

COMPLAINT PROCEDURES REGARDING THE WORKFORCE INNOVATION & OPPORTUNITY ACT

Last Updated: April 20, 2021

The Workforce Innovation & Opportunity Act (WIOA) is a federally funded program administered by the Larimer County Economic and Workforce Development (LCEWD). The WIOA program focuses on meeting the employment, training, and educational needs of eligible individuals who will benefit from services in addition to helping employers gain skilled workers.

In the event that you have a problem with any aspect of the LCEWD Workforce Innovation & Opportunity Act Program, informal resolution with the staff member you are working with and the Program Manager is encouraged. If your complaint is not resolved, the following formal complaint provisions are available.

PART I — GENERAL PROVISIONS

- (1) This complaint procedure is available to any individual or organization including but not limited to applicants for participation, program participants, labor unions, and community based organizations.
- (2) The procedure provides for resolution of your complaint within 60 calendar days of filing. If your complaint has not been resolved within the 60-day limit, you may appeal to the Colorado Department of Labor within 10 days after the expiration of the 60-day limit.
- (3) All complaints will be handled by an impartial member of the LCEWD staff or by the Larimer County hearing officer.
- (4) Complaints must be filed with the LCEWD within one year of the act that caused the complaint, and within 180 days of the act which caused a complaint to be filed alleging discrimination against handicapped individuals. Complaints which allege discrimination other than handicap based discrimination must be filed with the Director of Civil Rights, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-4123, Washington, D.C. 20210. Complaints which allege fraud or criminal activity should be filed immediately and directly at the above address.
- (5) Additionally, a binding arbitration procedure, and/or collective bargaining agreement through an objective third party may be sought in situations where an individual alleging labor standard violation seeks remedy to their grievance beyond the WIOA formal complaint procedure

PART II — COMPLAINT PROCEDURES

Step 1 - File a written complaint. A member of the LCEWD staff is available to help you file your complaint. The complaint should be signed and dated and should contain the following information:

- (1) Your name, mailing address, telephone number, and email address (if available).
- (2) The name, mailing address, and telephone number of the person, employer or agency responsible for the act which led to your complaint.
- (3) The substance of your complaint including a clear statement of the facts and date(s) of the act.
- (4) The names of any witnesses to the act or names of other parties who can substantiate your complaint.
- (5) Whatever remedy you are seeking as a result of your complaint Submit to: LCEWD Director, 200 West Oak Street, Suite 5000, Fort Collins, Colorado 80521

Step 2 – The LCEWD Director, or designee, will contact you to discuss the problem and attempt resolution. If the problem is not resolved you may request a formal hearing with a hearing officer designated by Larimer County.

Step 3 – If you are requesting a formal hearing on your complaint, the LCEWD Director, or designee, will provide you with information about the hearing process. LCEWD will provide written notice of the hearing at least five (5) days before the scheduled hearing. The hearing process will include:

- A hearing officer designated by Larimer County.
- An opportunity to be represented by an attorney or the representative of your choice.
- An opportunity to bring witnesses and documentary evidence.

The hearing officer's decision will be given in writing to both parties within 15 days of the hearing and within 60 calendar days of filing the complaint, although the decision period may be extended if all parties agree in writing. The hearing officer's decision will include instructions for corrective action if any is necessary.

Step 4 - If you are dissatisfied with the hearing officer's decision, you may appeal that decision to the Colorado Department of Labor and Employment (CDLE), ATTN: State Grievance Administrator, 633 17th Street, Room 700, Denver, Colorado 80202-3627. All appeals must be filed no later than 10 days after receiving the hearing officer's decision. LCEWD will provide technical assistance to anyone filing an appeal. The State Grievance Administrator will provide an opportunity for an informal resolution and a hearing to be completed within 60 calendar days of filing of the grievance or complaint. The State Administrator will make a final decision within sixty (60) calendar days of receipt of the appeal; the decision is final unless the Secretary of Labor exercises the authority for Federal-level review.