation & Opportunity Act (WIOA). Each participant has the right to seek resolution of any grievance regarding their participation with the Social Development Commission. The following grievance procedure can be used by all WIOA and other program participants. Complaints must be filed within one year after the alleged act. The following procedures cover any grievance related to all SDC programs

Step 1: Filing a complaint

A participant aggrieved by the action or inaction of any WIOA-funded program is encouraged to express in writing to that person or agency involved and seek informal resolution of the matter. If the participant is filing a grievance/complaint in regards to discrimination as a qualified individual with a disability in all aspects of employment, (Americans with Disabilities Act-Title II) contact (414) 906-2700 for the designated SDC staff in charge of investigation of complaints under ADA-Title II and section 504 within 180 days after the alleged discrimination has taken place. The following information should be included whenever a complaint is filed:

- a. The full name, telephone number, and address of the participant
- b. The full name and address of whom the complaint is being against.
- c. A clear and concise statement of the facts, including pertinent dates, stating the alleged violation
- d. Provision of WIOA or other program regulations, if known, which the participant believes was violated
- e. A statement disclosing whether the complaint has been cross-filed with any other jurisdiction and whether these other proceedings have been commenced or concluded, including dates, authorities, and other pertinent information
- f. A statement of the resolution which the participant seeks

Step 2: Investigation

- a. The Quality Assurance Department (QA) must investigate the complaint to determine both the complainant's and respondent's version of the facts and determine which provision of the law, program regulations, or contract apply. If a complaint is filed by a SDC staff person, the Chief Executive Director is responsible for the investigation and informal resolution process.
- b. QA prepares a written report on his or her investigation giving both the complainant and respondent a copy.
- c. The complainant is notified, in writing, that the investigation has been completed

Step 3: Informal Resolution

Complainants must be offered an opportunity to informally resolve their complaints.



- a. QA conducts a fact-finding appointment, which is a meeting between the complainant, the respondent, and QA seeking to settle the complaint through informal channels. The informal resolution is strongly recommended but is not required as a prerequisite to request a fair hearing from SDC.
- b. The complainant is notified, in writing, of the right to request a hearing from SDC within three days of the fact-finding appointment if no settlement has been reached.
- c. If a settlement has been reached on any or all issues raised by the complainant, a Settlement Agreement will be executed.

Step 4: Request for Hearing

If the complainant has exhausted the program's complaint process and is not satisfied, then the complainant has the right to request a hearing from SDC. This request must take place within three days of the fact-finding appointment (no later than 15 days from the filing of the written complaint). The hearing request is to be addressed to:

La Toya Jones, Equal Opportunity Coordinator
Social Development Commission
1730 West North Avenue
Milwaukee, WI 53205

- a. The request for a hearing must include:
 - a. Copy of the complaint
 - b. Reasons the complainant is not satisfied with the informal resolution process
 - c. Specific violation of the WIOA, Administrative Assurance and Requirements, or SDC policies
- b. Upon receipt of the complaint, SDC will investigate, prepare a report of facts, schedule a Grievance Committee hearing (no later than 30 days from filing date), and notify all parties. Grievance Committee currently consists of:
 - a. QA Representative
 - b. HR Representative
 - c. Executive Representative
 - d. Program Representative
- c. The Grievance Committee will review the staff's report, which identifies pertinent issues, and formulate appropriate questions for the hearing.

Step 5: Hearing

In attendance should be the complainant, his/her representative and witnesses; the respondent, his/her representatives and witnesses; and SDC staff and the members of SDC Grievance Committee. The grievance hearing procedure shall include written notices to interested parties of the date, time, and place of the hearing; an impartial decision maker; the right of parties to representation; an opportunity to present evidence and to question others who present evidence both in writing and through witnesses; a written decision made strictly on the recorded evidence;



and a notice of appeal rights. The decision of the Grievance Committee is final within the grievance procedure.

Appeal

After receiving an adverse decision or no decision on a complaint/grievance within 60 calendar days of the filing date, the participant may file an appeal requesting a state level independent review. This appeal must be filed with the Division of Employment and Training within the following time limitations:

1. The participant must file the appeal within 10 calendar days after the participant received the decision.
2. If the participant did not receive a decision, the participant must file the appeal within 10 calendar days after the decision was due.
3. After accepting a complaint/grievance that has been appealed from the grantee level requesting a state level review, the Division of Employment and Training administrator will review the case and issue a final decision within 30 calendar days after the appeal was filed.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIOA Title I—financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with SDC Equal Opportunity Coordinator or the Director, Civil Rights Center (CRC), U.S. Department of Labor.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the CRC (see the address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.



Discrimination

Discrimination means that an individual did not receive program services because of age, ancestry, national origin, skin color, religion, creed, gender, gender preference, disability, health condition, marital status, genetic testing, arrest and conviction record, or other protected status under the Civil Rights Act of 1964 and other civil rights laws. Discrimination complaints are very serious. Such complaints must be filed within 180 days of when an incident happens. Discrimination complaints may be filed at the local, state or federal level.

La Toya Jones, Equal Opportunity Coordinator
1730 W North Ave
Milwaukee, WI 53205

Phone: (414) 906-2823 TDD/TTY: 711 Fax: (414) 906-2759

ljones@cr-sdc.org

OR

David Duran, Equal Opportunity Officer
Wisconsin Department of Workforce Development
Division of Employment and Training
201 East Washington Avenue, Rm G100 PO Box 7972
Madison WI 54307-7972

Phone: (608) 266-6889 TTY (866) 275-1165 Fax: (608) 261-8506

david2.duran@dwd.wisconsin.gov

OR

Director, Civil Rights Center (CRC)
ATTENTION: Office of External Enforcement
United States Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington DC 20210
Fax: (202) 693-6505

CRCEXternalComplaints@dol.gov

A discrimination complaint may be filed with the Equal Rights Division (ERD) of the Wisconsin Department of Workforce Development (WI DWD). If the discrimination is based on the Wisconsin Fair Employment Statutes, **it must be filed with the ERD within 300 days after the alleged discrimination took place.** It is important to note that the Wisconsin Fair Employment Statutes recognize protected classes in addition to those covered by federal Civil Rights Statutes, such as marital status, sexual orientation, source of income, etc.

WI DWD Equal Rights Division
819 N Sixth Street – Room 255
Milwaukee, WI 53203
(414) 227-4384 (voice)
(414) 227-4081 (TTY)

Abbreviated Process

The Social Development Commission (SDC) has a designated Quality Assurance Department (QA) charged with tracking and triaging participant grievances. Participants who are dissatisfied with the services or information provided by the SDC shall be directed to use this system to ensure their grievance is recorded and addressed.

1. Participants wishing to make a grievance will be directed to meet with the Quality Assurance Department.
2. Quality Assurance will work with the individual to gather basic information related to the grievance and complete questions on the Grievance Form.
3. Complaints meeting the criteria of a complaint will be referred to the Equal Opportunity Coordinator immediately.
 - a. Current Equal Opportunity Coordinator is La Toya Jones.
4. For all other grievances, QA will complete a detailed description of the grievance and encourage the participant to document the grievance in writing using the Grievance Form.
5. QA will determine where to direct or how to resolve the grievance.
 - a. Complaints relating to a WIOA or other partner programs will be directed to the program manager.
 - b. Complaints relating to a sub-recipient will be directed to the program manager.
 - c. All grievances warranting manager discussion will be relayed to management as soon as possible.
 - d. Reasonable Accommodation request complaints will be directed to the Equal Opportunity Officer as soon as possible.