



COUNTY OF LOS ANGELES

WIOA ADULT, DISLOCATED WORKER and YOUTH PROGRAMS DIRECTIVE

NUMBER: WIOA D16-04 SUBJECT: **Equal Opportunity and Grievance and
Complaint Procedures**

DATE: **November 21, 2016** EFFECTIVE DATE: **Immediately**

**TO: LOS ANGELES COUNTY WORKFORCE INNOVATION AND OPPORTUNITY
ACT (WIOA) ADULT, DISLOCATED WORKER, AND YOUTH PROGRAM
SERVICE PROVIDERS**

“This Directive Supersedes Directive Number LACOD-WIAD11-01”

REFERENCES:

- *Workforce Innovation and Opportunity Act (WIOA) (Public Law 113-128)
Sections 188 and 183*
- *Title 20 CFR Part 683*
- *Title 29 CFR Part 38*
- *EDD Directive WSD 08-4 Grievance and Complaint Procedures*
- *EDD Directive WSD15-24 Nondiscrimination and Equal Opportunity Procedures*

PURPOSE:

This directive amends and replaces Directive LACOD-WIAD11-01 *Equal Opportunity and Grievance and Complaint Procedures* to reflect Workforce Innovation and Opportunity Act (WIOA) rules and regulations. As such, local policy, required postings and participant documents have been updated.

SCOPE:

This directive applies to all Los Angeles County WIOA Adult, Dislocated Worker, and Youth program service providers.

BACKGROUND:

The guiding State policy is the State Employment Development Department (EDD) Directives WSD 08-4 *Grievance and Complaint Procedures* and WSD 15-24 *Nondiscrimination and Equal Opportunity Procedures (Attachments VI and VII)*, which update the State's policy and procedures to be in line with WIOA rules and regulations.

POLICY AND PROCEDURES:

The County of Los Angeles has established the following policies and procedures pursuant to WIOA Sections 121(b), 183(c), and 188, EDD Directives WSD 08-4 Grievance and Complaint Procedures and WSD15-24 Nondiscrimination and Equal Opportunity Procedures, and Title 29 CFR Part 38. Also included are the procedures for filing complaints alleging discrimination under the Equal Employment Opportunities Acts, the Civil Rights Acts, and Section 504 of the Rehabilitation Act of 1973.

REQUIRED POSTINGS AND PARTICIPANT DOCUMENTS:

These policies and procedures include five distinct documents. Of these documents detailed below, two (2) are required postings and three (3) are required participant documents (Attachments I through V). This directive outlines these documents and highlights compliance requirements that are significant to the program and to activities that are part of the AJCC delivery system.

Postings:

AJCCs must maintain and display all required postings in a public location at each Los Angeles County WIOA funded facility. These documents must be made available to any interested parties and members of the public. The following notices must be posted:

1. WIOA Equal Opportunity is the Law Posting, dated 11/2016, one page document of 11"x17" in size (Attachment I). This posting must include the AJCC's business address, applicable phone number, and the name of the AJCC Grievance and Complaint Filing Officer.
2. WIOA Grievance and Complaint Procedures Posting, dated 11/2016, one page document of 8.5" x 14" in size (Attachment II).

Postings				
	Date	Posting Size	Total Pages	Posted
WIOA Equal Opportunity is the Law Posting	11/2016	11 x 17	1	Yes
WIOA Grievance and Complaint Procedures Posting	11/2016	8.5 x 14	1	Yes

Participant and Participant File Documents:

Initial and continuing notice of nondiscriminatory practices and the right to file a complaint must be made available to each participant receiving WIOA services. The notices below shall be provided in appropriate formats and a record of such notices shall be documented within the participant's case file.

1. WIOA Complaint and Resolution Procedures, dated 11/2016, 12 page document of 8.5"x 11" in size (Attachment III).
 - WIOA contractors must provide each participant receiving WIOA services with a copy of these procedures.
 - A copy of these procedures does not need to be retained in the participant's case file, but needs to be provided to all participants and noted in the case file.
2. WIOA Complaint and Resolution Policies and Procedures Participant Acceptance Form, dated 11/2016, two page document must be printed on Contractor Letterhead and printed double-sided on 8.5" x 11 in size (Attachment IV).
 - This form must include on page 2, the AJCC's business address, applicable phone number, and the name of the Contractor Grievance and Complaint Filing Officer.
 - WIOA Contractors must provide participants with a signed copy of this Form with ALL required signatures.
 - The original signed Form with ALL required signatures must be retained in the participant's case file.
3. WIOA Applicant Acknowledgement Statements, dated 11/2016, one page document 8.5" x 11 in size (Attachment V).
 - WIOA Contractors must provide participants with a signed copy of this Form with ALL required information and signatures.
 - The original signed Form with ALL required information and signatures must be retained in the participant's case file.

Where an electronic case file is maintained, staff must make a note indicating that the required notifications did occur; the date of the notifications, and the name of the staff person who provided them. The required participant file documents must be filled out, signed and scanned into the CalJOBS system.

Participant and Participant File Documents						
	Date	Size	Total Pages	Provided to participants receiving WIOA Services	Made part of the Participant Case File?	Additional Notes
WIOA Complaint and Resolution Procedures	11/2016	8.5 x 11	16	Yes	Noted in the Case File	Procedures can be printed double-sided.
WIOA Applicant Acknowledgement Statements	11/2016	8.5 x 11	1	Yes (Signed Copied)	Yes (Signed Original)	None
WIOA Complaint and Resolution Policies and Procedures Participant Acceptance Form	11/2016	8.5 x 11	2	Yes (Signed Copied)	Yes (Signed Original)	This form must be printed double sided and on AJCC Letterhead. It must include the address, phone number and name of the Contractor Grievance and Complaint Filing Officer.

ACTIONS:

- Los Angeles County AJCCs must cross-train and disseminate these updated procedures to all current and new Los Angeles County AJCC staff from this point forward;
- Los Angeles County AJCCs must establish written procedures for their agency grievance/complaint process, incorporating all the requirements of this directive and of WSD8-04 and WSD15-24;

- Los Angeles County AJCCs must include the updated Los Angeles County WIOA Complaint and Resolution Procedures (Attachment III) in their AJCC's policy handbooks/manuals and must make the policy available to each participant receiving WIOA services.
- Los Angeles County AJCCs do not need to designate an Equal Opportunity Officer (EOO) with the full responsibilities as described in WSD15-24, but must designate a Grievance and Complaint Filing Officer, who will be responsible for the developing and publishing of complaint procedures and the processing of complaints as required by Title 29 CFR Part 38.
- Los Angeles County AJCCs must display Los Angeles County required postings prominently in reasonable public locations. AJCC Grievance and Complaint Procedures must also be posted in a public location and be made available to any interested parties and members of the public.

INQUIRIES:

If you have any questions regarding this directive, please e-mail us at wioaops@css.lacounty.gov



**Josie Marquez, Assistant Director
Workforce and Community Services Branch**

Attachments:

- I. WIOA Equal Opportunity is the Law Posting (Dated 11/2016)
- II. WIOA Grievance and Complaint Procedures Posting (Dated 11/2016)
- III. WIOA Complaint and Resolution Procedures (Dated 11/2016)
- IV. WIOA Complaint and Resolution Policies and Procedures Participant Acceptance Form (Dated 11/2016)
- V. WIOA Applicant Acknowledgement Statements (Dated 11/2016)
- VI. WSD15-24: Nondiscrimination and Equal Opportunity Procedures (Dated 4/8/2016)
- VII. WSD 8-04: Grievance and Complaint Procedures (Dated 9/3/2008)