

Northwest Arkansas Workforce Development Board

Policy Name: Northwest Arkansas Workforce Development Board
Grievance/Complaint Procedure

Effective Date: March 7, 2018

Date Approved by the Board: March 7, 2018

The following appeal procedures apply to all grievances or complaints.

- All grievances must be filed with the Northwest Arkansas Workforce Development Board (NWAADB) within one (1) year of the occurrence.
- Grievances or complaints should be filed in writing to the Chairman of the NWAADB.
- Complaint's statement must include the following:
 1. The full name, address and telephone number of the person making the complaint.
 2. The full name and address of the person or entity against whom the complaint is made.
 3. A clear concise statement of the facts, including the important dates, constituting the alleged violation.
 4. The provisions of the Workforce Innovation & Opportunity Act (WIOA), Arkansas Law, regulations, a grant, or other agreement under WIOA Title I believed to have been violated.
 5. A statement disclosing whether proceedings involving the subject of the request, have been commenced or concluded before any federal, state, or local authority and if so, the date of the commencement or conclusion and the name and address of the authority.
- The Chairperson of the NWAADB, or his/her designee, upon receipt will:
 1. Acknowledge the receipt of the grievance or complaint to all parties by certified mail, return receipt requested. The acknowledgement of the receipt will:
 - Outline the steps to be taken to resolve the matter.
 - Notify all parties of the right to request a hearing.
 - Advise of attempt to reach an informal resolution.
 - Notify the Arkansas Workforce Development Board of the filing of the complaint.
 2. Will review the grievance or complaint then send it before the Executive Committee, of the NWAADB for investigation within 45 days of receipt.
- The Executive Committee will review the complaint and any supporting information or documentation and issue a written decision within 45 days. If requested, a hearing will be completed within those 45 days.

Northwest Arkansas Workforce Development Board

The following procedures will apply to a hearing:

- The hearing will be informal. Technical rules of evidence will not apply.
 - Hearsay evidence will be admissible at the discretion of the hearing examiner (normally the Executive Committee Chairperson).
 - Hearings will be held at a time and place determined by the Executive Committee Chairperson in agreement with the NAWAWDB, after reasonable written notice has been sent to the parties and the witnesses.
 - The party requesting the hearing will have the burden of establishing the facts and entitlement to the relief requested.
 - Either party may be represented by an attorney or other representative.
 - Either party may bring witnesses and documentary evidence.
 - The Respondent will cooperate by making available any person under their control or employee to testify, if these persons are requested to testify by the complainant and to release requested documents relevant to the issue after the requesting party has established that such testimony/ documentation is relative and not cumulative.
 - Either party or representative will have the opportunity to question any witness.
 - A verbatim record or tape recording may be made of the proceeding.
 - The Executive Committee Chairperson or his/her designee will make a written decision after consultation with the NAWAWDB.
- If a hearing is not requested, the Executive Committee Chairperson or his/her designee will conduct an administrative fact finding investigation, with the collaboration of the NAWAWDB. The investigation will include:
 1. Opportunities for all parties to submit an in-depth position statement, including documentary supportive data and/or records.
 2. Access to and review of appropriate official records.
 3. Interview of principle parties and opportunity for all parties to offer rebuttal to information received.
 4. A written decision will be sent, by certified mail, return receipt requested and will contain the following:
 - A statement assuring all steps, included in the grievance/complaint procedures, have been adhered to,
 - Issues being decided,
 - Statement of facts,
 - Reason for decision,
 - Remedies to be offered, if appropriate,
 - Summary, and
 - Advisement of the right to appeal the decision.
- A decision by the NAWAWDB may be appealed to the Arkansas State Workforce Development Board. If the complaint is not resolved within the 45 days, by the NAWAWDB, it will be referred to the Arkansas Workforce Development Board Equal Opportunity Manager for resolution.

Northwest Arkansas Workforce Development Board

All appeals must be sent by certified mail, return receipt request, to the address below.

Executive Director
Arkansas Workforce Development Board
P.O. Box 2981
Little Rock, AR 72203-2981