

CWP Policy and Procedure Manual

Section 1 - CWP Universal Policies

Table of Contents

1-05 - Introduction and Guiding Principles for Service Delivery

1-10 - Universal Accessibility and Compliance with ADA

1-12 - Non-Discrimination and Equal Opportunity Policy

1-20 - Zero Tolerance for Workplace Violence

1-30 - Maintaining a Safe and Productive Work Environment

1-40 - CWP Incident Reporting

1-50 - Complaint Policy and Procedure

1-60 - Mandatory Reporting

1-70 - CWP Criminal Background Check Policy

CWP Policy and Procedure Manual

| | | |
|--|---------------------------------|--------|
| Program: CWP Universal Policies | Section: 1-05 | Page 1 |
| Subject: Introduction and Guiding Principles for Service Delivery | Effective Date: 07/01/18 | |

Introduction

CWP is committed to ensuring the effective operation of the region's workforce system through continuous improvement and innovation, while maintaining consistent, high quality services across its programs.

Compliance with federal and state law and regulations, and with policies and procedures established by the United States Department of Labor, Connecticut Department of Labor, and our other public and private funding partners is fundamental to a strong, successful, and sustainable workforce system.

This manual documents the policies and procedures to be followed in the implementation of CWP programs by its staff and contracted service providers, and presents detailed requirements, instructions and guidelines to ensure compliance with applicable state and federal requirements, laws and regulations, and to successfully fulfill contract requirements and meet performance standards.

The manual is designed to be dynamic; as policies are added or revised, the manual will be updated in real time, and users will be notified through electronic transmittals posted to Section 9 of this manual.

CWP Policy and Procedure Manual

| | | |
|--|---------------------------------|--------|
| Program: CWP Universal Policies | Section: 1-05 | Page 2 |
| Subject: Introduction and CWP Guiding Principles for Service Delivery | Effective Date: 07/01/18 | |

Guiding Principles

CWP oversees and coordinates a demand-driven workforce development system that responds to the workforce needs of businesses and contributes to a strong, growing economy in the North Central CT region.

Our system is governed by these guiding principles:

- A. Provide programs and services designed to develop a qualified workforce with the career and occupational competencies needed by regional businesses.
- B. Ensure that the One-Stop American Job Centers (AJCs) are the hub of CWP's workforce system; programs and services for jobseekers and employers are connected through the AJCs.
- C. Partner with regional, state and local workforce development entities to ensure that systems are aligned to coordinate services to jobseekers and employers throughout the region.
- D. Maximize opportunities for success for all individual adult and youth jobseekers and workers in the region's talent pool.
- E. Design and implement workforce development programs and strategies to train jobseekers to learn critical skills and earn credentials that will enable them to prosper and advance in careers that pay well and allow them to support their families.
- F. Develop career pathways strategies as an integral feature of industry partnerships and sector-based initiatives leading to employer-valued/validated credentials and certifications.
- G. Ensure that all job seekers have equal access to and opportunity within our system, and that service delivery is designed to maximize the physical and programmatic accessibility for all jobseekers.
- H. Prioritize services to veterans, the long-term unemployed, and individuals with barriers to employment, including public assistance recipients, individuals with disabilities, former offenders, homeless individuals, out-of-school and out-of-work youth, and low-skilled adults, including those with limited English proficiency.
- I. Collaborate regionally with partner organizations and employers to meet the needs of jobseekers and businesses by aligning programs and cultivating sector partnerships for in-demand industries.
- J. Promote innovation, effective coordination, resource alignment and integrated service delivery to advance the employability and career prospects for the broadest possible range of jobseekers and workers.
- K. Commitment to continuous capacity building throughout its system.
- L. Measure and report on programs and services to ensure transparency and accountability, to track performance, and to identify opportunities for continuous improvement.

CWP Policy and Procedure Manual

| | | |
|---|--|--------|
| Program: CWP Universal Policies | Section: 1-10 | Page 1 |
| Subject: Universal Accessibility and Compliance with ADA | Effective Date: 7/1/16 Rev. 7/20/23 | |

Universal Accessibility Policy

WIOA Section (107)(d)(7)

CWP is committed to the principle that all job seekers have equal access to and opportunity within the One-Stop/American Job Center system. This principle shall guide the design and implementation of service delivery in order to maximize the physical and programmatic accessibility for all job seekers. Our goal is to encourage and facilitate the inclusion of all job seekers equally with a welcoming and comprehensive service delivery system that maximizes employment opportunities for all.

CWP and contractors will, whenever possible, apply Universal Design Principles to service locations and materials for the benefit of all customers and comply with the following laws and regulations regarding fair, uniform access to services for all job seekers.

Universal Design Principles

- 1. Equitable Use:** The design is useful and marketable to people with diverse abilities.
- 2. Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities.
- 3. Simple and Intuitive Use:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.
- 4. Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
- 5. Tolerance for Error:** The design minimizes hazards and the adverse consequences of accidental or unintended actions.
- 6. Low Physical Effort:** The design can be used efficiently and comfortably and with a minimum of fatigue.
- 7. Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.

CWP Policy and Procedures Manual

| | | |
|---|--|--------|
| Program: CWP Universal Policies | Section: 1-10 | Page 2 |
| Subject: Universal Accessibility and Compliance with ADA | Effective Date: 7/1/16 Rev. 7/20/23 | |

Compliance with Americans with Disabilities Act (ADA)

It is CWP's policy to comply with and ensure contractors' staff comply with WIOA section 188¹, if applicable, and the applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*)² regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities.

