



## HOWARD COUNTY OFFICE OF WORKFORCE DEVELOPMENT COMPLAINT PROCEDURE

The Howard County Office of Workforce Development's complaint procedures are outlined below for filing an official complaint.

### I. Grievances Alleging Discrimination

As defined in 29 CFR Part 37, Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act (WIOA), the Howard County Workforce Development Area has established the following procedures for resolving complaints alleging a violation of the Act and ancillary regulations, or any agreement of which Howard County Office of Workforce Development is a party under the Act, including complaints arising out of programs operated by its subrecipients. The Howard County Workforce Development Area and its subcontractors will not discriminate against any employees, program participants, or applicants for employment and/or program participation on the basis of race, color, religion, sex, age, national origin, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIOA Title I-financially assisted program or activity.

Any person, including but not limited to program applicants, registrants, participants, service providers, contractors, labor unions, community-based organizations, employees, and applicants for employment, who believes that he or she has been, or is being, subjected to discrimination prohibited under WIOA may file a complaint, either individually or through an authorized representative.

All complaints must be made in writing and may be directed to either Shelia Little, Howard County Equal Opportunity Officer, The Columbia Workforce Center, 7161 Columbia Gateway Drive, Ste. D., Columbia, MD; or directly to the Director, Civil Rights Center (CRC) U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-4123, Washington, DC 20210.

Complaints must be filed within 180 days of the alleged discrimination; however, for good cause shown, the Director may extend the filing time. The time period for filing is for the administrative convenience of the CRC, and does not create a defense for the respondent. All complaints must contain the following information.

- The complainant's name and address
- The identity of the individual or entity that the complainant alleges is responsible for the discrimination
- A description of the allegations, containing sufficient detail to determine jurisdiction over the complaint, timeliness of the complaint, and merit of the complaint
- The complainant's signature or the signature of the complainant's representative

If the complainant elects to file the complaint with the Howard County Equal Opportunity Officer, the complainant must wait until the Officer issues a decision or until 90 days have passed, whichever is sooner, before filing with CRC.

Copies of the complaint and related papers shall remain strictly confidential. There will be no reprisals against any person or persons instituting a complaint or pursuing a resolution of a complaint. All persons and their authorized representatives electing to initiate a complaint will remain entirely free from interference, discrimination, retaliation, intimidation or coercion.

An acknowledgement of receipt of the complaint will be sent to the complainant, including a re-statement of the issues raised, a statement of whether the issues will be accepted for investigation or rejected, and the reasons for rejection.

The Equal Opportunity Officer will investigate the circumstances underlying the complaint and attempt to resolve it through an alternative dispute resolution.

Within 90 days of receipt of the complaint, the Equal Opportunity Officer will issue a Notice of Final Action providing:

- The decision on the issue
- An explanation of the reasons underlying the decision, or
- A description of the way in which the parties resolved the issue, and
- Notice that the complainant has a right to file a complaint with the CRC within 30 days of the date on which the Notice of Final Action was issued if he/she is dissatisfied with the Equal Opportunity Officer's action on the complaint.

If a Notice of Final Action has not been issued within 90 days from the date on which the complaint was filed, the complainant may file a complaint with the Director of CRC within 30 days of the expiration of the 90-day response period (i.e., the complaint must be filed within 120 days of the date on which the original complaint was filed).

## II. Grievances Alleging Non-discrimination Issues

All nondiscrimination complaints (complaints not based on claims of discrimination) must be made in writing, to the Howard County Workforce Development Area Director, Francine Trout at 7161 Columbia Gateway Drive, Ste., D. Columbia, Maryland 21046 within 60 days of the date of the alleged incident.

Upon receipt of a written complaint, the Howard County Workforce Development Area Officer or the Equal Opportunity Officer will: Acknowledge receipt of the complaint

- Initiate an investigation into the merits of the complaint
- Attempt to resolve the complaint through alternative dispute resolution

Within 60 days of the date the complaint was filed, the Howard County Workforce Development Area Director or the Equal Opportunity Officer will issue a decision on appropriate resolution of the complaint.

If the complainant is dissatisfied with the action, he/she may request that an impartial hearing officer be appointed to review the allegation and issue a decision. Written notice shall be given to the complainant of the date, time, and location of the hearing. Additionally, complainants will receive information pertaining to the manner in which the hearing will be conducted and the issues surrounding the complaint.

The complainant may bring witnesses and/or documentary evidence to the hearing; may request to have records or documents relevant to the issues produced, and may be represented by an attorney or representative of his/her choosing. Complainants have the right to question any witness. The hearing will take place within 30 days of the date the complaint is received in writing by the Howard County Workforce Development Area Director, Francine Trout.

The entire hearing shall be recorded and the recording will become a part of the permanent record of proceedings. The complainant may request a copy of the transcription of this recording at his/her expense.

Prior to the hearing date, the complainant may withdraw the hearing request, request rescheduling of the hearing for good cause, or request to amend the complaint.

Within five (5) days after the hearing, a written notice of the decision of the Hearing Officer will be provided to the complainant, his/her representatives and all other interested parties. The written decision will include the Hearing Officer's decision, an explanation of the underlying reasons for the decision, or a description of remedies agreed to by the affected parties.

If the complainant is not satisfied with the Hearing Officer's decision, he/she will have ten (10) days to appeal the decision to the Howard County Attorney for Howard County Government. The County Attorney or his/her designees shall review all materials introduced and review the recording of the hearing. Within seven (7) days, a written notice of the decision of the Chief Administrative Officer will be provided to the complainant, his/her representative and all other interested parties.

\*\*Veterans and eligible spouses will be given priority of service in time and funding.

Equal Opportunity Program: As an equal opportunity program; discrimination, in WIOA Title I financially assisted programs or activities is prohibited by federal law and by Howard County Government. Auxiliary aids and services are available upon request to individuals with disabilities. For accommodations in Howard County, please contact Stephanie Hill at 410-313-1060 or MD Relay 7-1-1 as soon as possible, but no than 72 hours before the scheduled event.

The Personally Identifiable Information (PII) collected will be used as required by the Workforce Innovation and Opportunity Act, US Department of Labor, State of Maryland, and Howard County Government and will comply with the Privacy Act of 1974. The collection and use of all personal information is guided by strict standards of confidentiality.

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