

## COMPLAINT AND HEARING PROCEDURES

### GENERAL:

The Complaint and Hearing Procedures for the Westmoreland-Fayette Workforce Development Board provides for the following:

- The Opportunity to file a complaint
- The Opportunity for an informal conference for resolution and
- The Opportunity for a hearing and notice of recourse

Any individual participating in a program sponsored by the Westmoreland-Fayette Workforce Development Board, or an interested party affected by the local workforce system alleging a violation of the Workforce Innovation Opportunity Act, its regulations, or other agreements related to the Act, shall be afforded the opportunity to seek resolution of such allegation(s) by filing a complaint.

Any complaint of the Act, programs, regulations or agreements must be in writing prior to the filing of a formal complaint.

### STEPS:

#### The opportunity for an informal Conference:

- a. At the Informal Conference, the complaint and its allegation(s) will be informally discussed, seeking a resolution.
- b. Not later than ten (10) days following this conference, the Westmoreland-Fayette Workforce Development Board will submit its findings to the complainant.
- c. Included in the findings will be notification of the right to request a hearing.

#### The Opportunity for a Hearing:

- a. If the complainant is not satisfied with the results of the information conference, he/she must so inform the Westmoreland-Fayette Workforce Development Board within five (5) days of receiving the findings and request a hearing.
- b. After receiving the request for the hearing, the Westmoreland-Fayette Workforce Development Board will appoint an impartial hearing officer, who will attempt to resolve the issue(s) and render an independent decision.
- c. The Hearing Officer will send out notification of the hearing, in writing, to all parties concerned, stating the date, time, and place of the hearing and the issues to be heard.
- d. All parties have the right to be accompanied by an attorney (at their own expense), or other duly authorized representative; the right to present testimony; the right to bring witnesses and records; and all parties must attend the hearing.
- e. The Hearing Officer will issue a written decision, to all parties in attendance, within 60 days of the filing of the complaint.

The decision will include:

- 1.) A synopsis of the facts
- 2.) A statement of reasons for the decision
- 3.) Notification of recourse

- f. All correspondence will be mailed certified with return receipt requested.

#### 4. Notice of Recourse

If the complainant is not satisfied with the decision, or has not received a decision within 60 days of filing the complaint; the complainant has the right to request a review of the complaint by the Pennsylvania Department of Labor and Industry.

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