¹WIOA SECTION 188. NONDISCRIMINATION. IN GENERAL. FEDERAL FINANCIAL ASSISTANCE.—For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 *et seq.*), on the basis of disability under section 504H.R. 803—174 of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 *et seq.*), or on the basis of race, color, or national origin under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*), programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.

²The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation. It also mandates the establishment of TDD/telephone relay services. The ADA was revised by the ADA Amendments Act of 2008 (P.L. 110-325), which became effective on January 1, 2009. The ADA is codified at 42 U.S.C. 12101 *et seq.* In July 2016, the Final Rule revising the ADA title II and III regulations was signed implementing the requirements of the ADA Amendments Act of 2008 which makes a number of significant changes to the meaning and interpretation of the ADA definition of "disability" to ensure that the definition of disability would be broadly construed and applied without extensive analysis.

CWP Policy and Procedures Manual

| | |
|---|--|
| Program: CWP Universal Policies | Section: 1-12 |
| Subject: Non-Discrimination and Equal Opportunity Policy | Effective Date: 7/1/16 Rev: 1/6/22 |

A. Non-Discrimination and Equal Opportunity Policy (WIOA Section 188 and CGS Section 4a-60(a)(1))

In both its programs and its own hiring and employment practices, it is the policy of CWP to neither discriminate nor permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, status as a veteran, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown that such disability prevents performance of the work involved. CWP will not engage in nor permit discrimination in any manner prohibited by the laws of the United States or of the State of Connecticut. CWP will investigate all complaints alleging discrimination, and will inform all applicants, participants and employees of their rights to file a complaint directly with the Connecticut Commission on Human Rights and Opportunities.

CWP complies with the nondiscrimination and equal opportunity provisions of WIOA Sec. 188, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

Additionally, it is CWP policy to adhere to the following laws and regulations.

1. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
2. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
3. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in education programs and activities; and
4. Title II of the Genetic Information Nondiscrimination Act of 2008, which prohibits discrimination against employees or applicants because of genetic information.
5. Title VI of the Civil Rights Act of 1964, as amended, prohibits recipients and sub-recipients from discriminating on the basis of race, color, or national origin. Discrimination on the basis of national origin can occur if a recipient or sub-recipient does not provide appropriate language assistance to LEP (Limited English Proficient) individuals because these individuals, whose language is usually tied to their national origin, will not have access to the same benefits, services, information, or rights that the recipient provides to everyone else. Thus, in certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities may violate Title VI and its regulations prohibiting national origin discrimination.
6. Federal Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity," as amended and as supplemented in Department of Labor regulations (41 CFR Part 60).
7. CT General Statutes Section 4a-60(a)(1) Nondiscrimination and affirmative action provisions in awarding agency, municipal public works and quasi-public agency project contracts.

B. Nondiscrimination Based on Gender Identity, Gender Expression and Sex Stereotyping

It is CWP policy to prohibit discrimination based on sexual orientation or gender identity and to ensure that there is equal access to services. CWP will administer this policy in accordance with the guidance set forth in US DOL, Employment and Training Administration's Training and Employment Guidance Letter (TEGL) No. 37-14.

CWP Policy and Procedure Manual

| | | |
|---|-------------------------------|---------------------|
| Program: CWP Universal Policies | Section: 1-20 | Page 1 |
| Subject: Zero Tolerance for Workplace Violence | Effective Date: 7/1/16 | Rev: 10/1/22 |

A. Purpose

It is CWP policy to maintain a zero-tolerance standard for workplace violence. CWP and all of its contractors will provide a reasonably safe and healthy working environment, free from intimidation, harassment, threats and/or violent acts, and specifically prohibiting any program participants, employees or subcontractors from possessing any weapons or dangerous instruments on any premises where program and/or administrative activities will occur. Any threat to the safety of staff members, program participants or other customers must be reported to law enforcement immediately.

B. Definitions

Weapon: Any firearm, including a BB gun, whether loaded or unloaded, any knife (excluding a small pen or pocketknife), including a switchblade or other knife having an automatic spring release device, a stiletto, any police baton or nightstick or any martial arts weapon or electronic defense weapon.

Dangerous Instrument: Any instrument, article, or substance that, under the circumstances, is capable of causing death or serious physical injury.

C. Compliance with Executive Order 16:

In compliance with State Executive Order 16, CWP, its subrecipients, contractors, co-located program partners, customers and any member of the public who enter our locations shall adhere to the following:

1. Except as may be required as a condition of employment, no employee or customer shall bring to any CWP, AJC, subrecipient provider facility, or program worksite location any weapon or dangerous instrument as defined in section B.
2. No employee or customer shall use, attempt to use, or threaten to use any such weapon or dangerous instrument at said locations.
3. No employee or customer shall cause or threaten to cause death or physical injury to any individual at said location.
4. Violation of the above requirements by any individual shall subject them to disciplinary action up to and including discharge for employees and suspension of services for customers.
5. This policy must be prominently posted and all managers and supervisors must clearly communicate this policy to all employees.
6. Any employee who feels they or any customer is subjected to or witnesses violent, threatening, harassing, or intimidating behavior must immediately report the incident or statement to their supervisor or manager. Any employee who believes that there is a serious threat to their safety or the safety of others that requires immediate attention must notify proper law enforcement authorities and his or her manager or supervisor.
7. Any manager or supervisor receiving such a report shall immediately evaluate the incident and take appropriate action.
8. All parties must cooperate fully when questioned regarding violations of this policy.

