



Northern Area Local Workforce Development Board (NALWDB) Administrative Directive No. 2019-006

Effective Date: November 17, 2025

SUBJECT: GRIEVANCE AND COMPLAINT POLICY, REV. 2

Applicability

Northern Area Chief Elected Officials (CEOs), Northern Area local Workforce Development Board (NALWDB), and all sub recipients.

Purpose

As stated in 20 CFR 683.600, the purpose of this policy is to “establish and maintain procedures for participants and other interested parties to file grievances and complaints alleging violations of the requirements of Title I of WIOA, in accordance with the requirements of this section.”

Background

A. The Local Workforce Development Board must:

(1) Provide information about the content of the grievance and complaint procedures required by this section to participants and other interested parties affected by the local workforce development system including one-stop partners and service providers.

(2) Must make reasonable efforts to ensure that the information referenced in paragraph (b)(1) of this section is understood by affected participants and other individuals, including youth and individuals with limited English proficiency. Such efforts must comply with the language access requirements of 29 CFR Part 38, which govern the provision of services and information in languages other than English.

(3) B. Local area procedures must provide:

{1) A process for dealing with grievances and complaints from participants and other interested parties affected by the local workforce development system, including one-stop partners and service providers;
(2) An opportunity for an informal resolution and a hearing to be completed within 60 days of the filing of the grievance or complaint.

(3) A process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides; and,

(4) An opportunity for a local level appeal to a state entity when;

- a. No decision is reached within 60 days: or,
- b. Either party is dissatisfied with the local hearing decision. ACTION.

A. Program complaints against local WIOA programs and policies.

Who may file? Applicants, participants, service providers, recipients and other interested parties, may file a complaint alleging a non-criminal violation of local WIOA programs, agreements or the local workforce development board's policies and activities.

Time and place for filing. Pursuant to NMAC 11.2.2.11 and the NMDWS WIOA Grievance and Complaint Policy, all local program complaints must be filed with the One-Stop Operator within one (1) year of the date of the event or condition alleged to constitute a violation of WIOA or its implementing regulations. Complaints must be submitted in writing and must clearly identify the basis of the complaint and the relief requested. Complaints submitted after the one-year deadline may be dismissed unless good cause for delay is demonstrated. (1) Local complaint process- Step I-initial Review

(i) The One-Stop Operator shall accept written complaints submitted by the complainant or the complainant's authorized representative and shall record all complaints in the official complaint log upon receipt.

(ii) If the complaint alleges a violation of any statute, regulation, policy, or program that is not governed by WIOA, the complaint will be referred to the appropriate organization for resolution. Notice of the referral will be sent to the complainant.

(iii) If the complaint is retained, a complaint file should be established that contains: all application and enrollment forms, if appropriate; the complaint statement and form; chronological log of events; relevant correspondence; and a record of the resolution attempted.

(2) Local complaint process: Step 2 - Informal Resolution

(i) An attempt should be made to informally resolve the complaint to the satisfaction of all parties. This informal resolution process shall be completed within 10 calendar days from the date the complaint was filed- If all parties are satisfied, the complaint is considered resolved. The terms and conditions of the resolution shall be documented in the complaint file.

(3) Local complaint process: Step 3- Formal Resolution

When no informal resolution is possible, the site manager will forward the complaint and a copy of the file to the local administrative entity that will review the complaint file, conduct a further investigation if necessary, and issue a determination within 20 calendar days from the date the complaint was filed. If further review of the determination is not requested, the complaint is considered resolved. The complaint file should be updated to reflect determination.

(i) Any party dissatisfied with the determination may request a hearing within 10 calendar days of the date of the determination. The local administrative entity will schedule the hearing and forward the program complaint to the impartial hearing officer for resolution. The local administrative entity will monitor the processing of the complaint.

(4) Local complaint process: Step4-Hearing

(i) The hearing officer will schedule a formal hearing by written notice, mailed to all interested parties at least 7 calendar days prior to the hearing. The notice will include the date, time and place of the hearing. The hearing shall be conducted within 45 calendar days from the date the complaint was filed. Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. Parties may be represented by an attorney or another designated representative and may request that records and documents be produced. All testimony will be taken under oath or affirmation. The hearing will be

recorded. The hearing officer's recommended resolution will include a summary of factual evidence given during the hearing and the conclusions upon which the recommendation is based.

