



Policies and Procedures

SECTION: Operations	POLICY # OPS 02	PAGE 1 of 14
TITLE: Grievance And Equal Opportunity Policy	EFFECTIVE DATE: 11.26.24	
SUPERCEDES: OPS 07 Grievance And Equal Opportunity Policy		Dated: 12.09.22

DISTRIBUTION: CareerSource North Central Florida (CSNCFL) Staff and Service Providers

Purpose: This policy sets forth:

- I. The process for filing, informal resolution of, hearing and formal resolution of, and the appeals process of non-criminal CSNCFL Program-related grievances at the local (CSNCFL) level,
- II. The process for addressing grievances of alleged discrimination,
- III. The process for reporting Health and Safety grievances, and
- IV. The process for reporting Criminal Fraud and Abuse.

Policy:

I. Non-Criminal CSNCFL Program-Related Grievances At The Local Level

This portion of the Policy provides guidance and establishes and sets forth the procedures regarding requests for informal or formal resolution of “grievances” that allege noncriminal violations of the following which are embodied in CSNCFL Programs:

- 1. The Workforce Innovation and Opportunity Act (WIOA) Title I requirements,
- 2. 20 CFR 667.600,
- 3. Florida Commerce Guidance; “FINAL GUIDANCE Grievance/Complaint And

- Hearing/Appeal Procedures Under The Workforce Innovation and Opportunity Act (WIOA)",
4. Wagner-Peyser (WP),
 5. Welfare Transition Program (WTP),
 6. Trade Adjustment Assistance (TAA),
 7. Supplemental Nutrition Assistance Program (SNAP),
 8. The Florida Administrative Code, Chapter 60BB-1, and
 9. Any other federal and state grants awarded to CSNCFL.

At the completion of an individual's WTP Orientation and/or WIOA eligibility determination for career services, a One Stop Career Center career advisor shall:

1. Provide a copy of this Grievance Policy to each individual; and
2. Require that each individual sign an Acknowledgement of Receipt of Grievance Policy, place the signed original Acknowledgement in the individual's case file, and if the individual requests, provide a copy of the signed Acknowledgement to him/her.

Other individuals or organizations may obtain a copy of this Policy by requesting it from the CSNCFL representative that the individual or organization has been working with or who the individual or organization first contacted at CSNCFL. This Policy is also available at CSNCFL Career Centers and via the CSNCFL web site.

The individuals or organizations listed below (see, "Who May File an Informal Request for Resolution, Formal Grievance..."), may file an informal resolution of grievance, and if unsuccessful or unsatisfied, may then file a formal grievance, if he, she, or it believes that he, she, or it has been treated unfairly in connection with any CSNCFL Program.

NOTE: Except as described below, an individual or organization must first file a request for an informal resolution of a grievance in connection with any CSNCFL Program and proceed through the informal process before seeking a formal resolution.

What is a Grievance and Deadline for Filing a Grievance?

A grievance is a written statement of dissatisfaction pertaining to a CSNCFL Program that is filed by an individual or an authorized representative of an organization (as listed below). A grievance must be filed within 60 calendar days from the date when the alleged dissatisfaction occurred. The persons authorized to receive the grievance on behalf of CSNCFL, and the procedures for addressing the grievance, are described below in "Procedures".

Who May File an Informal Request for Resolution, Formal Grievance, Notification of the Right to File a Grievance, and Filing a Grievance:

The following individuals or organizations may file a request for resolution of a grievance involving one or more CSNCFL Programs:

1. Applicants and/or registrants for aid, benefits, services or training,
2. Eligible applicants/registrants in CSNCFL Programs,
3. CSNCFL Program clients and customers, and
4. Employers.

This Policy does not apply to a CSNCFL procurement or contracts unless specifically noted in the procurement document or contract. If a grievance pertains to a CSNCFL procurement or contract, grievance rights and procedures, **if any**, will be specified in the CSNCFL procurement document or contract.

PROCEDURES:

Informal Resolution:

Before filing a formal grievance, individuals or authorized representatives of organizations are required to attempt to informally resolve their grievance as follows.

The individual or organization will:

1. Complete the Grievance Resolution form attached to this Policy, check the box next to "Informal Grievance Resolution Request", sign and date where indicated, and submit the form to the CSNCFL representative that the individual or organization has been working with or who the individual or organization first contacted at CSNCFL. An informal meeting with the CSNCFL representative that the individual or organization has been working with or who was first contacted will be scheduled within 4 calendar days of the CSNCFL representative's receipt of the Grievance Resolution form.
2. If the grievance is informally resolved, the resolution will be written on the Grievance Resolution form and be signed and dated by the person or authorized representative of the organization filing the grievance and by the CSNCFL representative. This will acknowledge that the grievance has been resolved and is closed.
3. If the grievance is not resolved during the informal meeting, the CSNCFL representative will update the Grievance Resolution form and forward it to the CSNCFL program manager and/or the CSNCFL Director of Operations within 4 calendar days of the informal meeting.