CWP Policy and Procedure Manual

| | | |
|---|-------------------------------|---------------------|
| Program: CWP Universal Policies | Section: 1-20 | Page 2 |
| Subject: Zero Tolerance for Workplace Violence | Effective Date: 7/1/16 | Rev: 10/1/22 |

9. All parties be advised that any weapon or dangerous instrument at the worksite will be confiscated and that there is no reasonable expectation of privacy with respect to such items in the workplace. This order applies to all CWP, subrecipient, contractor and co-located partner employees and customers

CWP Policy and Procedure Manual

| | | |
|--|---------------------------------|--------|
| Program: CWP Universal Policies | Section: 1-30 | Page 1 |
| Subject: Maintaining a Safe and Productive Work Environment | Effective Date: 10/01/22 | |

A. Purpose:

To maintain a safe and productive work environment for customers and staff of the American Job Centers (AJC) and program providers in the community, CWP enforces a standard of conduct and zero-tolerance for violence in the workplace. These procedures provide guidance for addressing prohibited conduct including violence or threat of violence in the workplace.

B. Policy

1. Prohibited Conduct

To maintain a safe and productive work environment for customers and staff of the American Job Centers (AJC) and program providers in the community, prohibited conduct will be addressed immediately as described in section C of this policy. Prohibited conduct includes, but is not limited to, the following conduct.

- a. Any behavior that jeopardizes or threatens the health, safety or welfare of staff or public
- b. Possessing a weapon or threatening with a weapon
- c. Obscene, abusive or demeaning language or gestures
- d. Threats of violence or intimidating behavior
- e. Behavior that is emotionally, physically or sexually abusive toward staff or the public
- f. Verbally abusive or belligerent behavior which disrupts services or operations
- g. Consuming alcoholic beverages or illegal substances
- h. Criminal behavior such as illegally taking possession of property that belongs to another
- i. Using the program equipment for non-program related reasons
- j. Misusing, damaging or destroying program or customers' property
- k. Talking on cell phone in a customer service area or in training/conference rooms
- l. Bringing food or drink into restricted areas
- m. Smoking or vaping anywhere in the program facilities
- n. Leaving children unattended

2. Preventative Measures

To facilitate a safe environment for customers and employees that is characterized by respect and professionalism the following preventative measures are provided.

- a. All CWP and program provider staffs are to be familiar with CWP's standard of conduct, Zero-Tolerance for Workplace Violence policy, Addressing Prohibited Conduct policy and Incident Reporting policy.
- b. All CWP and program provider customers are to be notified of the standard of conduct and CWP's Zero-tolerance for Violence in the Workplace policy during the intake process.
- c. The Zero-Tolerance for Workplace Violence policy and CWP's standard of conduct including a description of prohibited conduct are to be posted publicly in a conspicuous location.

3. Incident Reporting

As described in section C below, staff report violations of the standard of conduct or the Zero-tolerance for Workplace Violence policy on an Incident Report form. See CWP policy 1-40 Incident Reporting in Section 1 of the CWP policy manual and the CWP Incident Reporting form in Section 8.

CWP Policy and Procedure Manual

| | | |
|--|---------------------------------|--------|
| Program: CWP General Policy and Procedures | Section: 1-30 | Page 2 |
| Subject: Maintaining a Safe and Productive Work Environment | Effective Date: 10/01/22 | |

C. Procedures

1. Response to Violent or Threatening Conduct

If the conduct is violent, threatening violence or staff believe poses a serious threat to their safety or the safety of others, the following steps are immediately taken.

- a. If possible to do so safely, ask the customer to leave the premises immediately.
- b. Contact 911 to report the situation and ask for assistance.
- c. Inform local program manager/director that the police have been called to their location.
- d. Complete and submit a CWP Incident Report as directed in policy.
- e. Details of the observed conduct and staff's subsequent actions are noted in the customer's record.
- f. A suspension of services for a specific period of time will be considered by the CWP administrator.
- g. If a suspension is merited, a suspension letter is signed by the CWP administrator and mailed to the customer by regular mail, as well as email, if available.
- h. The parameters of the suspension are determined based on the nature of the violation. When a customer is suspended from in-person services, staff may continue to attempt to provide services via e-mail or phone, depending on the nature of the violation.
- i. Prior to being able to access in-person or remote services, the suspended customer must meet with the local program director to discuss expectations regarding standards of conduct and sign an acknowledgement form.

2. Response to Non-Emergency/Non-Violent, but Prohibited Conduct

Non-violent behavior that violates the standard of conduct or zero-tolerance for workplace violence policy is addressed in a progressive manner and may eventually result in a suspension of services.

- a. First Level - Verbal Warning and Case Note
 - i. The first time that a customer violates the standard of conduct, but the violation is non-violent or threatening such as using the computer for a non-program related reason, they are given a verbal warning to stop and are informed of the specific conduct policy violation and consequences for continuing to violate the standard of conduct.
 - ii. Details of the observed conduct and verbal warning are noted in the customer's record.
- b. Second Level - Written Warning, Case Note and Incident Report
 - i. Customers that have been given a verbal warning(s) but continue to violate the standard of conduct may be directed to leave the AJC or program provider location or in the case of remote services, disconnected from the service and will be issued a written warning.
 - ii. Details of the observed conduct and staff's subsequent actions are noted in the customer's record.
 - iii. A written warning from the local program director is mailed to the customer by regular mail, as well as email, if available. The written warning includes a description of the violation(s) and warns that future violations could lead to suspension of AJC or other CWP program provider services.