(5) Local complaint process: Step 5 – Final Decision

(i) The local administrative entity will review the recommendation of the hearing officer and will issue a final decision within 60 calendar days from the date the complaint was filed.

(6) Local complaint process: Step 6- Appeal

(i) Any In accordance with NMAC 11.2.2.11(A)(6)(a), any party who is dissatisfied with the final decision, or any party who has not received a decision or final resolution within 60 calendar days from the date the complaint was originally filed, may file a request for review. The request for review must be filed with the New Mexico Department of Workforce Solutions (NMDWS) as the State Administrative Entity within 90 calendar days from the date the complaint was originally filed.

(ii) In accordance with **NMAC 11.2.2.11(A)(7)**, the State Administrative Entity will review the record and issue a final decision on the appeal **within 30 calendar days** from the date the appeal is received.

Discrimination and Equal Opportunity Grievance

The grievance procedures related to discrimination and equal opportunity are herewith attached.

The Northern Area Local Workforce Development Board uses this procedure for processing complaints and grievances related to discrimination and equal opportunity grievances.

This policy formally rescinds Program Policy Notice No. 24 Rev. 2, *Non-Discrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act of 2014*, effective September 15, 2025, and supersedes all previous NALWDB policies on this subject.

INQUIRIES: Contact WIOA Management at 505-986-0363.



NALWDB CHAIR

01-12-24
DATE

Grievance Procedure

Summary Outlining Plan and Implementation Strategy

The administrative entity has developed a grievance policy and procedure in accordance with **WIOA and 20 CFR 683.600(a)** for handling grievances at all facilities, including One-Stop partner locations and contracted service provider sites. All management and staff within the One-Stop delivery system will receive training on the grievance procedures to ensure that all interested parties have access to the information needed to file a grievance.

Customers and participants receiving workforce services may submit a grievance at any workforce office without fear of discrimination or reprisal. The Site Manager and/or One-Stop Operator will make every effort to resolve the grievance in a timely and equitable manner.

Explanation of Policy & Compliance Guidelines:

1. Management and staff at each workforce office will be trained by the administrative entity staff to facilitate the process of filing grievances received from customers and participants.
2. Site management and the administrative entity are responsible for overseeing the grievance process; receiving and tracking grievances; leading any necessary investigations by the facility; maintaining the confidentiality of all information associated with grievances; issuing written grievance decisions to the customer or participant; and coordinating with the administrative entity necessary considering specific allegations.
3. The administrative entity will distribute a "Notice of Grievance Procedures" to the one-stop operator to be posted in prominent areas of each workforce office.
4. A copy of the "Notice of Grievance Procedures", including the contact information of the person to which complaints are made will be posted on the Boards' website.
5. The "Notice of Grievance Procedures" is to include the following:
 - a. The contact information on management (Job Title, business and email address, business phone number).
 - b. The expected time frame that the grievance will be resolved.
 - c. The contact information of outside entities that a grievance can be submitted if management did not resolve the inquiry to the filer's satisfaction.
 - d. The different ways a grievance can be filed (verbal & written and/or anonymously).
 - e. A fillable copy of the grievance form.
6. Management "will record the nature and specifics on a grievance form that include the following:
 - a. Date and time of incident and the names of all people involved in the grievance.
 - b. Contact information of all people involved in the grievance.
 - c. A chronological description of events leading up to and following the filing of a grievance.
 - d. Instructions on how to record the grievance form for future monitoring.
7. The management will issue a written decision to the filer at the conclusion of the investigation that will include the following:
 - a. The date the grievance was received, and the steps taken to investigate the grievance.
 - b. A summary of the pertinent findings or conclusions regarding the residents' concerns.
 - c. A statement as to whether the grievance was confirmed or not confirmed.
 - d. Any corrective action taken or to be taken by the facility because of the grievance.
 - e. The date the written decision was issued.

20 CFR 683.600(a) outlines the requirement to establish and maintain procedures for filing grievances and complaints alleging violations of WIOA. **20 CFR 683.600(g)(1)** further clarifies that the grievance procedure requirement does not apply to discrimination complaints, which must be filed under

29 CFR Part 38 (Nondiscrimination and Equal Opportunity provisions) Equal Opportunity Employer/Program.

Auxiliary aids and services are available upon request to individuals with disabilities. Relay New Mexico: 711 (Voice) or 1-800-659-(TTY).

