



## **WORKFORCE ONE EMPLOYMENT SOLUTIONS GRIEVANCE PROCEDURES**

WorkForce One Employment Solutions is the administrative entity for WorkForce One (WF1), WorkForce Investment Act (WIA) programs, and Welfare Transitions (WT) programs. WorkForce One does not operate any programs. WorkForce One contracts with many organizations to provide services with the grant funds WorkForce One receives. This allows WorkForce One to oversee the funds and program in a neutral way.

If you have a grievance arising out of a program provided by a WorkForce One contractor, WorkForce One will step in and try to resolve the matter informally. If the matter cannot be resolved, WorkForce One has adopted the following procedures to provide you with a mechanism to address your grievance. Even if your problem does not fit into the guidelines under which you can request a hearing, WorkForce One has a customer service representative who will try and help you and you may contact that individual whose phone number is posted in the Career Center. Please read these instructions carefully.

### **Complaints and Grievances**

References to the word “complaint” in this procedure are to matters which do not rise to the level of a formal grievance and which do not allege a violation of the law.

References to the word “grievance” in these procedures are to matters which an individual is interested in pursuing through a hearing. Not all grievances result in hearings if the parties can come to agreement following the filing of the grievance and before the hearing.

### **Application and Grievances Covered By These Procedures**

These procedures are for the WorkForce One customers listed below.

1. Job Seekers who have been denied access to a WorkForce Investment Act Intensive or Training Service
2. Welfare Transitions Program clients who have been denied a training or support service or whose request for deferral or hardship exemption from the time limits prescribed by the law has been denied.

WorkForce One provides customers with access to programs and services operated and administered by other State, and local agencies and organizations.

If you have a complaint or a grievance about the programs or services of one of the WorkForce One co-located partners, you may need to process your complaint or grievance in accordance with the rules and procedures in place for that organization or entity. You should approach the manager for the partner program against which you would like to lodge a complaint or a grievance.

You may file a grievance if:

- a. You have a grievance regarding the programs operated by WorkForce One or you think that there has been a violation of the law concerning a WorkForce Investment Act Program, Welfare Transitions Program or other grant programs administered by WorkForce One and you are affected by that violation.
- b. You are registered or enrolled in a program under the WorkForce Investment Act or Welfare Transitions and have asked for a program service or benefit and have been denied the service or benefit.
- c. You are a Welfare Transitions participant and have been sanctioned for use of a controlled substance.

#### Types of Complaints Not Covered By These Procedures

1. The WorkForce Investment Act and the Welfare Transitions program are not entitlement programs. This means that even if you fit the description of individuals who may be eligible to receive services under those programs you still may be denied access to the program or denied a specific service allowable under the program rules. This is not considered a violation of the law. This may happen because:
  - a. There may not be sufficient funds to enroll you into a program or provide you with a service at the time that you apply or need the service.
  - b. Local areas have the flexibility to decide the types and mix of services to offer in their localities. These decisions are made locally by the governing boards for WorkForce One. The governing boards for WorkForce One may have decided not to offer a particular benefit or service. In such instance there would be no grounds upon which to file a grievance. You may obtain a copy of the applicable policy upon request.
  - c. Under the WorkForce Investment Act there are eligibility requirements and prioritization criteria. Individuals who are seeking services, but who do not meet the eligibility or prioritization criteria,



cannot be served with these funds. The priority criteria can be provided to you upon request.

- d. Local WorkForce Boards have the flexibility to impose requirements or to develop policies and procedures applicable to the programs and services. A policy that has been adopted may restrict access to a program or service or may limit the availability of the program or service.
- e. WIA Section 667.630 describes the process for reporting complaints and/or reports of criminal fraud and abuse. Complaints/reports must be reported immediately to the USDOL Office of Inspector General, Office of Investigations, Room S5514, 200 Constitution Avenue NW, Washington, D. C. 20210.

