

## ICOA POLICY & INSTRUCTION

Policy Subject	Policy #
Senior Community Service Employment Program (SCSEP) Participant Grievance	SCSEP-2018-G0525

**Purpose:**

The purpose is to ensure SCSEP applicants, employees and participants understand the grievance process and understand they can use it if they feel they have been unfairly treated.

**Scope:**

This policy sets a process to resolve grievances informally at the local level (Case Manager), then formally through the contractor's grievance procedures, which can be appealed to state (ICOA) for final resolution. For allegations concerning federal law or Civil Rights that cannot be resolved with this policy's procedures, claimants may appeal directly to the U.S. Department of Labor as described in exceptions below.

**Definitions:**

- ICOA: Idaho Commission on Aging: SCSEP Grantee

**Procedures:**

- 1) Grievances shall first be resolved informally and in writing at the local level with the contractor's State Director.
- 2) If resolution is not agreed upon within 10 business days, a formal complaint should be filed in writing to the contractor's Director of Operations with a copy to ICOA's SCSEP State Director. The contractor's Director of Operation has 10 business days to resolve the complaint.
- 3) If the dispute remains unresolved, a written complaint may be filed with the Idaho Commission on Aging within 10 business days following the contractor's Director of Operations' decision. At that time, the ICOA will establish a complaint file which contains all SCSEP participant's application, enrollment forms, the complaint statement, chronological log of events, relevant correspondence, and a record of the resolution attempted. Depending on the nature of the complaint, the ICOA Administrator will render a decision or elevate the complaint to a hearing officer for final determination. Final determination will be made by ICOA within 30 business days of receiving the complaint.

**Exceptions:**

- 1) Complaints alleging violations of law, which cannot be resolved within 60 business days as a result of the recipient's procedures, may be filed with the Director of Division of National Programs, Tools and Technical Assistance, USDOL, 200 Constitution Avenue NW, Washington, DC 20210.
- 2) Complaints alleging discrimination on the basis of race, color, religion, sex, national origin, disability, or age, may be directed or mailed to the Director, Civil Rights Center, U.S. Department of Labor, Room N-4123, 200 Constitution Avenue, NW, Washington, DC 20210.

**References:**

- 1) 20 CFR part 641: SCSEP Final Rule: <http://www.doleta.gov/Seniors/pdf/FinalRule2010.pdf>
- 2) 29 CFR Administrative Requirements: <https://www.gpo.gov/fdsys/pkg/CFR-2011-title29-vol1/pdf/CFR-2011-title29-vol1-part34.pdf>
- 3) State Agreement, Section 19 Complaint Resolution (page 17)

**Federal Requirement:**

- 1) Grievance Procedures 20 CFR part 641.910