



PROGRAM POLICIES & PROCEDURES

TITLE: Customer Concern and Complaint Resolution
POLICY #: 425
EFFECTIVE DATE: December 1, 2013
REVISION #: N/A **REVISION DATE:** N/A

APPLIES TO:

Wagner-Peyser, Trade Act, and/or WIA Title 1 programs and services provided within the Pacific Mountain Workforce Development Area. It also applies to the Pacific Mountain Workforce Development Council (PacMtn), and all service providers and program partners providing services through the PacMtn area WorkSource System.

REVISION HISTORY

| Revision No. | Date | Revision Description |
|--------------|------|----------------------|
| N/A | | |

PURPOSE:

To provide detailed information to encourage prompt resolution of all customer concerns, outline minimum expectations for coordination among partners, and clarify PacMtn’s oversight role in the complaint system as described in 20 CFR 667.600(c)(1).

BACKGROUND:

Federal law and regulations require procedures for handling complaints alleging violation of WIA Title 1, Wagner-Peyser (including TAA), and Non-Discrimination laws. The complexity of these procedures, and the resulting silos, may prevent partners from assisting all customers who have service delivery or customer service related concerns before they rise to the level of a formal, written complaint. The lack of standard expectations for handling concerns limits prompt and informal resolution and may unnecessarily increase the number of formal, written complaints.

PacMtn fully supports our program operators and clients in resolving all disputes informally at the lowest possible level. However, all program operator employees and their sub-contractors are responsible for protecting employee and customer rights to file formal complaints alleging violation of any of the policies identified above.

The state has determined that allegations concerning WorkSource Centers, WorkSource Connection Sites and affiliate partner sites (WorkSource and Partner Service Locations), that do not fall under the defined program and non-discrimination processes described in the WorkSource Complaint [Handbook](#) shall be processed as concerns.

This policy also applies to programmatic concerns and complaints pursuant to WIA Section 181(c) and complaints alleging discrimination under WIA Section 188 and/or Federal Register Part II 29 CFR 37.

This policy provides standard expectations for processing customer concerns and formal complaints. In so doing, it creates distinct definitions of “customer concern” and “customer complaint.” Minimum requirements have been established to create a process for referring complaints to partners located at one-stop center and affiliates for additional processing and resolution.

The policy and procedures that follow must allow for concerns and complaints from participants and interested parties affected by the local Workforce Investment System, including One-Stop partners and service providers located within the PacMtn service area and must include earnest attempts to reach an informal resolution to each complaint.

Information and complaints involving allegations of fraud, abuse, or other criminal activity must be reported immediately to the Employment Security Department's (ESD's), internal audit team or to OIG. See WorkSource Information Notice (WIN) # 0048 for complete details and the Incident Reporting Form.

POLICY:

The Pacific Mountain Workforce Development Council (PacMtn), having oversight for the Concern and Complaint System;

- 1) Ensures all PacMtn area WorkSource and partner service locations and service providers will attempt an informal resolution of customer concerns.
- 2) Ensures the WorkSource Memorandum of Understanding will contain the appropriate reference and the direct link to the complaint policy and process upon the next official update.
- 3) Ensures all PacMtn area program operators and their subcontractors shall follow and operate the applicable complaint procedures for the resolution of complaints arising in connection with their actions and will follow the associated procedures to process complaints as outlined in this policy.
- 4) Ensures that all PacMtn area program operators and subcontractors will make information regarding complaint procedures available to all interested parties including applicants, registrants, participants, and applicants for employment, employees, and members of the public, unions, or professional organizations holding collective bargaining or professional agreements with PacMtn or applicable program operators.
- 5) Ensures all PacMtn area program operators and their subcontractors shall obtain the applicant signature on the PacMtn Summary of Rights and Complaint Procedures form at the time of enrollment into a WIA Title 1-B funded program.
- 6) Has established Craig Clark, the local WDC EO Officer, as the Complaint Coordinator for the PacMtn Region who shall also serve as a back-up complaint contact to process program related complaints when it is determined to be within PacMtn's jurisdiction and be the responsible party for tracking all local complaints.
- 7) Ensures each WorkSource and partner service location and provider's complaint contacts will collaborate when complaints present allegations involving multiple partners and;

- a. His/her name will be listed as the appropriate complaint contact along with information for contacting him/her as and where appropriate;
 - b. Posters conveying the complaint contact information will be displayed in visible areas where customers most commonly gather.
- 8) Ensures all complaint contacts will inform the complaint coordinator of all local complaints concerning WorkSource and partner service locations and programs or staff from point of entry to resolution, to include the minimum complaint processing requirements contained in the WorkSource Complaint [Handbook](#) for WIA Title 1, Wagner-Peyser, TAA, and Discrimination relate complaints.
 - 9) Ensures all PacMtn area program operators and their subcontractors maintain a complaint log to be used for reporting to the Complaint Coordinator. This log shall include the type of complaint, the name of complainant, date the complaint was received, date the complaint was responded to, and the outcome of the complaint.
 - 10) Ensures the PacMtn area Complaint Coordinator will manage a single system for the PacMtn service area for logging, and tracking to closure, all complaints defined in the WorkSource Complaint [Handbook](#). The Complaint Coordinator will maintain and provide Program Year complaint logs as requested for any state or federal monitoring needs.
 - 11) Ensures all PacMtn area WorkSource and partner service location Complaint Contacts and programs staff are aware that the official filing date of the complaint is the date the written and signed complaint is received by any designated complaint contact or the complaint coordinator, PacMtn, its service providers, One-Stop partners, or sub--recipients.
 - 12) Ensures when a complaint is related specifically to WIA programs and has been resolved through the informal resolution process, the Complaint Coordinator shall attempt to contact the complainant and have him or her provide a written withdrawal of the complaint within 10 days of the receipt of the notice of resolution.