4. A meeting with the grievant and the CSNCFL program manager and/or the CSNCFL Director of Operations will be scheduled within 5 calendar days of his or her receipt of the Grievance Resolution form.

What Is a Formal Grievance (If Informal Grievance Resolution Is Not Successful)?

If after meeting with the CSNCFL program manager and/or the CSNCFL Director of Operations the matter is still not resolved, the individual or organization may then file a formal grievance within 5 calendar days by updating the form accordingly (check the box next to Formal Grievance Resolution Request, sign and date where indicated, and submit it to the Board's QA Officer at the email address or mailing address below).

Except for grievances alleging unlawful discrimination, criminal fraud or abuse, health and safety, and labor standards violations, (set out below) formal grievances must be sent to:

Email: grievance@careersourcencfl.com or
By certified mail, return receipt requested, to:

CareerSource NCFL
Attn. Grievance Office
1112 North Main Street
Gainesville, FL 32601

Formal Grievance Review and Hearing Procedures

The following procedures are used to resolve grievances in accordance with federal and state laws, the Florida Administrative Code, and the Florida Commerce Guidance listed above.

Within 5 business days of receiving the formal grievance, the Board's QA Officer shall appoint a Hearing Officer or if the grievance is against the Board's QA Officer, the grievance shall be referred to the Alachua County Chief of Staff for appointment of a Hearing Officer within 5 business days of receiving the formal grievance.

After the Hearing Officer has been appointed, received, and reviewed the formal grievance, he or she shall schedule a hearing and notify the grievant by certified mail, return receipt requested, mailed a minimum of 15 business days prior to the hearing. The hearing notice shall contain the following information:

1. Date, time, and place of the hearing;
2. Purpose of the hearing and a statement of the issues in the grievance;
3. Pertinent sections of the policy, procedure, regulation, statute, Florida Commerce Guidance, or any other federal regulations involved;
4. Procedures to be followed in the hearing;
5. Where the grievant may obtain additional information or assistance;
6. The grievant's opportunity to amend the grievance prior to the hearing and the opportunity for a settlement prior to the hearing;
7. That affected parties may present witnesses or documentary evidence at the hearing;
8. That affected parties may be represented at the hearing by an attorney or other specified representative;
9. That all parties may present their views at the hearing, either orally or in writing; and
10. The entire hearing shall be electronically recorded. Any party requesting a transcript of the hearing shall pay all reasonable costs incurred in furnishing a copy of the transcript.

Consistent with federal and state laws, the Florida Administrative Code, and the Florida Commerce Guidance, the hearing shall be conducted informally and avoid unnecessary technicalities. The Hearing Officer shall take necessary action to ensure that the hearing proceeds in an equitable, orderly, and expeditious manner. At any time during the course of the hearing, the Hearing Officer may question the parties and their witnesses on any facts that the Hearing Officer deems material and relevant to the alleged grievance. The Hearing Officer may also attempt to negotiate a settlement between the parties at any time prior to the conclusion of the hearing. All parties shall be furnished a copy of the Hearing Officer's decision within (15) business days from the date of the hearing. The Hearing Officer's decision shall be written in clear, straight forward, and non-technical language and include the following information:

1. A statement that a hearing was held on a specified date in which the involved parties, their representatives and witnesses, if any, were given an opportunity to present oral or written evidence in support of their position;
2. A clear and concise statement of the issues;
3. The findings of fact by the Hearing Officer, based on the entire record disclosed at the hearing;
4. The Hearing Officer's decision and reasons for the decision, based on the findings of fact, conclusions of law, and the evidence presented at the hearing; and
5. A statement of the grievant's right to request an appeal in writing.

When not in conflict with applicable laws, regulations, or policy, the identity of any person who has furnished information relating to or assisted in an investigation of a

possible violation of WIOA will be held in confidence by the Board, the Board's QA Officer, and the Hearing Officer.

Process for Filing an Appeal of Hearing Officer's Decision or Lack of Action

If the grievant is dissatisfied with or has been adversely affected by the Hearing Officer's decision, or if a hearing was not conducted and a decision issued within 60 calendar days from the date the Grievance Resolution form was first received (as noted on the Grievance Resolution form) by the CSNCFL representative that the individual or organization has been working with or who the individual or organization first contacted at CSNCFL, the grievance or Hearing Officer's decision may be appealed to Florida Commerce.