CWP Policy and Procedure Manual

| | | |
|--|---------------------------------|--------|
| Program: CWP General Policy and Procedures | Section: 1-30 | Page 3 |
| Subject: Maintaining a Safe and Productive Work Environment | Effective Date: 10/01/22 | |

- iv. A CWP Incident Report is completed and submitted within 24 hours as directed in policy.
 - c. Third Level - Short- or long-term suspension
 - i. Customers who have been given verbal and written warning(s) but continue to violate the standard of conduct are directed to leave the AJC or subrecipient program location. In the case of remote services, the services will cease.
 - ii. A CWP Incident Report is completed and submitted within 24 hours as directed in policy.
 - iii. A suspension of services for a specific period of time will be considered by the CWP administrator.
 - iv. If a suspension is merited, a suspension letter is signed by the CWP administrator and mailed to the customer by regular mail, as well as email, if available.
 - v. Details of the observed conduct and staff's subsequent actions are noted in the customer's record.
 - vi. Prior to resuming full access to services, the suspended customer must meet with the local program director to discuss expectations regarding standards of conduct and rules and sign an acknowledgement form.
4. Coordination with Partners

All AJC partners are notified when a customer is suspended from in-person services. The local program director will communicate the customers misconduct and any decision to suspend services with program partners via email.
5. Non-Discrimination

Any decision to deny or limit services to a customer may not be based upon any customer characteristic(s), which are protected by law. The delivery of services to a customer, the assessment of a customer's behavior, and/or the decision to impose a subsequent penalty for that behavior must not be based upon the customer's gender identity or expression, race, color, national origin, ancestry, religion, age, intellectual disability, mental disability or physical disability, marital status, sexual orientation, status as a veteran, or political affiliation or belief.

CWP Policy and Procedure Manual

| | | |
|--|---|--------|
| Program: CWP Universal Policies | Section: 1-40 | Page 1 |
| Subject: CWP Incident Reporting | Effective Date: 3/24/15 Rev. 7/12/23 | |

A. Incident Report Policy

An incident report is completed and submitted to the Capital Workforce Partners (CWP) whenever an incident occurs during CWP-funded program and/or administrative operations that may have an adverse impact on CWP, its participants or staff.

1. Purpose of Submitting an Incident Report

The purpose of completing an Incident Report is to document the details of the occurrence while they are still fresh in the minds of those who were party to or witnessed the event. The information may be useful in the future if follow-up action is needed or when dealing with liability issues stemming from the incident.

2. Circumstances that require an Incident Report

Circumstances that require the completion and submission of an incident report include but are not limited to:

- a. An incident that causes injury to body or damage to property of program customers, staff or facilities
- b. An incident that threatens to cause bodily harm or damage to property of program customers, staff or facilities
- c. An incident of severe illness of participant or staff (such as severe allergic reaction, a fall, vomiting, fainting)
- d. Any behavior that is threatening or disrupts normal operations
- e. A report of harassment or abuse by customers or staff
- f. Issuance of formal verbal and/or written warnings to customers or staff under CWP's Maintaining a Safe and Productive Work Environment Policy
- g. Any incident that requires assistance from law enforcement or emergency responders
- h. A breach of confidential information

Note: For reporting instances of discrimination, conflict interest, fraud and abuse, see section 1-50 Complaint Policy and Procedures of the CWP Policy Manual.

B. Incident Reporting Procedures

1. Completing an Incident Report

- a. An incident report is completed and submitted as soon as possible but no later 24 hours after the incident occurs.
- b. The report can be completed electronically or on paper.
- c. All applicable information is entered onto the report.
- d. The report is signed by the staff person and, if completed by a CWP provider, by the staff person's supervisor/manager. See section 8 Forms of the CWP Policy and Procedures Manual for the Incident Report form.
- e. The report may be completed electronically and signed electronically or completed and signed on paper, scanned, and saved electronically.

2. Submitting an Incident Report

- a. Involving Customers: Program providers and CWP staff who provide direct services to customers complete and submit incident reports involving customers of CWP-funded programs. After the Incident Report is completed and signed, it is transmitted electronically

CWP Policy and Procedure Manual

| | | |
|---|---|--------|
| Program: CWP General Policy and Procedures | Section: 1-40 | Page 2 |
| Subject: CWP Incident Reporting | Effective Date: 3/24/15 Rev. 7/12/23 | |

via email to the CWP Program Manager that oversees the contract/program. The CWP Program Manager forwards the report to the Chief Program Officer who takes the necessary actions in response to the report and saves the report to the Incident Report file.

b. Involving CWP Staff:

- i. Incident reports involving the health and safety of CWP employees are sent by the employee to the Human Resources Manager via email, with a copy to their immediate supervisor. The Human Resources Manager will take the necessary actions in response to the report, notify applicable CWP management staff and save the report to the Incident Report file.
- ii. Reports of all other incidents not related to the health and safety of CWP employees are sent to the Chief Program Officer via email. The Chief Program Officer will take the necessary actions in response to the report, notify applicable CWP management staff and save the report to the Incident Report file.