- **Local Customer Concern Resolution**

Concerns must be processed at the local level prior to any state level intervention. The intent is to enable partners to assist customers at the lowest level possible, which will encourage the prompt and informal resolution of concerns.

- **Complaint Jurisdiction**

All PacMtn partners located at a WorkSource or partner service location are responsible for the outcomes of complaints that fall within their jurisdiction. Determinations of jurisdiction will be made based on the specific funding stream that supports the function tied to the complaint allegations, not based on associations other than funding sources.

PROCEDURE:

For WIA Title 1, Wagner-Peyser, TAA, and Discrimination complaints, all PacMtn area WorkSource and partner service locations and service providers are required to refer to and follow the complaint processing requirements contained within the WorkSource Customer Complaint [Handbook](#)

With WIA Title 1, Wagner-Peyser, TAA, and Discrimination complaints, each may have specific guidelines on how and where a complaint may be submitted and how and where a decision may be appealed, if any party to an action is not satisfied with the outcome of the initial complaint findings.

Appeals may be filed with the appropriate state or federal agency (s) based on the nature of the complaint, program affiliation and agency jurisdiction, i.e. (The State of Washington, The Civil Rights Center (CRC), The Equal Employment Opportunity Commission (EEOC) and others).

Further details on filing complaints and the appeals process is outlined in the WorkSource Complaint [Handbook](#)

DEFINITIONS:

Concern – Any verbal expression of dissatisfaction or any written expression of dissatisfaction other than alleged violations of program or non-discrimination rules or laws. Concerns must be referred but do not require the same formal process as a complaint (i.e., logging, tracking, etc.). Local processes may include additional requirements.

Complaint – The submission of a written and signed allegation that falls under the jurisdiction of WIA Title 1, Wagner-Peyser, TAA, and/or Non-Discrimination requirements as noted in the WorkSource Complaint [Handbook](#).

At a minimum, complaints must contain the following information:

- Complainant's name;
- Mailing address, or other means by which the complainant may be contacted;
- Identification of individual(s) or organizations(s) responsible for the alleged issue;
- A description of the complainant's allegations, which must include enough details to determine the jurisdiction of the complaint and the date(s) the alleged incident(s) took place; and
- The complainant's signature and signature date. The signature of his/her authorized representative is also acceptable.

Complaint Contact – Local staff assigned to process complaints according to procedural requirements.

Complaint Coordinator – The designated single point(s) of contact for the PacMtn area. The Complaint Coordinator is responsible for facilitating the initial process and promoting coordination to resolve all complaints.

Workforce Development Council – The administrative entity and its sub-recipients to which have been delegated the complaint resolution process.

Direct Recipient – Direct Recipient means an entity to which a WIA grant is awarded directly from DOL to carry out a program under Title I of WIA. The State is the recipient of funds awarded under WIA Sections 127(b)(1)(C), 132(b)(1)(B), and 132(b)(2)(B).

Sub-recipient – Sub-recipient means an entity to which a subgrant is awarded and which is accountable to the recipient (or higher tier sub-recipient) for the use of the funds provided.

Customer – Any WorkSource and partner service location job seeker, applicant for services, applicant for employment, employee, employer or other seeker of information or services provided and not listed here.

Participant – Participant means an individual who has been determined to be eligible to participate in, and who is receiving services under a program authorized by WIA as defined in WIA Section 101(34).

Lawsuits or Administrative Enforcement Actions - The Workforce Development Area or grant recipient shall notify the Assistant Commissioner of the WorkSource Standards and Integration (WSID) Division of any lawsuits or administrative enforcement actions filed against it or any of its sub-recipients.

ATTACHMENT LINKS:

- WS-PacMtn Complaint: [Handbook](#) (Attachment 1)
- PacMtn Summary of Rights & Procedures: [Signature Form](#) (Attachment 2)
- WS-PacMtn - Equal Opportunity is the Law Notice: [Signature Form](#) (Attachment 3)

ADDITIONAL FORM LINKS

- PacMtn [Program Complaint Form-English](#) (Wagner-Peyser, TAA, & WIA complaints)
- PacMtn [Program Complaint Form-Spanish](#) (Wagner-Peyser, TAA, & WIA complaints)
- WS-PacMtn Discrimination Complaint: [Complaint Form](#)
- PacMtn Complaint Log: [Blank Log](#)

SUPERSEDES:

- PacMtn WDC Policy - WS105-R1, Initial Customer Complaints
- PacMtn WDC Policy – 440-R1 Program Complaints
- WorkSource Policy 1012, Initial Customer Complaints
- WIA Policy 3440 Rev 1, WIA Complaint Policy
- WIA Policy 3450 Rev 1, Equal Opportunity and Discrimination Complaint Processing Policy and Procedures
- WIA Policy 4061, Migrant and Seasonal Farmworker Complaint Policy
- TAA Policy 3075, Complaints Appeal Process

EQUAL OPPORTUNITY:

The Pacific Mountain Workforce Development Council (PacMtn), is an equal opportunity employer and provider of employment and training services. Auxiliary aids and services are available upon request to persons of disability.

DIRECT INQUIRES TO:

Craig Clark, Planner
WDC EO Officer and Complaint Coordinator
PacMtn
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Ph. 360-704-6455
Fax. (TBD)
Cell. 360-791-5328
craig@pacmtn.org - www.pacmtn.org
TTY: Use the WA State Relay Number – 711

APPROVED BY



DATE

12/6/13