

Grievance Procedure

Field Guidance Memorandum 105

Issue Date 6/8/2022
Revision Date: 1/01/2024

Reference: FGM 103 Nondiscrimination and Equal Opportunity Policy

References:

- Title VI and VIII of the Civil Rights Acts of 1964 as amended
- Presidential Executive Order 11246, as amended
- Americans with Disabilities Act of 1990
- Fair Labor Standard Act of 1938, as amended
- Required Provisions of any grant/funding awards
- Workforce Innovation and Opportunity Act of 2014 (Public Law 113-128), Section 188, NonDiscrimination
- WIOA Final Rules published in the Federal Register, Vol. 81, No. 161, dated August 19, 2016

Purpose:

Pursuant to applicable federal and state regulations, executive orders, and EEO provisions program participants have a right to file a grievance. Grounds for a grievance involve individual discrimination based on race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or against any beneficiary of, applicant to, or participant in programs financially assisted under federally funded program, on the basis of the individual's citizenship status or participation in any federaly funded program or activity.

If a participant thinks that he/she has been subjected to discrimination, a complaint can be filed within 180 days from the date of the alleged violation with the Hampton Roads Workforce Council's (HRWC) Equal Employment Opportunity (EEO) Officer, or the participant may file a complaint directly with the State-Level EO Officer of the VEC and/or the Civil Rights Center (CRC).

Program Operators will make every effort to resolve complaints at their level. If a resolution cannot be achieved, the complaint has the option of contacting the HRWC's EO Officer or go directly to either the State-Level EO Officer or the Director, Civil Rights Center in Washington, D.C.

Procedure:

If a participant believes that he/she has a complaint regarding a violation of his/her civil rights, he/she can take the following steps:

Step 1: Go to the HRWC's EO Officer within 180 days of the alleged violation and bring the problem to that organization's attention. The HRWC has 90 days to respond.

Holly Bryant, EO Officer
Hampton Roads Workforce Council

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999 Waterside Drive, Suite 1314, Norfolk, VA 23510
757-314-2370 Ext. 115 hmbryant@theworkforcecouncil.org

Step 2: If the HRWC does not respond within 90 days and/or the participant is not satisfied with the resolution of the complaint, he/she can file the complaint with the State-Level EO Officer of the VEC.

Vicki M. Tanner, VCCS EEO Officer
300 Arboretum Place, Suite 200
Richmond, Virginia 23236
804-819-168 vtanner@vccs.edu

(or)

Shirley M. Bray-Sledge, State-level EO Officer
VEC 703 East Main Street Room 102
Richmond, Virginia 23218
804-786-3466 Shirley.bray-sledge@vec.virginia.gov

Step 3: If the State-Level EO Officer does not respond within 90 days and/or the participant is not satisfied with the resolution of the complaint, he/she can file the complaint with the Civil Rights Center.

Director, Civil Rights Center (CRC)
U. S. Department of Labor
200 Constitution Ave., N.W., Room N-4123
Washington, DC 20210
or electronically as directed on the CRC website at www.dol.gov/crc

General:

- A. All HRWC internal time limits for grievances will be strictly adhered to unless it is not possible due to schedule limitations. The HRWC's President and CEO will approve/disapprove any requests for extension based on the facts of the case. The Director of the Civil Rights Center is the only person who can grant extensions on time limits regarding discrimination complaints.
- B. A copy of the grievance procedure and civil rights form will be given to each participant enrolled in any of the HRWC's program activities for their review and signature. The original copy of this form will be placed in their participant folder.

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- C. The HRWC's EO Officer is Ms. Holly Bryant, 757-314-2370 Ext. 115 or hmbryant@theworkforcecouncil.org. If you have any questions, please discuss them with your Case Manager first and Ms. Bryant later if the participant needs additional information. For hearing impaired, the Virginia Telecommunications Relay Service is a service that relays a conversation between a person with a speech or hearing disability using a TTY (Text Telephone) and a hearing person using a regular telephone. To reach Virginia Relay simply dial 711.

- D. Complaints not resolved at the Program Operator's level will be referred directly to this office for resolution. If a suitable solution is not attained at this level, the next step is to forward the complaint to the State-Level EO Officer at VEC and then if a suitable solution is not attained at this level, the next step is to forward to the Director, Civil Rights Center, Washington, D.C. Ms. Bryant is available as the technical advisor for both the Program Operator and the complainant. Program participants, Board staff and Program Operators should feel free to contact Ms. Bryant for advice should a need arise.

- E. The participant is requested to sign to indicate that he/she has read and understands the information contained in this procedure. The Career Planner is required to counter sign that the participant has read and understands these grievance procedures.

SA SA / GLB MM / KSH KSH