ALAMEDA COUNTY WORKFORCE DEVELOPMENT BOARD

SUMMARY NOTIFICATION OF RIGHTS AND COMPLAINT PROCEDURES

WHAT SHOULD I DO IF I HAVE A COMPLAINT?

If you have a complaint involving the administration of any job training program or service with which the Alameda County Workforce Development Board (ACWDB) is involved, either directly (i.e., the denial of your application for job training services) or indirectly (i.e., something that happens while you are in a WDB sponsored job training program), you have certain rights that you should know about.

The complaint and grievance procedures that must be used are determined by the nature of your complaint. This document provides instructions for three different types of complaints and the corresponding procedures.

1. **Nondiscrimination and Equal Opportunity**:
   The nondiscrimination and equal opportunity provisions found in Section 188 of WIOA and 29 CFR Part 38 prohibit discrimination on the basis of race; color; religion; sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity); national origin (including LEP); age; disability; political affiliation or belief; or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title I-financially assisted program or activity.

   Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are effective. Upon request, and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

   It is against the law for this recipient of federal financial assistance to discriminate on the following bases: against any individual in the United States, on the basis of RACE, COLOR, RELIGION, SEX (INCLUDING PREGNANCY, CHILDBIRTH, AND RELATED MEDICAL CONDITIONS, SEX STEREOTYPING, TRANSGENDER STATUS, AND GENDER IDENTITY), NATIONAL ORIGIN (INCLUDING LIMITED ENGLISH PROFICIENCY), AGE, DISABILITY, or POLITICAL AFFILIATION or BELIEF, or against ANY BENEFICIARY OF, APPLICANT TO, OR PARTICIPANT IN PROGRAMS FINANCIALLY ASSISTED UNDER TITLE I OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA), on the basis of the individual's CITIZENSHIP status or participation in any WIOA Title I-Financially assisted program or activity or for RETALIATION for filing a complaint because of any of these reasons. Complaints may be filed within 180 days of the alleged incident to either:

   - Akenja Jones, Civil Rights Officer (CRO)
     County of Alameda Social Services Agency
     2000 San Pablo Avenue, Ste. 420
     Oakland, CA 94610
     Phone 510-291-1195; Email Akenja.jones2@alamedacountyca.gov
     For the California Relay Services (CRS) call 1-800-735-2922 (VOICE) or 1-800-735-2929 (TDD)

- Director of the Civil Rights Center (CRC)
  U.S. Department of Labor
  200 Constitution Avenue, NW, Room N-4123
  Washington, DC 20210

2. **Non-criminal Violation of the Workforce Innovation and Opportunity Act:** Any complaint regarding the implementation of the policy or procedure of WIOA or OTHER APPLICABLE FEDERAL OR STATE REGULATIONS CONCERNING THE ADMINISTRATION OF JOB TRAINING PROGRAMS, CONTRACT OR GRANT CONDITIONS, OR WDB RULES OR POLICIES must be filed within one year of the alleged incident to:

   Director, Alameda County Workforce Development Board
   24100 Amador Street, 6th Floor
   Hayward, CA 94544-1203

3. **Incidents of Criminal Fraud, Criminal Abuse, or other Criminal Activity, and Noncriminal Complaints such as Mismanagement and Gross Waste:** Any allegations of fraud, abuse, or other criminal activity in WIOA-funded programs may originate from ACWDB staff, WIOA Program Operators, clients, informants, auditors, law enforcement agencies, etc. Reports must be submitted within 24 hours of discovery to:

   Director, Alameda County Workforce Development Board
   24100 Amador Street, 6th Floor
   Hayward, CA 94544
   Ph: (510) 259-3842
   FAX: (510) 259-3845

The ACWDB, America's Job Centers of California (AJCC) and Youth Program Operators have copies of the grievance procedures and the grievance form that should be filled out. However, you may file a complaint without completing the appropriate forms, as long as your complaint is in writing, signed by you and returned to the ACWDB. If you are unsure to which entity your complaint should be addressed, ACWDB staff will ensure that the proper jurisdiction receives your complaint. Your complaint should include your address, telephone number and must also state what your complaint is about.

If you have any questions about how to file a complaint, you may inquire with the Program Manager of the program in which you are enrolled.

Under the law, you have the right to make your complaint without being afraid of restraint, interference, coercion, discrimination, retaliation, or reprisal. What this means is that no one can try to stop you from making a complaint or punish you in any way for filing a complaint.

WHAT HAPPENS WHEN I FILE A COMPLAINT?

