Complaint & Incident Report Policy Notice

You are being enrolled as a participant in a program made possible by funding and support from the San Diego Workforce Partnership (the Workforce Partnership). The Workforce Partnership administers Federal, State, and local grants to address workforce issues for the San Diego region.

is funded by the Workforce Partnership to provide program services and/or to report criminal activities. No person or agency receiving funding from the Workforce Partnership may violate the provisions of the legislation governing those funds. All persons filing a complaint or an incident report, shall be free from coercion, reprisal, or discrimination.

In order to determine the procedure to use in response to a complaint, it is first necessary to determine which category the complaint falls under, since each type has different filing timelines and resolution requirements. There are three (3) distinct types of complaints or reports, as follows:

### Nondiscrimination and Equal Opportunity (EO) Complaint – (Non-Criminal)

This type of complaint includes one of the following factors prohibited by State and/or Federal law(s) on the basis of race; color; religion; sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity); national origin (including Limited English Proficiency [LEP]); age; disability; political affiliation or belief; or, for beneficiaries, applicants, and participants only on the basis of either citizenship status or participation in a WIOA Title I – financially assisted program or activity.

Subrecipients of federal funds must not discriminate in any of the following areas:

* Deciding who will be admitted, or have access to any WIOA Title I – financially assisted program or activities;
* Providing opportunities to participate in, or in the treatment of any person participating with regard to such programs or activities;
* Making employment decisions in the administration of, or in connection with such programs or activities.

To file this type of complaint - Follow the directions on the "***Equal Opportunity is the Law Notice***” provided to you. Nondiscrimination and Equal Opportunity Complaints must be reported within 180 days of the alleged violation.

Appeal Process - If the Subrecipient has not provided the Complainant with a written decision within 90 days of filing the complaint the complainant may file their complaint with the Civil Rights Center (CRC) within 30 days of the expiration of the 90-day period (e.g., within 120 days from the date on which the complaint was filed with the Subrecipient) at the address below:

**CRC:** The Director, Civil Rights Center

U.S. Department of Labor

200 Constitution Avenue, N.W.

Washington, D.C. 20210

### Program Grievance Complaint – (Non-Criminal)

This type of complaint results from misunderstandings and/or objections regarding programs or activities from program participants, contractors, subcontractors, and other interested persons.

To file this type of complaint- Submit a complaint with the Subrecipient’s Point of Contact (POC) of the program where the complaint has occurred. Program Grievance Complaints must be reported within 1 year of the alleged violation.

Appeal Process - If there is not a resolution of the complaint at the Subrecipient level within 60 days, or if the resolution received is not satisfactory, then the individual must be instructed on how to proceed with filing a formal written complaint with the Workforce Partnership, within 1 year of the alleged violation, by contacting or submitting a written report to:

**The Workforce Partnership:** Molly Dishman

Equal Opportunity Officer/Grievance Officer

San Diego Workforce Partnership, Inc.

9246 Lightwave Ave., Suite 210, San Diego, CA 92123

Email: [complaints@workforce.org](mailto:complaints@workforce.org)

Phone: (619) 228-2900 or,

TDD Number (619)-228-2983 or,

California Relay Service (CRS)**\*** at (800) 735-2922

### Incident Report Complaint

This type of complaint includes fraud, misapplication of funds, gross mismanagement of government resources, employee/participant misconduct, and standard of conduct violations.

For this type of complaint, Complete and submit the Attachment – Incident Report Form along with any other documentation to:

**The Workforce Partnership:** Molly Dishman

Equal Opportunity Officer/Grievance Officer

San Diego Workforce Partnership, Inc.

9246 Lightwave Avenue, Suite 210

San Diego, CA 92123

(619) 228-2900

[complaints@workforce.org](mailto:complaints@workforce.org)

The Workforce Partnership will in turn notify *EDD -* Compliance Review Office (CRO) - Accountability and Compliance Branch (PACB) and [DOL- Office of Inspector General (OIG)](https://www.oig.dol.gov/contact.htm).

**EDD:** [PACBCROIncidentReports@edd.ca.gov](mailto:Email:%20PACBCROIncidentReports@edd.ca.gov), Workforce Partnership will also include San Diego’s Regional Advisor in all communication.

**DOL:** <https://www.oig.dol.gov/hotline.htm>, Telephone: 1-800-347-3756.

Allegations considered to be of an emergency nature may be reported by telephone to the EDD Compliance Resolution Unit Supervisor at 1- (916) 654-8354, and by calling the OIG hotline at 1-800-347-3756, and ***followed immediately thereafter by a written Incident Report***.

**Notice and Communication**

The State Employment Development Department (EDD) policies require that the following information regarding the complaint process be provided:

* Initial and continuing notice of the local complaint procedures and instructions on how to file a complaint;
* All complaints, amendments, and withdrawals must be in writing;
* Complainants have the right to be represented, at their own expense, by a person(s) of their choosing, at all levels of the complaint process;
* Subrecipient and the Workforce Partnership has the responsibility to provide technical assistance in filing a complaint to the Complainants, including with those complaints against the Subrecipient or the Workforce Partnership;
* The official filing date of the complaint is the date that the written complaint is received by the Workforce Partnership or it’s Subrecipients;
* The time period in which complaint may be filed is not extended for complaints that are re-filed with amendments;
* The Workforce Partnership shall send a copy of the written complaint to the respondent; and
* Complaints may be withdrawn at any time prior to the issuance of Notice of Final Action.

You may obtain required forms and instructions on the complaint procedures from either, the management of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or by contacting the Workforce Partnership staff listed above. The Workforce Partnership will respond to Nondiscrimination & EO complaints within 10 days of the filing date and will render decisions within 90 days of the filing date. The Workforce Partnership will respond to Program Grievance complaints within 10 days of the filing date and will render decisions within 60 days of the filing date. the Workforce Partnership will respond immediately to Incident Report complaints. If you have any questions, or if you have suggestions for making our programs or organization more accessible, please feel free to let us know.

By initialing the appropriate area on the Universal Participant Authorization Form (UPAF) and providing your signature (or a parent’s signature if you are under 18 years of age), you acknowledge that you have reviewed and received a copy of the “***Equal Opportunity is the Law Notice***” and the “***Complaint & Incident Report Policy Notice***”.

THE WORKFORCE PARTNERSHIP PROVIDES EQUAL OPPORTUNITY FOR ITS PROGRAMS, SERVICES, AND EMPLOYMENT.

AUXILIARY AIDS AND SERVICES FOR INDIVIDUALS WITH DISABILITIES ARE AVAILABLE UPON REQUEST.

\*California Relay Service (CRS) relays messages to deaf persons via the telephone. Contact CRS and an operator will contact the EO Officer/Grievance Officer at the Workforce Partnership.