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| **Appeals Procedure for Program Participants** | Policy No. | 5 |
| **Greater Nebraska Workforce Development Area**  550 South 16th Street  Nebraska, NE 68508  402.471.9878  [ndol.greaternebraska@nebraska.gov](mailto:ndol.greaternebraska@nebraska.gov) | Effective Date | 7/1/2017 |
| Supersedes |  |
| Revision Date |  |
| Revision No. |  |
| Approval | GNWDB |

It is the policy of the Greater Nebraska Workforce Development Service Provider to ensure non-discrimination and equal opportunity while delivering services under the Workforce Innovation and Opportunity Act (WIOA) by the WIOA Title I Service Provider and Service Provider staff. WIOA prohibits discrimination on the basis of race, color, national origin, sex, age, disability, religion, political affiliation or belief, participant status, and certain non-citizens. Notice regarding this policy must be provided to: registrants, applications, employees, union or professional organizations that hold collective bargaining agreements with the grant recipient or service provider, members of the public including those with impaired vision or hearing, and any subcontractor who receives Workforce Investment funds from the service provider or grant recipient. This notice will be provided in an appropriate format to individuals with visual impairments and the service provider must be able to provide reasonable accommodations to all other individuals with disabilities so they may enjoy the benefits of the program. The notice may be provided by posting “Equal Opportunity is The Law” posters, personnel orientation, tag lines on stationary, pamphlets, handbooks, manuals, etc. Each individual who is registered for the WIOA Program will be requested to acknowledge they are aware of the service provider’s position on Equal Opportunity and they may file a complaint if they believe they have been discriminated against.

There are two different processes for submission of complaints for subsequent resolution. One process is to ensure the complainants are able to submit a complaint on violations of the Equal Opportunity laws and complaints on discrimination. This process is outlined in Policy13 Equal Opportunity and Non-Discrimination. The other process provides individuals an opportunity to submit a non-criminal type complaint regarding violations of WIOA or other federal and state laws or rules, including grant agreements, grant awards, collective bargaining agreements, failure to receive services, etc. Details on the processes, contacts, and procedures for filing a non criminal complaint or grievance of a non discriminatory nature can be found in Policy 8 Complaints and Grievances of a Non-discriminatory Nature of the Greater Nebraska Local Plan.

In general, if a complaint of discrimination is filed with the recipient, the complainant must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (CRC).

If the recipient does not give the complainant a written Notice of Final Action within 90 days of the day the complaint was filed, the complainant does not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, the CRC complaint must be filed within 30 days of the 90-day deadline (in other words, within 120 days after the day on which the complainant filed the complaint with the recipient).

If the recipient does give the complainant a written Notice of Final Action on the complaint, but the complainant is dissatisfied with the decision or resolution, the complainant may then file a complaint with CRC. The complainant must file the CRC complaint within 30 days of the date on which he/she received the Notice of Final Action.

For non criminal complaints and grievances of a non discriminatory nature, please refer to the process outlined in Policy 8.

**Disclaimer**

This policy is based on Greater Nebraska’s reading of the applicable statutes, regulations, rules and guidance released by the U.S. Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.