The complaint or report can also be mailed to the USDOL South East Regional Inspector General for Investigations, Office of Investigations, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Suite 6T1, Atlanta, Georgia 30303 with a copy simultaneously provided to the Employment and Training Administration.

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

If you are a Welfare Transitions customer and your TANF cash assistance eligibility or cash benefit has been reduced or terminated, and you disagree with the action taken you must file a grievance with the local Department of Children and Families Office. Your career consultant can help to direct you to the right agency and can supply you with the address and phone number.

### Informal Resolution

This is generally the best way to work things out. You must try and work things out informally before a grievance can be filed.

1. If you are a participant:
  - a. First talk with your counselor/case manager about the problem. If the problem is not resolved then you may ask for a meeting with the unit supervisor and/or the WorkForce One Center manager.
  - b. A form is available for you to fill out when asking for a meeting with a unit supervisor or WorkForce One Center manager but is not required in order for a meeting to be granted to you. Filling out the request form will assure that your request is handled properly and



in a timely fashion. You may submit the form to your counselor or case manager or to any of the supervisors in the WorkForce One Center.

- c. A meeting with the unit supervisor and/ or the WorkForce One Center Manager will be set within ten working days of the receipt of your request in accordance with the following timetable:
  - i. The counselor must meet with you within 24 hours or the next business day if there is an intervening weekend.
  - ii. If the matter is not resolved you may take the matter to the counselor supervisor who must meet with you within 24 hours or the next business day if there is an intervening weekend.
  - iii. If the matter is still not resolved you may request a meeting with the WorkForce One Center manager. The WorkForce One Center manager must meet with you within 48 hours or two business days if there is an intervening weekend.
  - iv. If the matter is still not resolved you may request a meeting with the Career Center Manager who must meet with you within 48 hours or two business days if there is an intervening weekend.
- d. If the issue is still not resolved you may file a request for an informal resolution meeting with the WorkForce One Executive Office.
- e. An informal meeting with the WorkForce One Executive Office will be set within 10 business days from the time we have received the written grievance submission, or if we are unable to contact you, within 10 business days from the date we are able to locate you.
- f. To do this you must fill out the request for WorkForce One Informal Resolution Meeting form, attached to these procedures. Be sure and fill out all the information asked including the contact information so that we can reach you to set up the meeting.
- g. You may hand deliver the request, or mail it, to the WorkForce One President/CEO at:

President/CEO, WorkForce One Employment Solutions  
6301 NW 5<sup>th</sup> Way, Suite 3000  
Ft. Lauderdale, FL 33309



PLEASE DO NOT PHONE IN YOUR REQUEST. INFORMAL MEETING REQUESTS WITH THE WORKFORCE ONE PRESIDENT/CEO MUST BE SUBMITTED IN WRITING.

- h. The meeting will be held with the WorkForce One President/CEO or with the Vice President.
2. If the issue(s) are resolved during any of the informal meeting steps, the agreement reached will be written down and everyone will be asked to sign it. This will end the complaint/grievance procedure.

Filing A Formal Grievance

1. If the problem is not resolved through the informal meetings and you still want to pursue your grievance, fill out the grievance form which is in your participant handbook and also attached to this procedure. If you cannot locate your handbook you may ask any one of the WorkForce One, Center staff for a copy of the form. The form can also be obtained from the WorkForce One Executive Offices at the address listed above or from any of the WorkForce One Center locations in Broward County or you may use a plain sheet of letter size paper and include the information listed below:
  - a. All grievances must be in writing.
  - b. All grievances must be signed and dated.
  - c. All grievances must include your name, a contact address, and a contact telephone number.
  - d. The grievance form submitted must be signed by the person filing the grievance and must be an original and not a copy.
  - e. All grievances must include a statement regarding the law you think was violated and / or the reason you think you are entitled to the service or benefit which has been denied.
  - f. Your grievance should state the relief you are requesting in order to resolve the grievance.
  - g. Grievances should not be longer than five pages, not including any exhibits or attachments you want the hearing officer to review.
  - h. If you have a disability which requires an accommodation or if you are non English speaking and require an interpreter, it is your responsibility to indicate the accommodation needed in writing



along with the filing of their grievance. WorkForce One will make such reasonable accommodations as are possible.

