

## **CUSTOMER RIGHTS AND COMPLAINT RESOLUTION PROCEDURE WORKFORCE SOLUTIONS OF THE COASTAL BEND**

Participating in workforce services administered by the Texas Workforce Commission (Commission) or Workforce Solutions of the Coastal Bend (Board) grants you the right to file a complaint regarding your workforce services. These rights are guaranteed through the Commission's complaints, hearings and appeals procedures\* at 40 TAC, Chapter 823.

Please be aware that this complaint process does not pertain to matters alleging violations of nondiscrimination or equal opportunity requirements under the Workforce Innovations and Opportunity Act (WIOA) or matters governing job service-related complaints.

### **THE COMPLAINT PROCESS**

#### **What is a complaint?**

A complaint is a written statement alleging a violation of any law, regulation, or rule relating to any federal- or state-funded workforce service. If you have received an adverse action or want to file a formal complaint about workforce services, you are first encouraged to discuss the adverse action or complaint with Texas Workforce Center staff where the complaint originated.

#### **Who may file a complaint?**

Texas Workforce Center customers – Individuals who have applied for or are eligible to receive federal- or state-funded workforce funded services administered by the Commission or the Board. These services include:

- Child Care Services
- Temporary Assistance for Needy Families (TANF) / CHOICES
- Supplemental Nutrition Assistance Program (SNAP) Employment & Training
- Workforce Innovations and Opportunity Act (WIOA) - Adult, Dislocated Worker, and Youth
- Eligible Training Providers receiving WIOA funds or other funds for training services.
- Other interested parties affected by the Texas workforce system, including subrecipients. These individuals may be childcare or other service providers that have a received a written statement issued by the Board, a Texas Workforce Center, or the Agency relating to an adverse action, or a provider or contractor, related to denial or termination of eligibility, under programs administered by the Agency or the Board.
- Previously employed individuals who believe they have been displaced by a Texas Workforce Center customer participating in work-based services such as subsidized employment, work experience, or workfare.

#### **How do I file a complaint?**

- Complaints must be in writing using the attached complaint form.
- Complaints must be filed within 180 days of the alleged violation.
- Complaints should be filed at the service level where the complaint originated for optimal and immediate satisfaction.

Board complaint procedures are available upon request.

#### **How will the complaint be resolved?**

- You will be given the opportunity for an informal resolution to resolve any disputes resulting from either a complaint or an appeal to a determination. An example of an informal resolution may include:
  - Meeting with your immediate case worker to seek a resolution.
  - Meeting with a Texas Workforce Center manager or designated Board staff for a more in-depth discussion related to the circumstances of the complaint and to discuss how the complaint may be resolved.
- If you are not satisfied with the outcome of the informal resolution, you have the right to file a complaint and to have the opportunity for a Board hearing with:

Workforce Solutions of the Coastal Bend  
520 N. Staples  
Corpus Christi, Texas 78401
- Once a complaint is filed with the Board, you will be notified in writing of a Board hearing at least (10) ten calendar days prior to the hearing date. The ten-day notice may be shortened with prior written consent of the parties involved.
- A Board decision will be issued within 60 calendar days from the date the complaint is originally filed.

If you do not agree with the decision issued by the Board or if no decision is mailed within 60 calendar days from the date the complaint was originally filed, you may file a written appeal to the Commission. The appeal must be sent within 14 calendar days after the mailing date of the Board's decision or 90 calendar days after the original filing date of the complaint. Appeals to the Commission are mailed to:

Appeals, Texas Workforce Commission  
101 East 15th St., Room 410  
Austin, Texas 78778-0001

The Secretary, US Department of Labor will investigate appeals under the following circumstances:

- Local-level grievances and complaints—when a state-level appeal is filed and within 60 days of that request, either party appeals to the Secretary.
- State-level complaints:
  - when no determination is made at the state level within 60 days of receipt of the state-level complaint; or
  - when a decision on a state-level grievance or complaint has been reached and the party to which the decision is adverse appeals to the Secretary.

And those who wish to appeal a final state-level determination of the following:

- Appeals to the Secretary, that are based on a state-level determination not being made within 60 days of receipt of a grievance or complaint, must be filed within 120 days of filing the grievance or appeal with the state.
- Appeals to the Secretary that are based on a party's dissatisfaction with the decision of the state-level appeal must be filed within 60 days of receipt of the state-level decision.
- Appeals to the Secretary must be submitted by certified mail with a return receipt requested. In addition to sending an appeal to the Secretary, the party must also simultaneously provide a copy of the appeal to the opposing party and the US Department of Labor Employment and Training Administration (DOLETA) regional administrator.
- The Secretary must make a final decision on an appeal no later than 120 days after receiving the appeal.

Secretary, US Department of Labor  
200 Constitution Ave. NW  
Washington, DC 20210  
Attention: ASET

Regional Administrator, DOLETA  
525 S. Griffin Street, Room 317  
Dallas, Texas 75202

*Please see front desk staff at Workforce Solutions of the Coastal Bend for a copy of the Customer Complaint Form.*