

Burlington County One Stop Career Center

Non-Criminal Complaint/Grievance Procedure for Participants

This agency is committed to providing you with the training and services you need to obtain employment. We are hopeful that you have a pleasant and productive experience. We are also firmly committed to equal employment opportunity in all aspects of our program. No agency or person connected with your training or employment can discriminate against you because of your race, color, sex, national origin, age, religion, citizenship, handicapped status, political affiliation or belief.

As a participant in our program, you have the right to make a complaint or file a grievance about:

1. Any discrimination practices as stated above.
2. Programs or activities
3. Violations of the Workforce Investment Act (WIA), grant or other agreements under the WIA.

At this point, we would like you to know that complaints of discrimination (except for those based upon handicapped status) are reviewed and handled by the United States Department of Labor at the address below:

Directorate of Civil Rights
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

If your complaint is in regard to discrimination based upon handicapped status, you will have to have that complaint processed at our agency first **and**, if you wish, you have the right to appeal to the state agency named below:

New Jersey Department of Labor
Office of Monitor Advocate and Affirmative Action
Room 902B
John Fitch Plaza
Trenton, NJ 08625
Attention: Charles G. Davis

The above named office will inform and assist you in your appeal.

All complaints of discrimination must be made within 180 days of the alleged act. Other types of complaints must be filed within one year of the alleged act or occurrence.

Filing a complaint or grievance:

If you have a complaint or grievance, you may choose to discuss the matter with your counselor, teacher, supervisor, employer or other person before you decide to file a formal, written complaint. If you do not wish to discuss the matter, you may call or write to the following person:

Vernon Hill
795 Woodlane Road
P.O. Box 6000
Westampton, NJ 08060
609-265-3126

The above staff person will review your complaint/grievance with you and try to resolve the complaint informally. If you are still not satisfied, your written complaint will be considered a formal grievance. If you contacted the staff person by telephone, you will need to send a written complaint indication that you wish to have a hearing.

Hearing Procedure

When our office receives your written complaint, we will offer you an opportunity for a hearing. You will be provided written notice of the date, time and place of the hearing, which will be scheduled within 30 days after you filed the written complaint.

At the hearing you have the following rights:

1. An opportunity to be represented by an attorney or other representative of your choice. If you have an attorney, it will have to be at your expense.
2. An opportunity to bring witnesses and present evidence.
3. An opportunity to question any witnesses or parties. Our agency will make available any persons under our control to testify.
4. The right to request all documents related to your grievance, except those protected by privacy laws or other laws.
5. The right to an impartial hearing.

You are entitled to a written decision within 60 days after you filed the complaint.

On-The-Job Training/Work Experience

The complaint/hearing system will be handled directly by the Service Delivery Area utilizing the resolution process described previously.

Appeals to the State

If the decision made on your complaint was adverse to you or if our agency did not give you a written decision within 60 days after you filed the complaint, you can appeal to the state.

Before you send your request or appeal to the state, you must exhaust the complaint, hearing and resolution process described previously. Otherwise the state will return your complaint, to be reviewed and processed at our agency.

Remember, if your complaint was based upon discrimination for handicapped status, you will have to send your appeal to the State Monitor Advocate's Office at the address shown on page one. That office will inform you how to proceed. The remaining sections apply to other complaints or grievances.

If you wish to file an appeal to the state, you must write to:

Director, Division of Employment & Training
New Jersey Department of Labor
CN 055
Trenton, NJ 08625-0055

Your request for review is required to be submitted within 10 days from the date on which you received the adverse decision or should have received a decision to your formal grievance.

In order to be able to review your grievance adequately, you need to provide all the information about the grievance to the Director, Division of Employment & Training, including the following:

1. Your full name, address and telephone number.
2. The full name, address and telephone number (if any) against whom your complaint was made.
3. A clear and concise statement of the facts of your grievance.
4. Important dates:
 - a. The date your grievance was filed with us.
 - b. The date of the alleged act or occurrence for which the complaint was made.
 - c. The date our written decision was made or the date our decision should have been made (60 days after you filed your written complaint).
5. Any provisions of the workforce Investment Act or other agreements under this law that you believe have been violated.
6. A statement of other steps you pursued with other government agencies regarding your complaint, if such steps were taken.
7. A copy of our written decision, if such was given to you.

If you wish, we will assist you in preparing your appeal to the state. Also we will provide you with a copy of the states procedures if you indicate your intention to file an appeal to the state.

When you send an appeal to the state, the Director of the Division of Employment & Training will review or arrange for the review of your complaint and issue you a written decision within 30 days after receiving your complaint.

In accordance with WIA, the decision of the state is final.

Federal Review

If the state does not provide you with a decision as required, only then may you request a determination from the U.S. Department of Labor if you believe reasonable cause exists that the WIA or it's regulations have been violated. If you indicate an intention of filing an appeal to the U.S. Department of Labor, please note that you have to exhaust or complete the remedies offered at our agency and the state level before you file an appeal to the U.S. Department of Labor.

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For your protection, no one may discriminate against you or unlawfully deny you a benefit to which you are entitled under the WIA because you have a complaint. This protection also applies to other participants or staff persons who testify on your behalf.