



STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF WORKFORCE SERVICES
220 French Landing Drive
Nashville, TN 37243-1002
(615) 741-1031

August 1, 2013

Senior Community Service Employment Program Policy #6

Topic: Senior Community Service Employment Program (SCSEP) Grievance Policy

Subject: Grievance Policy

Purpose: To inform sub-grantees and SCSEP Participants of the state of Tennessee Senior Community Service Employment Program's Grievance Policy and procedure for documentation

Reference: SCSEP Policy #5 (Termination Policy)

Background: Any termination, as described in §641.580, paragraphs (a) through (e), must be consistent with administrative guidelines issued by the Department and the termination notice must inform the participant of the grantee's grievance procedure, and the termination must be subject to the applicable grievance procedures described in §641.910 and 29 CFR 37.70 through 80.

Policy and Procedures

All complaints pertaining to Tennessee Department of Labor and Workforce Development's SCSEP will be reviewed and addressed as required. All participants will be provided a copy and informed of the grievance procedures during the orientation, and all termination notices will inform participants of the procedures. Grievance procedures, for resolving complaints arising between the grantee, employees of the grantee, sub-grantees, and applicants or participants, will follow the steps provided below.

STEP I. Discuss the Issue (Informal)

Participants should informally discuss with the sub-grantee project director about the problem or grievance; this may be done either by verbal communication or in writing within 5 business days of the occurrence of the problem. The project director will work with the participant to

provide a solution or explanation within 10 additional business days. If a resolution is not reached, the participant is informed of his/her right to file a formal complaint.

STEP II. No Resolution (Addressing the Formal Grievance Procedure)

If the participant feels that the informal resolution is not satisfactory, the participant should then contact the sub-grantee executive director or designated representative in writing describing the complaints or issues and naming all persons involved and any pertinent data and or location. The sub-grantee executive director or designated personnel will contact the participant within 5-business days after receiving the complaint in writing as a formal grievance; after the participant receives this contact, the participant will be given an opportunity to further discuss the problem either by telephone or in person. The executive director or personnel representative may decide to investigate/resolve the grievance within 10-business days before providing a written response. The decision will be mailed to the complainant within 20-calendar days after the attempt to resolve the grievance unless additional time is required under the circumstances. Complainants that are not satisfied with the decision have the right to appeal in writing to the state office/Title V grantee within 5-business days after receiving a decision from the executive director or designated representative of the executive director.

STEP III. Appeals

Complaints that are not resolved at the sub-grantee level can be appealed in writing to the Tennessee Department of Labor and Workforce Development EEO Officer at 220 French Landing Drive, Nashville, TN 37243. This must be done within 30 days after a decision has been rendered at the local level that is not accepted by the complainant.

Process for Filing an Appeal of the Decision or Lack of Action

The appeal should be concise (if possible, it should not exceed five pages, not including exhibits and attachments). The appeal should also be sent by certified mail (return receipt) to:

Susie Bourque, Director of Policy and Special Programs/EEO Officer
Tennessee Department of Labor and Workforce Development
220 French Landing Dr., 4th Floor
Nashville, TN 37243

The appeal request shall state the facts, laws, procedures, etc. that the grievant/complainant believes to be relevant for review. The appeal must be filed within 30-calendar days of receipt of the decision to act.

The request shall include the grievant's/complainant's address where official notices will be mailed. When the process is complete, the grantee will keep the complaint and decision in its files.

The United States Department of Labor will not review final determinations made by the Tennessee Department of Labor and Workforce Development except to determine whether the grievance procedure was followed. If, however, the complaint alleges violations of federal law

other than discrimination and the violations are not resolved within 60 days of the TN Department of Labor and Workforce Development's receiving it, the complainant may file a complaint with the Chief, Division of Adult Services, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Allegations determined to be substantial and credible will be investigated and addressed.

Complaints Alleging a Violation of the Nondiscrimination Requirements of Title VI of Civil Rights Act of 1964, §504 of the Rehabilitation Act of 1974, §188 of the Workforce Investment Act of 1998 (WIA) may be directed or mailed to the Director, Civil Rights Center, U.S. Department of Labor, Room N-4123, 200 Constitution Avenue, NW., Washington, 580 D.C. 20210

Complaints alleging violations of WIA Sec. 188 may be filed initially at the grantee level. Workforce Services Policy #6 provides uniform procedures for filing complaints alleging violations of the nondiscrimination and equal opportunity provisions of WIA of 1998.

Contact: If you have questions regarding this policy, please contact Weldon Floyd, SCSEP Coordinator, at 615-741-1031.

Effective Date: Immediately

Expiration Date: Two years or until rescinded or revised



8/5/2013

Dan Holton
Assistant Administrator
Workforce Services Division

Statement of Acknowledgement Grievance Policy

I have received, read, and understand the policies and procedures outlined in the Senior Community Service Employment Program Policy #6: Grievance Policy.

(Please Print)

First

Middle

Last

Signature

Date