- i. Your grievance should be sent to:

WorkForce One Employment Solutions  
Attention: Executive Office  
6301 NW 5<sup>th</sup> Way, Suite 3000  
Ft. Lauderdale, FL 33309

- j. Grievances must be filed within 90 days of the date the alleged wrong doing took place.

2. When your written grievance is received by WorkForce One

- a. The Executive Office will date stamp the written grievance.
- b. You will be sent a written notice acknowledging that the grievance was received. It will be sent to you via certified mail return receipt requested. It is important that the address on your grievance be the same address at which you receive your mail. If the mail is returned to BETA or is undeliverable your grievance will not be processed. If you deliver the request to the WorkForce One offices you may ask for a receipt which will be given to you acknowledging that WorkForce One has received your formal grievance request.
- c. A hearing date will be set within 60 days of the date the grievance is received by the WorkForce One Executive Office.
- d. An impartial hearing officer, who is not related to any of the parties, will be selected from a list maintained by Broward County, of hearing officers available to hear matters such as your grievance.
- e. The notice of hearing will be sent at least 20 days prior to the date of the hearing.
- f. If you are participating in a program at the time of the filing of your grievance your receipt of services will not be affected by the filing of a grievance.

3. Your notice will advise you of the following:

- a. The date, time and place of the hearing
- b. The pertinent section of the Workforce Investment Act, Welfare Transitions Program or any other federal regulations involved.



- c. Your right to ask that the staff, your counselor, case manager or and/ or the supervisor or other WorkForce One contractor or WorkForce One staff whom you would like to question or whose testimony you would like the hearing officer to listen to appear at the hearing. WorkForce One will do its best assure that contractor or other WorkForce One staff whom you request be present at the hearing appear on the appointed date.
- d. Your right to have someone else represent you at the hearing or to speak for you at the hearing including the questioning of the staff involved in the adverse decision affecting you.
- e. Your right to ask for a copy of your file or other related documents that you think might help your case. WorkForce One will not provide copies of the law but will provide you with a copy of the WorkForce One or contractor policy which is the subject of the dispute if you so request and have not already received a copy.
- f. Your right to present documentary evidence, testimony, and arguments to support your position at the hearing as well as to cross examine witnesses.
- g. The Hearing Officer's right to dismiss the grievance if you fail to appear for the hearing without good cause.
- h. The Hearing Officer's right to conduct the hearing informally and to decide on the admissibility of testimony or evidence in accordance with the Florida Rules of Civil Procedure.
- i. The Hearing Officer, upon request of either of the parties may allow limited discovery. Discovery will be limited to:
  - 1. Requests for documents related to the grievance. WorkForce One will provide the Complainant with a copy of their file at no cost. All other documents requested will be subject to the fee provisions of the WorkForce One policy related to the copying and production of documents.
  - 2. The right of either party to depose up to three individuals prior to the date set for the hearing. Each party shall bear the costs of the depositions they set.
- j. The Hearing Officer's right to issue a decision on the grievance without a hearing if the Hearing Officer determines that the same issue has previously been decided in a prior hearing.



- k. That a decision will be rendered within 60 days of receipt of your Grievance unless you and WorkForce One have agreed to an extension.
- l. Where you can appeal the decision if you do not agree with the outcome.
- m. That the parties, you and WorkForce One can agree to an extension of the sixty days if either party needs more time and the other party agrees.
- n. That you or WorkForce One must make arrangements in advance for a transcript of the hearing. Each party desiring a copy of the transcript must pay for the transcript.

