

Capital Region Workforce Development Board

Serving Albany, Rensselaer, and Schenectady Counties
City of Albany Department of Youth and Workforce Service,
Rensselaer County Employment & Training, Schenectady County Employment and Training

COMPLAINT GUIDELINES

Anyone may use these guidelines to complain about any WIOA-related activity. The guidelines cover violations of the Workforce Innovation and Opportunity Act and related Federal and State laws, Regulations and Orders. This system does not prevent the use of other available legal avenues. All discrimination complaints must be filed directly with the U.S. Department of Labor, Counsel for Civil Rights, 200 Constitution Avenue, Washington, D.C. 20210.

A grievance officer is available to assist you at all stages. And, while not usually necessary, you may bring an attorney or someone else to hearings. You are entitled to: an impartial hearing officer, confidential treatment of information in your case, have copies of relevant records and documents available to you, bring your own witness, question witness, revise a complaint, cancel a hearing request or seek hearing reschedule under certain circumstances.

The Capital District Workforce Development Area (WDA) is prohibited from discriminating on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries lies only, citizenship or participation in programs funded under the Workforce Innovation and Opportunity Act (WIOA) in admission or access to, opportunity or treatment in, or employment in the administration of or in connection with, any WIOA-funded program, activity, or any activity of the WDA. In addition, Sexual Harassment is prohibited. Sexual Harassment is an unlawful discriminatory practice, appropriate disciplinary action will be taken against individuals and against supervisors and managers who knowingly allow such behavior to continue.

CRIMINAL COMPLAINTS: Report alleged fraud, abuse or other criminal action IMMEDIATELY to: 1) the U.S. Secretary of Labor, Washington, D.C. 20210 and 2) to NYS Department of Labor, Job Service and Training, State Office Building #12, State Campus, Albany, New York 12240.

NON-CRIMINAL COMPLAINTS: Must be made within one year of discovery as outlined below: SEND ONLY CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED. Your notices will be sent the same way.

1. **INFORMAL LEVEL:** Try to solve problems first by talking with those involved and your immediate Supervisors, Instructors or Counselors. This is the step where most disputes are settled.
2. **COUNTY LEVEL:** An unsatisfactory Step #1 decision is appealed by sending a certified letter return receipt requested within 5 working days to the appropriate County grievance officer as follows: You will be advised when a hearing is scheduled, how it will be conducted and the issue to be decided. A decision is due 5 working days after the hearing.

IN ALBANY: Deputy Commissioner, 175 Central Avenue, Albany, New York 12206.

IN RENNELAER: Commissioner, Employment and Training, Rensselaer County Office Bldg., 1600 7th Avenue, Troy, New York 12180.

IN SCHENECTADY: Director, Schenectady County Employment and Training, 797 Broadway, Schenectady, New York 12305.

3. **WDA ADMINISTRATIVE ENTITY LEVEL:** An unsatisfactory Step #2 decision is appealed by requesting a hearing at this level. Send a certified return receipt requested letter within 5 working days to Commissioner, Rensselaer County Department of employment & Training, 1600 Seventh Avenue, Troy, New York 12180.
Within 15 working days after the Administrative entity receives your appeal, it will notify you of the hearing schedule, how it will be set up and the issues to be decided. An Administrative entity decision is due no later than 60 days after the formal complaint is filed. A summary of findings, remedies to be applied and reasoning should be included in the decision notice.
4. **STATE LEVEL:** If a Step #3 decision takes more than 60 days, or is unsatisfactory, you may seek State review of the case. Send certified letter return receipt requested within 10 days to: NYS Department of Labor, Job Service & Training, State Office Building Campus, Albany, New York 12240. The State review and final decision should follow within 30 days.
5. **FEDERAL LEVEL:** If Step #4 decision takes more than 30 days, you may seek federal review of the case within 10 days of the Step #4 decision due dates. Send a certified letter return receipt requested to: U.S. Secretary of Labor, Washington, D.C. 20210.

I have received a copy of the WIOA Complaint Guidelines.

(Signature)

(Date)

3/2019