The appeal should be concise (if possible, not to exceed five pages which does not include exhibits and attachments) and be sent by certified mail, return receipt requested to:

Florida Commerce
Office of General Counsel
107 East Madison Street, MSC 110
Tallahassee, Florida 32399-4128

The appeal should state the facts, laws, procedures, etc. that the grievant believes to be relevant. The appeal must be filed in accordance with Florida Administrative Code, Chapter 60BB-1 "Workforce Programs' Grievance, Complaint, Hearing and Appeal Procedures" and filed with Florida Commerce within 30 calendar days of receipt of the Hearing Officer's decision or within 30 calendar days after the required 60 calendar day timeframe for the Board to act has elapsed. The request shall include the grievant's address where official notices will be mailed.

Florida Commerce can affirm the Hearing Officer's decision, remand the grievance back to the Board to hold another hearing, or impose other remedies to resolve the grievance.

II. COMPLAINTS OF ALLEGED DISCRIMINATION:

This portion of the Policy provides guidance regarding complaints of alleged discrimination.

A complaint of alleged discrimination may be filed by any person, including (but not limited to) any employee, applicant for employment, or customer of a Career Center,

Career Center operator, training provider, or other program or activity that is offered through CSNCFL, who feels he, she, it, or any specific “class of individuals” (group of people), has been subjected to unlawful discrimination by a program or activity offered through CSNCFL.

It is against the law for CareerSource North Central Florida, the recipient of Federal financial assistance, to discriminate on the following bases:

- Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, or other related medical conditions; transgender status; or gender identity), national origin (including limited English proficiency), marital status, age, disability, political affiliation or belief; or
- Against any beneficiary of programs financially assisted under WIOA, on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I-financially assisted program or activity.

What to Do if an Individual or Organization Believes It Has Experienced Discrimination

If an individual or organization believes that it has been subject to discrimination, the individual or organization may file a grievance within 180 calendar days from the date of the alleged discrimination. The individual may request resolution of its grievance in the following manner.

Informal Resolution:

The individual or organization will:

1. Complete the Grievance Resolution form attached to this Policy, check the box next to “Informal Grievance Resolution Request”, sign and date where indicated, and submit the form to the CSNCFL representative:

Equal Opportunity Officer
Alachua County Equal Opportunity Office
12 SE 1st Street
Gainesville, FL 32601
aceo@alachuacounty.us

2. An informal meeting with the CSNCFL representative will be scheduled within 5 business days of the CSNCFL representative's receipt of the Grievance Resolution form.

3. If the grievance is informally resolved, the resolution will be written on the Grievance Resolution form and be signed and dated by the person or authorized representative of the organization filing the grievance and by the CSNCFL representative. This will acknowledge that the grievance has been resolved and is closed.
4. The CSNCFL representative will send a copy of the Grievance Resolution form to the Florida Commerce representative named below.

Formal Resolution:

If the grievance is not informally resolved, the person or authorized representative of the organization filing the grievance may choose to file a formal grievance by updating the form accordingly (check the box next to Formal Grievance Resolution Request, sign and date where indicated) and send the form to either of the two agencies listed below:

Florida Commerce	U.S. Department of Labor
Julisa A. Nnorom, Esq. Equal Opportunity Officer Office of Civil Rights (OCR) Florida Commerce Caldwell Building – MSC 150 107 East Madison Street Tallahassee, FL 32399-4129	The Director Civil Rights Center (CRC) U.S. Department of Labor 200 Constitution Avenue NW Room N-4123 Washington, DC 20210 or electronically as directed on the CRC website at: www.dol.gov/crc

If a grievance is filed with the Office of Civil Rights (OCR), the grievant must wait until OCR issues a written Notice of Final Action, or until 90 days have passed from the date the grievance was filed (whichever is sooner), before filing with the Civil Rights Center (address above). If OCR does not give a written Notice of Final Action within 90 days of the day on which the grievance was filed, the grievant does not have to wait for OCR to issue that Notice before filing a grievance with CRC. However, the CRC grievance must be filed within 30 days of the 90-day deadline (120 days after the day on which the grievance was filed with OCR).

If OCR sends the grievant a written Notice of Final Action on the grievance, but if the grievant is dissatisfied with the decision or resolution, the grievant may then file a grievance with CRC. The CRC grievance must be filed within 30 days of the date on which the grievant received the Notice of Final Action.