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 1 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

A. General Provision

In an effort to provide and maintain fair and equitable service delivery and to comply with federal and state regulations, Capital Workforce Partners (CWP) has established the following complaint policy and procedures. These policy and procedures are for use by any applicant, participant (for purposes of this policy section referred to as customers) and/or staff of WIOA-funded and State funded services, and other interested parties including CWP-funded subrecipients and CWP partner agencies that are located at the American Job Center (AJC).

Citations: 20 CFR 683.600 through 20 CFR 683.620, TEGL 2-12 and CTDOL WIOA Policy Manual Section 6 Complaints and Grievances

B. Policy

1. CWP is committed to the principle that all job seeker and workers have equal access to, and opportunity within, CWP-funded programs and the AJC system, and are treated fairly and equitably according to Federal and State laws and regulations. This commitment includes the provision of a process to address and resolve all customer complaints.
2. All CWP-funded program customers and AJC partner agencies' customers will be provided with CWP's complaint policy and procedures. Customers will sign an acknowledgement of receipt of the complaint policy and procedures; the signed acknowledgement will be retained in the customer file.
3. Staff of CWP-funded programs are to make reasonable efforts to ensure that complaint procedures are understood by affected individuals, including those who are not proficient in English. The complaint policy and procedures are available in Spanish.
4. It is CWP's goal to provide customers with the most appropriate services within the scope of available services. If a customer is dissatisfied with the provision of services or aggrieved by a program decision regarding services, and the issue cannot be resolved informally, the customer has the right to file a written complaint according to the procedures in Section C. Whenever a complainant is unable to write a statement, an alternative method of obtaining a written statement from the complainant shall be pursued, which may include assistance by service delivery staff.
5. CWP, its subrecipients and AJC partner agencies must respond to complaints in accordance with the procedures outlined in Section C, which include providing an opportunity for an informal resolution and a hearing within sixty (60) days of the filing of the complaint.
6. Nothing in these policies and procedures precludes a complainant from pursuing other remedies authorized under Federal or State law. Section C.5 of these Complaint Policy and Procedures provides information for alternative means to address a variety of issues and/or complaints such as allegations of violations of the nondiscrimination provisions and allegations of fraud or criminal activity.

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 2 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

C. Procedures

The following procedures outline the steps for the submission and resolution of complaints by all CWP-funded program customers and staff and AJC partner agencies' customers and staff who have a complaint regarding program services or an alleged non-criminal violation of WIOA requirements. These procedures provide for multiple levels of review and appeal, if necessary, to ensure fair and equitable service delivery for all customers.

Level 1 Informal Resolution

Level 2 Written Complaint to the CWP Chief Administrative Officer

Level 3 Hearing

Level 4 Appeal to the CT Department of Labor (*applicable only to Department of Labor-funded programs*)

1. Level 1 Informal Resolution

All customers with a complaint regarding program services or an alleged non-criminal violation of regulations are provided with an opportunity for an informal resolution of their complaint.

- a. This informal process includes a meeting of the complainant, any the pertinent program service delivery staff, and the management staff of the agency operating the program. The meeting may be in person or through a conference call. The meeting will be scheduled as soon as possible, but no later than five (5) business days from the date of the complaint.
- b. The agency's management staff will consider the complaint and desired outcome and attempt to reach a mutually satisfactory resolution. The management staff will make a decision within five (5) business days from the date of the meeting.
- c. If a resolution is reached, the resolution is documented by the agency, signed and dated by both parties, and retained in the customer's file. If a resolution is not reached, the complainant will be informed of the process for submitting a formal complaint to the CWP Chief Financial and Administrative Officer.
- d. Whether the complainant decides to pursue the submission of a written complaint or not, the details of the complaint such as the dates of service, names of the parties involved, the nature of the complaint, the desired outcome and the resolution must be documented by agency staff on the Complaint Log and recorded in the customer record.

2. Level 2 Written Complaint to CWP for Review and Decision

Complainants may submit a written complaint to CWP for review and decision.

- a. If there is no satisfactory resolution at the informal level, the complainant may submit a written complaint to the CWP Chief Administrative Officer within five (5) business days of receiving the decision from the agency operating the program or services.

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 3 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

- b. The complainant may use the CWP Complaint Form but it is not necessary for the submission of a complaint as long as it contains the following information:
 - i. The complainant's name, address and telephone number
 - ii. Name and address of the agency operating the program or service
 - iii. Nature of the complaint, noting description of relevant events, dates, and parties
 - iv. Description of desired outcome or resolution to the complaint
 - v. Complainant's signature and date signed
- c. Upon receipt of the written complaint, the CWP Chief Administrative Officer or designee records receipt of the complaint onto the Complaint Log. From this point forward, actions related to the complaint will be tracked on the Complaint Log.
- d. The CWP Chief Administrative Officer or designee assigns the complaint to the pertinent CWP program staff who consider the complaint, supporting documentation, and input from service delivery staff directly involved with the complaint.
- e. Within five (5) business days of receiving the complaint, CWP staff responds in writing to the complainant with a decision. The notice of decision to the complainant contains instructions for accepting the decision set forth by the CWP or for requesting a hearing, if not satisfied with the decision.
- f. If the complainant is not satisfied with CWP's decision, he/she may request a hearing by following the instructions on the notice and returning the form. The complainant has ten (10) business days to return the form. A copy of the notice is retained on file in accordance with CWP record retention policy.

3. Level 3 – Hearing

Complainants may request a hearing.

