

## INITIAL CUSTOMER COMPLAINTS POLICY #: 4004

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### Scope:

This policy applies to programmatic grievances and complaints in connection with programs and activities funded through federal sources, which may include though not limited to, Wagner-Peyser (such as, Labor Exchange, H-2A, MSFW, and Veterans), Trade Act, Workforce Investment Act (WIA) Title I-B related sources pursuant to WIA Section 181(c), and federally-funded block grants. Complaints alleging discrimination under WIA Section 188 and/or Federal Register Part II 29 CFR 37 are also covered in this policy. Information and complaints involving allegations of fraud, abuse, or other criminal activity must be reported immediately to the Employment Security Department's Audit Resolution Team.

All One-Stop partners are required to comply with complaint process and all amendments.

The following subjects are addressed by this policy:

- Process – Policy A
- Customer Rights – Policy B
- Complaint Contact - Policy C
- Who May File A Complaint – Policy D

### Purpose:

This policy will ensure immediate and consistent processing when a customer of WorkSource has expressed an interest in, or chooses to file a complaint. All partners located within WorkSource must be able to assist customers interested in filing a complaint, which at a minimum, includes directing the customer to the appropriate local complaint contact.

It should be noted that a program complaint and a discrimination complaint are distinct, and therefore, must be formally resolved as separate complaints.

This policy highlights procedures for assisting customers with the complaint and grievance process as it pertains to WorkSource program partners.

### Background:

WorkSource customers have the right to express any concern related to services provided by partners under this policy. In an integrated service delivery setting, initial stages of handling customer complaints can benefit from having a consistent locally defined process. This policy is designed to set policy criteria and standards for WorkSource. Providing a customer-friendly process will enhance the quality of service customers receive from all WorkSource partners.

**Policy:**

**A. Process**

Grievances and complaints related to programs and activities provided through partners must be processed in a manner consistent with state policies by appropriate contacts at WorkSource. Discrimination complaints must be referred to the SWWDC Equal Opportunity Officer or State Equal Opportunity Officer, depending on the program involved.

1. Gain understanding of complaint and obtain proper contact information from the complainant
2. Notify and provide complaint details to program manager and local CO
3. Provide written customer rights if requested within two business days
4. Provide complainant with next steps and follow up procedures

**B. Customer Rights**

In general, the complaint process includes the right to file a complaint, the right to an informal conference, the right to informal hearing, and the right of appeal. All complainants will be advised in writing of these rights once a written complaint is filled.

**C. Complaint Contact**

Complaints officer(s) (CO) are available to answer questions and/or provide technical assistance to the complainant throughout the initial complaint process.

WorkSource consists of multiple one-stop centers. As these centers are operated under an integrated model the co-directors at each center also will act as the COs at their location.

The COs for WorkSource may be contacted in writing or by telephone as follows:

<u>WorkSource Vancouver</u>	<u>WorkSource Cowlitz/Wahkiakum</u>
Complaints Officer 5411 E. Mill Plain Boulevard, Suite 15 Vancouver, Washington 98661	Complaints Officer 305 S Pacific Avenue, Suite A Kelso, Washington 98626
Telephone: (360)735-5000	Telephone: (360) 577-2250
If local CO's are unavailable, please utilize the following:	
Vancouver Program Supervisors	Cowlitz/Wahkiakum Supervisors
Telephone: (360)735-5000	Telephone: (360) 577-2250

Partners will identify appropriate Complaint Officer based complaint location and will be informed via email anytime the designee is modified.

Functions of the Complaints Officer. This position was established to assist WorkSource Southwest customers to navigate a process that could otherwise be confusing, mishandled, or ignored and consequently lead to bigger challenges. The CO(s) provide principal points of contact for the customer seeking to file a programmatic grievance or complaint under this policy. In addition, the CO(s) involvement can be utilized at any point of a complaint process. This will ensure prompt coordination between appropriate partners and agencies.

Expectations for the Complaints Officer. The CO assisting a customer shall be responsible for immediately notifying the customer alleging a violation of program law or regulations, or discrimination law or regulation, of the right to file a written complaint.

The CO must advise all partners on the scope and responsibilities of the position. Also, the CO is expected to keep partner staff updated regularly to ensure each WorkSource Southwest staff member has sufficient knowledge to:

- Assist customers
- Direct customers to the CO(s) when it is appropriate or utilize supervisors as a backup if CO(s) unavailable

To make certain that customers are reasonably aware of the right to complain, the CO must make certain that the WorkSource complaint poster is displayed in a visible area of the center where customers most commonly gather.

It is not expected that the CO would participate in formal procedures; instead, the individuals designated to handle the formal process for their agency/program would continue to do so. The scope of the CO function is that of guidance with the initial complaint process. If appropriate, the CO is expected to share information and to coordinate efforts on complaints which involve a multiplicity of allegations, processes, partners, and/or agencies with investigative authority. In certain instances information obtained by the CO may be relevant to a subsequent formal procedure, and the CO can be asked to provide this information.

#### **D. Who May File a Complaint**

A complaint may be brought by any program participant or person receiving WorkSource services.

#### **Definitions:**

**Complaint.** A written and signed document alleging violation of Wagner-Peyser, WIA-Title I-B, or Trade Act regulations, federal block grant, and/or federal, state or local nondiscrimination laws. E-mail and handwritten allegations may be treated as a written and signed document depending on program requirements provided for each program complaint process.

**Complaint Contact.** Program management or program leads initially assist all customers interested in filing a complaint at a local WorkSource site; CO involvement may be requested at any point of the process. WDC Equal Opportunity officers or the State Equal Opportunity Officer may serve as a complaint contact for discrimination complaints.

**WorkSource.** Part of a national system of One-Stop career centers and affiliated sites that provide employment and training resources and services to businesses and job seekers in person and online at Go2WorkSource.com. WorkSource sites are certified by the Southwest Washington Workforce Development Council as One Stop Operators. Those sites are WorkSource Vancouver and WorkSource Cowlitz-Wahkiakum.

#### **References/Resources:**

20 CFR 651, 653, 658 (2000).

29 CFR 37 (2005).

All applicable Laws and Federal Regulations for the system, as described in:

WIA Policy Number 3440, Revised Final  
WIA Complaint Policy  
<http://www.wa.gov/esd/policies/documents/3440rev1.htm>

WIA Policy Number 3445, Revision 1  
Equal Opportunity and Nondiscrimination  
<http://www.wa.gov/esd/policies/documents/3445.htm>

WIA Policy Number 3450, Revised Final  
Equal Opportunity and Discrimination Complaint Processing  
<http://www.wa.gov/esd/policies/documents/3450.htm>

ESD Policy and Procedure Number 0013, Discrimination Complaint Processing  
[http://inside.esd.wa.gov/policies/0000/PP\\_0013.pdf](http://inside.esd.wa.gov/policies/0000/PP_0013.pdf)

ESD Policy and Procedure Number 0021, Equal Opportunity/Affirmative Action  
[http://inside.esd.wa.gov/policies/0000/PP\\_0021.pdf](http://inside.esd.wa.gov/policies/0000/PP_0021.pdf)

Washington State Methods of Administration  
<http://www.esd.wa.gov/newsandinformation/formsandpubs/Methods%20of%20Administration%20-%202007%20Recertification.pdf#zoom=100>