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Northern Area Local Workforce Development Board
WIOA PROGRAM

ACKNOWLEDGEMENT RECEIPT OF

Grievance Procedure

I, _____ acknowledge and attest that I have received a copy of the
(Print Name)

WIOA Program Grievance Procedure.

If under the age of 18, a parent or guardian must sign also.

Signature:

Date:

Printed Name:

Signature of Parent/Guardian:

Date:

Printed Name of Parent/Guardian:

Name of Customer / Participant (Please Print): Name: Date of Hire:	Work Phone: Home Phone: Sent documents to external representative
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Home Mailing Address: Street or P.O. Box: City: State: Zip:	Other Mailing Address: Street or P.O. Box: City: State: Zip:
Date, time and place of event leading to grievance:	Date you became aware of the event, (if different).
Detailed chronological description of grievance including names of other people involved. if any	
Proposed solution to grievance:	

THIS SECTION TO BE COMPLETED BY THE ONE STOP OPERATOR

File a copy of this form with your immediate supervisor and retain a copy for review by the administrative entity

Step	Grievance Filed With (Please Print Name)	Date	Customer / Participant Signature	Date
1				
2				
3				
4				

Grievance and Complaint Procedures

In accordance with 20 CFR § 683.600(a), each recipient of Workforce Innovation and Opportunity Act (WIOA) funds must establish and maintain procedures for filing grievances and complaints alleging violations of WIOA Title I or the regulations under 20 CFR Part 683.

This grievance procedure requirement does not apply to discrimination complaints, which must be filed under 29 CFR Part 38 (Nondiscrimination and Equal Opportunity provisions).

Equal Opportunity Employer/Program.

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Instructions:

The following section must be completed by the individual responding to the grievance and attached as the **top copy** to the formal grievance form at each step of the grievance procedure.

Received by: _____ *Date:* _____

Action taken:

Submitted to Customer / Participant: No Yes Date:

Signature of NM AJC staff

Title

The following is to be completed by the customer / participant (Check as appropriate):

- I Agree with action at this step - grievance resolved.
- I Disagree with action at this step.

Signature of Customer / Participant

Note to Customer/Participant: If you disagree with the action taken, you have the option to submit your grievance to the next step. Place a copy of your formal grievance on top of this response and include all prior forms and responses when filing at the next step.

20 CFR 683.600(a) outlines the requirement for local areas to establish and maintain procedures for filing grievances and complaints alleging violations of WIOA. 20 CFR 683.600(g)(1) further clarifies that these grievance procedures do not apply to discrimination complaints, which must be filed under 29 CFR part 38 (formerly 20 CFR part 188). 11.19

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A Proud Partner of the American Job Center Network

Notice of Grievance Procedures

Notificación de procedimientos de queja

America's Job Center recognizes its responsibility to listen to customer and participant grievances and attempt to resolve any such concerns. Customers and participants will not be denied service for filing a grievance. Grievances will be given prompt and careful attention and, when indicated, grievances will result in corrective action. Participants are informed of their rights when services are initiated by receiving a copy of the Grievance Procedures.

- Request to speak with the site manager to communicate your grievance.
(if you prefer not to speak to a manager, please take a Grievance Form located by this procedure and follow the steps below).
- Complete a Grievance Form and send it to the site manager - information listed below.

America's Job Center – Site Manager
1036 Salazar Rd.
Taos, NM 87571

Or email the form to: mary.mylet@dws.nm.gov

- An attempt will be made to informally resolve the complaint to the satisfaction of all parties. This informal resolution process shall be completed within 10 calendar days from the date the complaint was filed. If all parties are satisfied, the complaint is considered resolved.
- When no informal resolution is possible, America's Job Center will forward the complaint and a copy of the file to the local administrative entity that will review the complaint file, conduct further investigation if necessary, and issue a determination within 20 calendar days from the date the complaint was filed. The administrative entity can be reached with the information below.

America's Job Center/Administrative Entity
Attn: EEO Officer
112 San Francisco Street, Suite 312
Santa Fe, NM 87504
Or (505) 986-0363/info@nalwdb.org

To learn more about filing a grievance, please contact the site manager for a copy of the Northern Area Local Workforce Development Board Grievance and Complaint Policy.

Any party dissatisfied with the determination may request a hearing within 10 calendar days of the date of the determination. The local administrative entity will schedule the hearing and forward the program complaint to an impartial hearing officer for resolution. The local administrative entity will monitor the processing of the complaint.

Si desea que le expliquemos esta información en español, comuníquese con la recepción.

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