



NCCER

GRIEVANCE PROCEDURES & COMPLAINTS

“Equal Opportunity is the Law”

1. PURPOSE of this Policy:

To resolve complaints that may arise in relation to programs funded through the Workforce Investment and Opportunity Act and individual Companies and administered by Portable Practical Educational Preparation, Inc. or one of its sub-agents or contactors.

2. SCOPE

This guideline applies only to an eligible employee, applicant, participant, vendor, sub-grantee, sub-contractor or other aggrieved party who wishes to file a grievance because of alleged violations of the workforce Investment and Opportunity Act rules, regulations, grant or other agreements under the Act.

3. DEFINITIONS

3.1 Grievance

An actual or supposed circumstance regarded as just cause for complaint Appeal
Any written, dated and signed communication by an interested party expressing their intent to appeal any action or inaction with respect to a grievance or complaint to a higher level.

4. GUIDELINE

The corporation encourages eligible employees, applicants, agencies and contractors to address their work-related concerns informally with their immediate supervisors, second level supervisors, or the Human Resources Department. If further action needs to be taken formal grievance procedures should be followed.

5. PROCEDURES

5.1 Complainants are encouraged to first discuss the complaint with their supervisor or instructor as identified in the Open Door Guideline (G-1).

5.2 If this does not resolve the issue, the following steps may be taken. Note: With the exception of complaints alleging fraud or any other criminal activity, the filing of a complaint must be made within one year of the alleged occurrence.

Allegations of Fraud, Waste or Abuse should be reported within 24 hours of the occurrence.

Step 1 – Informal Complaint Resolution Process: The complainant shall submit a grievance in written or oral form to PPEP, HR Director. Mailing address listed below:

PPEP HR Director
802 E. 46th. St.
Tucson, AZ 85713
Phone: (520) 806-4632

Step 2 – Formal Complaint Resolution Process: If the complaint cannot be resolved on an informal basis or if the complainant is not satisfied with the informal resolution the following should occur. Within five (5) days, if necessary, the HR Director will aid the complainant in filing a formal complaint, and, if necessary, will provide assistance in reducing the complaint to written form. Within the next 30 days, the complaint will be investigated. If the complaint is not resolved at the end of the investigation, a hearing will be scheduled to resolve the complaint. The hearing process will include:

1. Written notification of the date, time and place of the hearing, the manner which it will be conducted, and the issues to be decided.
2. Opportunity to reschedule the hearing for good cause.
3. Opportunity to withdraw the request for the hearing in writing before the hearing
4. Opportunity to be represented by an attorney
5. Opportunity to bring documentary evidence
6. Opportunity to have records or documents relevant to the issues to be decided at the hearing produced by their custodian.
7. Opportunity to question any witnesses or parties
8. Right to an impartial hearing office.
9. Right, when applicable, to select alternative dispute resolution through binding arbitration.

5.3 Within 60 days of the initial filing of the complaint, a written decision will be sent to the complainant by certified mail. The written decision will include a summary of the facts, the remedies to be applied.

5.4 Appeal Process: Persons, with grievances have the right to appeal the complaint to the Department of Economic Security at the State level, if they are not satisfied with the resolution of the complaint or disagree with the decision resulting, from the formal hearing. The appeal must be filed with the Director of the department of Economic Security within 30 days of the final decision. All procedures outlined in this notice must be exhausted before an appeal is made to the Department of Economic Security unless one of the following circumstances occurs:

1. PPEP has not acted within the specified time frames
2. Either party is dissatisfied with the outcome

5.4.1 The appeal to the State shall be in writing, and must be filed no later than thirty (30) days from the date of PPEP's final decision concerning the complaint. The appeal should be filed with the following:

William Gadzia, State WIA Equal Opportunity Officer
Department of Economic Security, Employment Administration
1789 W. Jefferson, Site Code 920Z
Phoenix, AZ 85007 Telephone: (602) 542-2484

5.4.2 A final appeal may be filed with:

Director, Civil Rights Center
U.S. Department of Labor,
200 Constitution Avenue, N.W.
Room N- 4123
Washington, D.C. 20210 Telephone (202) 219-7026

Complaints Involving Possible Discrimination

5.4.3 For complaints involving issues of alleged discrimination on the basis of race, color, religion, national origin, age, disability, political affiliation or belief and for beneficiaries only, citizenship, or participation in programs funded in whole or in part by WIOA, complaints should be filed with the Director of Civil Rights in accordance with the directions included. The previous sections on grievance and appeals procedures do not apply to discrimination complaints brought under WIOA Section 188 or 29 CFR Part 37. In addition you may follow PPEP Policy section A-2. Complaints should be filed within 180 days of the alleged discrimination.

It is against the law for recipients of Federal Financial Assistance to discriminate against any person in the United States based on:

- Race, color, religion, sex, national origin, age, disability, political affiliation or believe, and
- Any beneficiary of programs financially assisted under Title 1 of the Workforce Investment and Opportunity Act, on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title 1 financially assisted program or activity.

Furthermore, the recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title 1 financially assisted program or activity
- Providing opportunities in, or treating any person with regard to, such as a program or activity, or
- Making employment decisions in the administration of, or in connection, with, such a program or activity.

If you believe you have been subject to discrimination under the WIOA Title 1 financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation to

PPEP Contact:
HR Director
802 E. 46th Street
Tucson, Arizona 85713

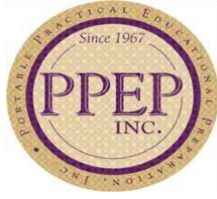
OR

Director, Civil Rights Center
U.S. Department of Labor,
200 Constitution Avenue, N.W.
Room N- 4123
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5.4.4 For appeals involving students in Postsecondary training programs students may appeal in the following manner: If the complaint cannot be resolved after exhausting the institution's grievance procedures, the student may file a complaint with the Arizona State Board for Private Postsecondary Education. The student must contact the State Board for further details. Human Resources will investigate, in confidence, all reported incidents of sexual harassment, discrimination and retaliation in accordance with PPEP Policies and Procedures. Each case will be handled on an individual basis. Any employee who violates this guideline or witnesses a violation and does not report it to his or her supervisor will be subjected to disciplinary action, which could include discharge.

**NO RETALIATION OR REPRISAL WILL BE TAKEN AGAINST EMPLOYEES
BASED UPON THEIR INQUIRIES AND/OR COMPLAINTS.**

It is the responsibility of every employee to cooperate with the spirit and intent of this guideline.



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I, _____ have read, understand, and have received a copy of PPEP NCCER Grievance policy.

Participant Signature

Date