



SECTION G: PROBLEM SOLVING PROCEDURES

SUBJECT: WORKFORCE INVESTMENT ACT GRIEVANCE PROCEDURES & COMPLAINTS

GUIDELINE: G-3

1. PURPOSE

To resolve complaints that may arise in relation to programs funded through the Workforce Investment Act and administered by Portable Practical Educational Preparation, Inc, or one of its sub-agents or contactors.

2. SCOPE

This guideline applies only to an eligible employee, applicant, participant, vendor, sub-grantee, sub contractor or other aggrieved party who wishes to file a grievance because of alleged violations of the Workforce Investment Act rules, regulations, grant or other agreements under the Act.

3. DEFINITIONS

3.1 Grievance

An actual or supposed circumstance regarded as just cause for complaint

Appeal

Any written, dated and signed communication by an interested party expressing their intent to appeal any action or inaction with respect to a grievance or complaint to a higher level.

4. GUIDELINE

The corporation encourages eligible employees, applicants, agencies and contractors to address their work-related concerns informally with their immediate supervisors, second level supervisors, or the Human Resources Department. If further action needs to be taken formal grievance procedures should be followed.

5. PROCEDURES

5.1 Complainants are encouraged to first discuss the complaint with their supervisor or instructor as identified in the Open Door Guideline (G-1).

- 5.2 If this does not resolve the issue, the following steps may be taken. Note: With the exception of complaints alleging fraud or any other criminal activity, the filing of a complaint must be made within one year of the alleged occurrence.

Allegations of Fraud, Waste or Abuse should be reported within 24 hours of the occurrence.

Step 1 – Informal Complaint Resolution Process: The complainant shall submit a grievance in written or oral form to PPEP, HR Director. Mailing address listed below:

PPEP HR Director
802 E. 46th. St.
Tucson, AZ 85713
Phone: (520) 806-4632

Step 2 – Formal Complaint Resolution Process: If the complaint cannot be resolved on an informal basis, or if the complainant is not satisfied with the informal resolution the following should occur. Within five (5) days, if necessary, the HR Director will aid the complainant in filing a formal complaint, and, if necessary, will provide assistance in reducing the complaint to written form. Within the next 30 days, the complaint will be investigated. If the complaint is not resolved at the end of the investigation, a hearing will be scheduled to resolve the complaint. The hearing process will include:

- Written notification of the date, time and place of the hearing, the manner which it will be conducted, and the issues to be decided.
- Opportunity to reschedule the hearing for good cause.
- Opportunity to withdraw the request for the hearing in writing before the hearing.
- Opportunity to be represented by an attorney
- Opportunity to bring documentary evidence
- Opportunity to have records or documents relevant to the issues to be decided at the hearing produced by their custodian.
- Opportunity to question any witnesses or parties
- Right to an impartial hearing office.
- Right, when applicable, to select alternative dispute resolution through binding arbitration.

- 5.3 Within 60 days of the initial filing of the complaint, a written decision will be sent to the complainant by certified mail. The written decision will include a summary of the facts, the remedies to be applied.
- 5.4 Appeal Process: Persons, with grievances have the right to appeal the complaint to the Department of Economic Security at the State level, if they are not satisfied

with the resolution of the complaint or disagree with the decision resulting, from the formal hearing. The appeal must be filed with the Director of the Department of Economic Security within 30 days of the final decision. All procedures outlined in this notice must be exhausted before an appeal is made to the Department of Economic Security unless one of the following circumstances occurs:

1. PPEP has not acted within the specified time frames
2. Either party is dissatisfied with the outcome

5.4.1 The appeal to the State or the U.S. Department of Labor shall be in writing, and must be filed no later than thirty (30) days from the date of PPEP's final decision concerning the complaint. The appeal should be filed with the following:

State WIA Equal Opportunity Officer Department of Economic Security, Employment Administration 1789 W. Jefferson, Site Code 920Z
Phoenix, AZ 85007 Telephone: (602) 542-2484

5.4.2 A final appeal may be filed with:

Director, Civil Rights Center
Department of Labor, 200 Constitution Avenue, N.W.
Room N- 4123
Washington, D.C. 20210 Telephone (202) 219-7026

5.4.3 For complaints involving issues of alleged discrimination on the basis of race, color, religion, national origin, age, disability, political affiliation or belief and for beneficiaries only, citizenship, or participation in programs funded in whole or in part by WIA, complaints should be filed in accordance with the directions included as the final page of this policy. The previous sections on grievance and appeals procedures do not apply to discrimination complaints brought under WIA Section 188 or 29 CFR Part 37. In addition you may follow PPEP Policy section A-2. Complaints should be filed within 180 days of the alleged discrimination.

PPEP Contact:

HR Director
802 E. 46th Street
Tucson, Arizona 85713

5.4.4 For appeals involving students in Postsecondary training programs students may appeal in the following manner:

If the complaint cannot be resolved after exhausting the institution's grievance procedures, the student may file a complaint with the Arizona State Board for Private Postsecondary Education. The student must contact the State Board for further details.

Human Resources will investigate, in confidence, all reported incidents of sexual harassment, discrimination and retaliation in accordance with PPEP Policies and Procedures. Each case will be handled on an individual basis. Any employee who violates this guideline or witnesses a violation and does not report it to his or her supervisor will be subjected to disciplinary action, which could include discharge.

NO RETALIATION OR REPRISAL WILL BE TAKEN AGAINST EMPLOYEES BASED UPON THEIR INQUIRIES AND/OR COMPLAINTS.

It is the responsibility of every employee to cooperate with the spirit and intent of this guideline.

6. MANDATORY DISCLOSURES

If PPEP, Inc. is applying or receives a Federal award, PPEP, Inc. must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violation of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.