### Appeals

If either party is not satisfied with the outcome of the hearing, or if a hearing was not conducted within the sixty (60) calendar days from the receipt of the grievance/complaint, or if a hearing was conducted, but a decision was not issued within the mandated sixty (60) calendar day timeframe, then the complaint or decision may be appealed to the State Agency for WorkForce Innovation (AWI). The appeal should be concise (if possible, not to exceed five pages which does not include exhibits and attachments) and shall be sent by certified mail, return receipt to the AWI Office of General Counsel, Caldwell Building- Suite 150, 107 East Madison Street, Tallahassee, Florida 32399-4128.

The appeal request shall state the facts, laws, procedures, etc. that the grievant/complainant believes to be relevant for review. The appeal must be filed with AWI within thirty (30) calendar days of receipt of the WorkForce One Hearing Officer's decision or within thirty (30) calendar days after the required 60 calendar day timeframe for WorkForce One to act has elapsed. The request shall include the Grievant's address where official notices will be mailed.

The state can remand the grievance back to WorkForce One to hold a hearing or impose other remedies to resolve the grievance.

### Grievances related to Discrimination

WorkForce One does not hear grievances related to discrimination or alleged Civil Rights violations. If you think that you have been discriminated against and/or your civil rights have been violated, you may choose to follow the steps for informal resolution described above and if you are not satisfied with the outcome you may follow the instructions for filing a grievance described below. If you do



not want to try and informally resolve the matter you may simply follow the guidelines below which tell you how to file your grievance.

If you have a grievance related to a charge of discrimination you may call or write the WorkForce One Executive Office who will refer you to the WorkForce One EEO Officer, at the address and number listed above for WorkForce One. WorkForce One will facilitate an informal resolution and try to resolve the issue. If you are still not satisfied grievances alleging discrimination should be filed directly with the appropriate agency listed below.

*Welfare Transitions Participants*

Office for Civil Rights  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Room 509F HHH Bldg.  
Washington, D.C. 20201  
OCR Hotlines-Voice: 1-800-368-1019  
(202)619-0257

*WorkForce Investment Act*

USDOL  
Civil Rights Center, Room N4123,  
200 Constitution Avenue, NW,  
Washington, DC 20210



**WorkForce One Staff:**

**Please complete the following form together with the participant, place the original in the participant's file. You may give a copy to the participant.**

Acknowledgement of Receipt of Grievance Procedures

I certify that I have received a copy of the WorkForce One Grievance Procedures.

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date

As a representative of Workforce One, I verify that the above-signed participant has received a copy of the WorkForce One Grievance Procedures.

\_\_\_\_\_  
WorkForce One Representative

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Date



**CUSTOMER GRIEVANCE/COMPLAINT FORM**

Your Name \_\_\_\_\_

Address  
\_\_\_\_\_

Phone Number \_\_\_\_\_ Other Number \_\_\_\_\_

Social Security # \_\_\_\_\_

WorkForce One program that you are enrolled in:  
\_\_\_\_\_

Worksite Supervisor  
\_\_\_\_\_

Name of Worksite \_\_\_\_\_

Address  
\_\_\_\_\_

Phone Number \_\_\_\_\_

Date of the event(s) resulting in the complaint  
\_\_\_\_\_

Statement of the grievance (You may add additional sheets if necessary).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Accommodation Requested in Order to Participate in the Hearing

---

---

---

---

Relief Requested

---

---

---

---

I hereby authorize the release of any information regarding my complaint to the WorkForce One and to the party against. Whom I have lodged this grievance.

\_\_\_\_\_  
Participants signature

\_\_\_\_\_  
Date

Received by (WorkForce One Executive Office staff only):

\_\_\_\_\_

\_\_\_\_\_  
Date

Please return form to:  
WorkForce One Employment Solutions Executive Office  
6301 NW 5<sup>th</sup> Way, Suite 3000  
Ft. Lauderdale, FL 33309