- a. Upon receiving a request for a hearing, CWP's has thirty (30) calendar days to schedule a hearing for the complainant and pertinent program staff.
- b. The complainant and the agency staff party to the original complaint are notified of the hearing in writing at least ten (10) calendar days prior to the date of the hearing. The hearing notice will contain the following information:
 - i. Date of the Notice
 - ii. Names of the parties: complainant and agency staff party to the complaint
 - iii. Date, time and place of the hearing
 - iv. A statement of alleged violations (reflects the contents of the complaint as submitted by the complainant)
 - v. Name, address, telephone number of the contact person issuing the hearing notice

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 4 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

- c. The hearing will be conducted in an informal manner without the strict rules of evidence. No later than thirty (30) calendar days after the day of the hearing, CWP will mail a written decision to both parties. The decision shall contain the following information:
 - i. Date of the decision
 - ii. Date of hearing
 - iii. Names of the parties: complainant and agency staff party to the complaint
 - iv. Statement of alleged violations and issues related to the alleged violation
 - v. Statement of the facts
 - vi. CWP's decision and reason for the decision
 - vii. Statement of corrective action or remedies for violations, if any, to be taken
 - viii. Notice of the right of either party to request a review of the decision by the State Department of Labor within ten (10) calendar days of the receipt of the decision
- d. A copy of the hearing decision is retained on file in accordance with CWP record retention policy.

4. Level 4 Appeal to CT Department of Labor

Complainants may appeal the hearing decision to the Connecticut Department of Labor when the complaint is related to a Department of Labor-funded program.

- a. If the complainant has not received a written decision within thirty (30) calendar days of the hearing date, or if either complainant disagrees with CWP's decision, he or she has a right to file an appeal to the State within one hundred and twenty (120) calendar days from the date of filing the original written complaint. In cases where CWP conducted a hearing and issued a written decision, the complainant must request a review of the decision by the State within ten (10) calendar days of the receipt of CWP's decision.
- b. The complainant requests a State level hearing by submitting a written letter to:

Director of Employment and Training
Connecticut Department of Labor
200 Folly Brook Boulevard
Wethersfield, CT 06109

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 5 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

5. Non-Program Related Complaints References:

- a. **CWP Employee Complaints:** Employees of CWP with a non-program related complaint follow the Grievance and Complaint Policy contained in the **CWP Employee Handbook** and applicable instructions under this section C.5. Non-Program Related Complaints References of CWP's Complaint Policy and Procedure.
- b. **CWP's Subrecipient and AJC Partner Agency Employee Complaints:** Employees of CWP's subrecipients and AJC partner agencies with a non-program related complaint or grievance follow their employer's grievance and/or complaint policy and procedures and applicable instructions under this section 5. Non-Program Related Complaints References of CWP's Complaint Policy and Procedure.
- c. **Discrimination:** It is against the law for recipients of Federal financial assistance to discriminate against any individual in the United States, on the basis of race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability, physical disability including, but not limited to, blindness; genetic information and sexual orientation.

Complaints **alleging discrimination** are directed and mailed to:

Equal Opportunity Officer
Capital Workforce Partners, Inc.,
One Union Place
Hartford, CT 06103

Or

Equal Opportunity Officer
Connecticut Department of Labor,
200 Folly Brook Blvd
Wethersfield, CT 06109

Or

Director of Civil Rights Center, U.S. Department of Labor,
Room N-4123
200 Constitution Avenue, NW
Washington, D.C. 20210.

Other complaints of discrimination can be made by contacting:
State of Connecticut Commission on Human Rights and Opportunities
450 Columbus Boulevard
Hartford, CT 06103
Connecticut Toll Free 1-800-477-5737\TDD 860-541-3459

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 6 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

- d. **CWP Competitive Procurement Process:** Applicants (proposers, respondents, bidders) of a CWP procurement process who are dissatisfied with the results of CWP's competitive procurement process must follow appeal procedures described in the Request for Proposal or Request for Statement of Qualifications document.
- e. **Alleged Program Fraud, Abuse and Criminal Misconduct:** The Uniform Guidance establishes a mandatory disclosure requirement for grant recipients and subrecipients to disclose in writing to the Federal awarding agency or pass-through entity violations of Federal criminal law involving fraud, bribery or gratuity violations that potentially affect the Federal award. Incidents involve actions that may be criminal in nature, or at least there are suspicions that criminal activity is occurring. Citation: 2 CFR 200.113
- i. Incidents are events involving:
 - a) Fraud, misfeasance, nonfeasance, or malfeasance
 - b) Misapplication of funds
 - c) Gross mismanagement
 - d) Employee or participant misconduct
 - e) Waste and program abuse
 - f) Other criminal activities
 - ii. Fraud is any alleged deliberate act which may violate federal statutes or regulations. It includes but is not limited to bribery, forgery, extortion, embezzlement, theft of participant checks, kickbacks from participants or contractors, intentional payments to a contractor without the expectation of receiving services, payments to ghost enrollees, misuse of appropriated funds, and misrepresenting information in official reports.
 - iii. Waste and Abuse as defined by the Government Accountability Office involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice given the facts and circumstances. Abuse includes misuse of authority or position for personal financial interests or those of a family member or business associate. Abuse does not necessarily involve fraud, violation of laws, regulations or provisions of a contractor grant agreement. An example of waste is payment of incentive in circumstances where the contractor's performance does not justify the fees. In comparison, an example of abuse would include making procurement selections that are contrary to existing policies or unnecessarily extravagant or expensive.
- f. **Reporting an Incident of Program Fraud, Abuse and Criminal Misconduct:** Complaints of suspected or known program fraud and abuse, and criminal misconduct involving CWP and/or CWP-funded subrecipients and other recipients of WIOA funds are reported according to the instructions in TEGL 2-12 which includes the submission of the federal incident reporting form OIG 1-156 to the Office of Inspector General. The OIG 1-156 Incident Report form and

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 7 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

instructions for completing and submitting the OIB 1-156 Incident Report form can be found in CWP Policy Manual Section 8. Forms on the CWP website at this link [Policies | Capital Workforce Partners](#).

