

<b>DIVISION OF GRANTS ADMINISTRATION</b>	Section:	Agency Policies & Procedures
	Eff Date: 11/13/02	Revision Date: 3/1/07
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The Division of Grants Administration (DGA) is requiring all agencies which receive federal, state, local and/or private employment and training funds for which the City of Lawrence holds financial liability: the Division of Grants Administration, the Department of Training and Development (DTD), the ValleyWorks Career Center (VWCC) and the Merrimack Valley Workforce Investment Board (MVWIB) to adhere to the following policy:

## **FORMAL GRIEVANCE / COMPLAINT POLICY**

### **Who May File:**

#### **Equal Opportunity Is the Law**

Any person who believes he or she or any specific class of individuals has been or is being subjected to discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship, in admission or access to opportunities or treatment in, or employment in the administration of or in connection with, any Workforce Investment Act funded program or activity. On all complaints that include discrimination, and all complaints alleging disability discrimination, the following procedure shall be used:

### **Complaints Lodged and Time Frames:**

- **A customer may lodge a complaint related to services provided under the Wagner-Peyser Act within one year of the alleged violation.**
- **There is no time limit for filing a complaint related to services provided under Title I of the Workforce Investment Act.**
- **Complaints alleging discrimination must be filed within 180 days of the alleged violation. The 180 day filing deadline is extended to 300 days if the charge also is covered by a state or local anti-discrimination law. For ADEA charges, only state laws extend the filing limit to 300 days.**
- **All complaints must be filed in written form:**
  - **Submission of the official Career Center Form (available at front desk) or,**
  - **Submission of a written letter signed by the complainant.**

A written complaint must include the complainant's full name, telephone number and address and the date of filing. Written complaints must also provide a clear, brief statement of the facts and alleged violation, relevant dates, and other information to assist the investigation and resolution of the complaint. If the complainant needs assistance one of the Valleyworks Career Center staff will assist the customer seeking to file the complaint including assistance with completing all associated forms.

**Procedure to File:**

**Type of Complaint:**

Violation of the Wagner-Peyser Act, rules, regulations, grants or other agreements made under the Act by the Commonwealth.

OR

Violation of the Title I of the Workforce Investment Act, rules, regulations, grants or other agreements made under the Act by the Commonwealth.

**Where to file the complaint/grievance:**

Complaints against the Career Center or DCS program operator, subrecipient, or contractor:

**Primary Contact**

**Back-up**

**Local Complaint Officer**

Beverly Stopyra\*  
Grievance Officer  
Division of Grants Administration  
439 South Union Street, Bldg. 2  
Lawrence, MA 01843  
978-722-7065  
\*Names Subject to Change

Arthur Chilingirian\*  
DTD Executive Director  
Valleyworks Career Center  
439 South Union Street, Bldg. 2  
Lawrence, MA 01843  
978-722-7001

**When to file the complaint:**

For violations of the Wagner-Peyser Act, rules regulations, grants or other agreements made under the Act by the Commonwealth: Within one (1) year of the alleged occurrence.

For violations of the Title I of the Workforce Investment Act, rules, regulations, grants or other agreements made under the Act by the Commonwealth: There is no time limit.

**Resolution of the complaint:**

The local Complaint Officer has 15 days from the date a written complaint is received to resolve the complaint.

If the complaint was initiated by a Migrant and Seasonal Farm Worker (MSFW) – the local Complaint Officer has within 5 days from the date a written complaint is received.

The 15 day period (or in the case of an MSFW initiated complaint, the 5 day period) does not begin until the requested information is received.

If the Career Center has made a written request to the complainant (or the complainant's authorized representative) for additional information, the 15 day period (or in the case of an MSFW initiated complaint, the 5 day period) does not begin until the requested information has been received by the local Career Center.

If the local Career Center has requested additional information from the complainant or the complainant's authorized representative and does not receive a response within 20 days from the date the request was made (or, in the case of an MSFW initiated complaint, within 40 days), the complaint is considered resolved.

**Appeal of the complaint if resolution is not reached at the local Career Center:**

If the Career Center does not resolve the complaint to the satisfaction of the complainant within 15 days period (or in the case of an MSFW initiated complaint, the 5 day period), the complainant may request a hearing at the State level for resolution or further action.

If complainant disagrees with the local Career Center determination, the complainant may appeal the local determination to the State Level (State Complaint Officer) within 20 days of the receipt of the determination.

After 30 days (or in the case of an MSFW initiated complaint, within 20 days), if resolution has not been accomplished at the State level, the State Complaint Officer will issue to the complainant and respondent, by certified mail, a written determination regarding the complaint.

**Where to file the appeal:**

To State Complaint Officer:

**State Complaint Officer**  
Alice Sweeney, State Complaint Officer  
Division of Career Services  
19 Staniford Street  
Charles F. Hurley Bldg.  
Boston, MA 02114

**NOTE:** *If the State Complaint Officer has made a written request for information to the complainant or the complainant's authorized representative, the 30 or 20 day time frame (whichever is appropriate) will not commence until the requested information has been received.*

Hearings shall be held by State hearings officials. A State hearings official may be any State official authorized to hold hearings under State law.

**Type of Complaint:**

All information and complaints alleging criminal fraud, waste, abuse or other criminal activity under WIA must be reported immediately to the Department of Labor's Office of Inspector General (20 CFR § 667.630)

Office of Inspector General  
200 Constitution Ave. NW Room S-5506  
Washington, DC 20210  
Toll Free: 1-800-347-3756  
FAX: 202-693-5210