III. HEALTH AND SAFETY GRIEVANCES

This portion of the Policy provides guidance regarding health and safety grievances.

Health and safety standards that have been established under Federal and/or State law and apply to the working conditions of employees are also applicable to participants of programs and activities under WIOA Title I and participants in employment activities. A grievance related to a health or safety matter may be filed by completing the Grievance Resolution Form (attached), and requesting an informal resolution, or by filing a grievance with the:

Florida Commerce
Office of General Counsel
Caldwell Building, MSC 110
107 East Madison Street
Tallahassee, Florida 32399-4128
(850) 245-7150
Florida Relay Service: 711

A health and safety grievance may also be filed with the:

U.S. Department of Labor
Occupational Safety and Health Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210
<http://www.osha.gov/as/opa/worker/index.html>
1-800-321-OSHA (6742) (voice) or
TTY 1-877-889-5627

IMPORTANT: If a health and safety grievance is filed with the U.S. Department of Labor, a copy of the grievance must also be sent to Florida Commerce at the above address. For more information regarding health and safety issues go to the Occupational Safety and Health Administration's Website at: <http://www.osha.gov> or the Florida Department of Health Website at: <http://www.doh.state.fl.us>.

IV. REPORTING CRIMINAL FRAUD AND ABUSE

This portion of the Policy provides guidance regarding reporting alleged criminal fraud and abuse.

WIOA Section 683.620 describes the process for reporting criminal fraud and abuse. Information and grievances involving criminal fraud, waste, abuse or other criminal activity

must be reported immediately through the U.S. Department of Labor's (USDOL) Incident Reporting System to:

U.S. Department of Labor
Office of Inspector General, Office of Investigations Room S5514
200 Constitution Avenue NW. Washington, DC 20210

The USDOL hotline number is: 1.800.347.3756. The web site is:
<http://www.oig.dol.gov/contact.htm>.

OTHER:

Labor Standard Violations: An individual who alleges a labor standard violation may submit a grievance for binding arbitration if a collective bargaining agreement covers the parties involved.

Inquiries: All questions regarding this Policy should be directed to the CareerSource NCFL QA Officer at: grievance@careersourcencfl.com.

OFFICIAL SIGNATURE

PHYLLIS MARTY
Chief Executive Officer

Attachments: Grievance Resolution Form
Notice - Equal Opportunity Is The Law

Grievance Resolution Form

1. Person or Authorized Representative of an Organization Requesting Resolution:

Name (Person or Organization):			
If an Organization:			
Name of Authorized Representative:			
Title:			
Address:	City:	State:	Zip:
Telephone:		E-Mail:	

2. Respondent (person or organization grievance is being filed against):

Name (Person or Organization):			
Address:	City:	State:	Zip:
Telephone:		E-Mail:	

3. What is the best way, e.g. phone or email), and time for us to contact you about this grievance?

4. Please describe your grievance. *If additional space is needed, please attach additional sheets. Also, attach any written materials pertaining to your grievance.*

a. Was anyone else involved? Include witnesses, fellow employees, supervisors, or others. Provide names, addresses, and telephone numbers if known.

b. Please list the location where and the date(s) when the grievance occurred:

5.What corrective action or remedy do you want?

I certify that the information furnished above is true and accurately stated to the best of my knowledge. I authorize the disclosure of this information to management and/or other agencies, as needed, for the proper investigation of my grievance. I understand that my identity will be kept confidential to the maximum extent possible consistent with applicable law and a fair determination of my grievance.

Grievant's Signature: _____

Grievant's Signature Date : _____

FOR CSNCFL USE ONLY (<i>Attach additional pages to document actions/outcomes/dates</i>)		
Informal Grievance Resolution Request Received by (sign below):	Date of Receipt:	Action/outcome:
Received by Program Manager Name:	Date of Receipt:	Action/outcome:

Received by Career Center Manager Name:	Date of Receipt:	Action/outcome:
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Grievant's Signature of Receipt of Informal Resolution: _____
Date of Receipt: _____

Formal Grievance Resolution Request

Grievant's Signature: _____

Grievant's Signature Date : _____

The following is not applicable for a request for Formal Resolution of alleged
Discrimination:

FOR CSNCFL USE ONLY (<i>Attach additional pages to document actions/outcomes</i>)		
Formal Grievance Resolution Request Received by (sign below): Hearing Officer:	Date of Receipt: Date of Receipt:	Action/outcome/dates:

Grievant's Signature of Receipt of Formal Resolution: _____

Date of Receipt: _____

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient (CSNCFL) of Federal financial assistance to discriminate on the following bases: against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I–financially assisted program or activity.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I–financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

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