The general public may submit allegations of fraud, waste and abuse to the OIG Hotline by writing to the Complaints Analysis Office, Office of Inspector General, 200 Constitution Avenue, N.W., Room S-5506, Washington, D.C. 20210 or by calling the Toll Free Hotline at 1-800-347-3756.

g. Whistleblower Policy

Employees of CWP are encouraged to bring the alleged unlawful activity, policy, or practice to the attention of Capital Workforce Partners and provide the Capital Workforce Partners with a reasonable opportunity to investigate and correct the alleged unlawful activity. Employees of CWP follow the whistleblower policy contained in the **CWP Employee Handbook**.

- h. Whistleblower Retaliation Complaint:** If any CWP employee who feels that he or she has been or is being retaliated against for making a protest or raising a complaint, he or she may file a complaint with the State Commission of Human Rights and Opportunities (CHRO), Office of Public Hearing, 450 Columbus Boulevard, Hartford, CT 06103.

6. Complaint Procedures Timeframes:

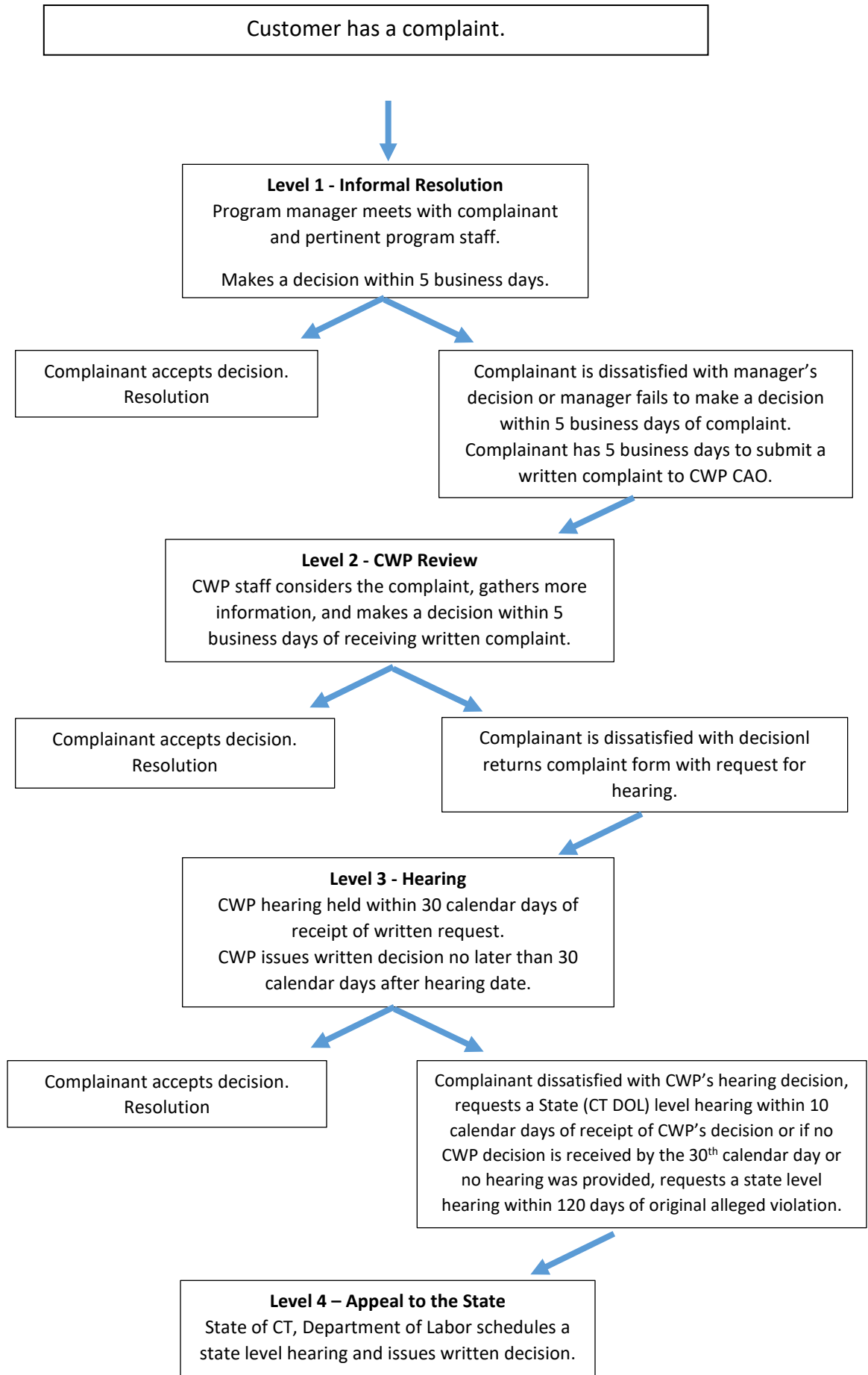
| Action | Timeframe |
|--|--|
| Informal meeting with program staff to resolve complaint | No later than five (5) business days from the date of original complaint |
| Decision by program management staff to resolve complaint | No later than five (5) business days from the date of the meeting |
| If no decision within five (5) business days or decision is unsatisfactory, complainant may file a written complaint with CWP Chief Administrative Officer | No later than five (5) business days from no decision or unsatisfactory decision |
| CWP staff consider the facts, gathers more info and issues a written decision | No later than five (5) business days from receiving the complaint |
| Written request for a hearing | No later than ten (10) business days from no decision or unsatisfactory decision |
| CWP schedules a hearing | No later than thirty (30) calendar days from receiving the request |
| CWP issues a written decision | No later than thirty (30) calendar days after the day of the hearing |