Alameda County WDB, or other involved jurisdiction, will notify the party you are complaining against (the "Respondent") about your complaint, and can arrange for an informal meeting with an impartial ACWDB employee, the Respondent, and you (the "Complainant"), to try to resolve your complaint.

WHAT IF THIS DOESN'T WORK?

If your complaint is not resolved after meeting informally with the Respondent, then you have the right to have a hearing before an ACWDB Hearing officer or an Impartial Hearing Officer.

IS A HEARING LIKE A TRIAL IN COURT?

Yes and no. Under the law, everyone has "Due Process" rights that must be observed in any legal proceeding. Such rights include the right to present evidence and have witnesses testify under oath, the right to testify yourself, the right to cross-examine the witnesses for the other party, the right to have any impartial person decide the case, and to give a written explanation of the reason for the decision. You also have the right to appeal the decision if you think it is wrong. In that sense, the hearing is like a trial.

It will not be like a trial in the sense that no one will expect you to know technical legal rules of evidence, law, or procedure. The Hearing Officer will be an experienced attorney or other knowledgeable lay person that knows the law and who will be much more interested in finding out what the facts are.

The hearing will be somewhat like "The People's Court" on TV, where the Judge listens to the testimony of the witnesses, looks at any exhibits, asks questions of the parties and then makes a decision.

DO I NEED A LAWYER? WHAT IF I DON'T HAVE A LAWYER?

You have the right to have a lawyer, or some other person, who doesn't have to be a lawyer, act as your representative at all stages of the ACWDB Grievance Procedure. However, the ACWDB cannot appoint a lawyer to represent you or give you legal advice, nor can the ACWDB pay for your lawyer. If you want a lawyer to represent you and do not know whom to call, the Alameda County Bar Association, telephone 510-893-7160, has a lawyer referral service.

IS THERE ANYTHING ELSE I SHOULD KNOW?

The most important thing to remember is that the Hearing Officer won't know about the facts of your case, so be sure that you present them at the hearing. Be sure your witnesses come to the hearing, bring any exhibits you want to show the Hearing Officer, and outline what you want to say so you won't forget anything.

THIS IS YOUR COPY.

PLEASE KEEP IT FOR YOUR RECORDS.

The WIOA Title I financially assisted programs or activities are "Equal Opportunity Employer/Programs."

Auxiliary aids and services are available upon request to individuals with disabilities.

ALAMEDA COUNTY WORKFORCE DEVELOPMENT BOARD

NOTIFICATION OF RIGHTS UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

EQUAL OPPORTUNITY GUIDELINES UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

It is against the law for recipients of federal financial assistance to discriminate on the following bases:

- Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or
- Against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act of 2014 (WIOA), on the basis of the individual's citizenship status or participation any WIOA Title I financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

You have the right to file a complaint if you feel you have been denied any of the opportunities based on the equal opportunity guidelines. You will not in any way be penalized for filing a complaint. Your WIOA sponsor has established a mechanism for handling complaints or grievances. Your complaint must be filed within 180 days of the alleged violation. All complaints will be handled confidentially. Complaints may be filed with the Alameda County Civil Rights Officer or with the Federal Civil Rights Center of the Department of Labor. (See Policy for Addresses)

COMPLAINTS OTHER THAN EQUAL OPPORTUNITY

All complaints alleging any violation of the Workforce Innovation and Opportunity Act, other applicable federal or state regulations concerning the administration of job training programs, contract or grant conditions, or WIB rules or policies must be filed with the: Director of the Workforce Development Board, 24100 Amador Street, 6th Floor, Hayward, CA 94544-1203 within one year of the incident.

COMPLAINTS OF FRAUD, CRIMINAL ACTIVITY, OR GROSS WASTE

Complaints alleging incidents of criminal fraud, criminal abuse, or non-criminal complaints of mismanagement and gross waste of WIOA funds should be made within 24 hours of discovery to the: Director of the Workforce Development Board, 24100 Amador Street, 6th Floor, Hayward, CA 94544-1203.

This is to certify that I have received a copy of the equal opportunity complaint procedures, procedures for filing complaints against job training programs as they pertain to the Workforce Innovation and Opportunity Act program operated by the Alameda County Workforce Development Board, and procedures to file complaints of criminal activity, fraud, and/or gross waste.

Staff has explained these procedures to me verbally and I have been advised of these processes. I understand that a full copy of these procedures is available to me upon request.

Participant Signature	Agency Representative Signature
Parent/Guardian/Responsible Adult Signature (if participant is under 18 years of age)	Agency Name
Date	Date