CWP Policy and Procedures Manual

| | | |
|--|--|--------|
| Program: CWP Universal Policies | Section: 1-50 | Page 8 |
| Subject: Complaint Policy and Procedure | Effective Date: 7/1/17 Rev: 7/5/19 | |

| | |
|--|---|
| Appeal of CWP decision to CT Department of Labor | No later than ten (10) calendar days from receipt of unsatisfactory decision by hearing officer |
| If the complainant does not receive a written decision from CWP within 30 calendar days, he/she can file an appeal with the CT State Department of Labor | Any time within one hundred twenty calendar days (120) from the date of the original complaint |
| Overall time period complainant has to file a complaint | Within one hundred and eighty calendar days (180) of the alleged occurrence of a violation |

CWP Policy and Procedures Manual



CWP Policy and Procedure Manual

| | |
|--|-------------------------------|
| Program: CWP Universal Policies | Section: 1-60 |
| Subject: Mandatory Reporting | Effective Date: 7/1/16 |

Mandatory Reporting

Mandatory Reporting Requirements of Subrecipients

CWP subrecipient staff and participants of work experience who are assigned to work with minors, the subrecipient must have written guidelines and must ensure that worksites have written guidelines and procedures regarding mandated reporting of suspected or possible abuse and/or neglect.

- To be further defined -

CWP Policy and Procedure Manual

| | | |
|--|---|--------|
| Program: CWP Universal Policies | Section: 1-70 | Page 1 |
| Subject: CWP Criminal Background Check Policy | Effective Date: 4/1/07 Rev: 9/16/2024 | |

A. Purpose

To set forth policy regarding the use of criminal background checks in youth serving programs administered by Capital Workforce Partners (CWP).

B. Definitions

Background check is a term used for the process of acquiring information about an individual through third-party services, government organizations and/or private individuals to determine appropriateness of hiring that individual in the workforce system. The information obtained during a background check can include the individual's employment, credit, or past history, however, the most common usage refers to **criminal records** which are what Capital Workforce Partners (CWP) requires with regard to hiring contracted staff that has direct and ongoing contact with youth under the age of 18.

A **criminal record** is a compilation of an individual's identification, arrest, conviction (law), incarceration, legal status, sex offender registration, warrant information, and other relevant criminal history which are maintained and updated on the local, state, and federal levels by various law enforcement agencies.

C. Policy

All staff members having direct and ongoing contact with youth under the age of 18 in a CWP contracted organization must have a criminal background check on file subject to monitoring or request by CWP staff. Staff members must have a criminal background check performed on them at the time of hire, *before* they begin serving youth in any CWP contracted program.

Any CWP contracted organization found to have staff with the disallowed offenses listed below engaged in working with youth under 18 will be automatically considered noncompliant and immediate action, including a corrective action or cancellation of the contract, will occur.

1. Scope:

- a. Criminal background checks must encompass any non-juvenile criminal convictions during the staff person's lifetime;
- b. Criminal background checks must include, at a minimum, the entire state of Connecticut. If the staff person has listed other states of residence on their employment application, a criminal background check must be performed in those states as well.

2. Offenses which would result in CWP contracted program staff being prohibited to work with youth under the age of 18:

- a. Any crimes against children
- b. Any sexual offenses
- c. Assaults, battery or any other crime of violence
- d. Kidnapping
- e. Lewd conduct
- f. Felony drug convictions (within last 5 years)
- g. Misdemeanor drug convictions (within the last 2 years)
- h. Weapons violations
- i. At the discretion of CWP: any offense not listed here that may potentially put a youth's safety at risk or might interfere with the staff person's ability to act as a positive adult role model.

CWP Policy and Procedure Manual

| | | |
|--|---|--------|
| Program: CWP Universal Policies | Section: 1-70 | Page 2 |
| Subject: CWP Criminal Background Check Policy | Effective Date: 4/1/07 Rev: 9/16/2024 | |

3. Types of background checks REQUIRED:

- a. *Criminal Background Check* (see Section C4 for types of checks allowed under this policy)
- b. *Connecticut Sex Offender Registry:*
http://www.communitynotification.com/cap_office_disclaimer.php?office=54567

4. Allowable Types of criminal background check:

Connecticut Department of Emergency Services and Public Protections

- a. *Connecticut State Police Bureau of Identification, Criminal Conviction Record Check:*

This is a criminal conviction record check that will offer results of criminal convictions in the state of Connecticut for the lifetime of anyone born post 1928. It encompasses the whole state of Connecticut and is up-to-date and comprehensive. The cost may be charged to the contract. Request forms can be found online:

https://portal.ct.gov/-/media/despp/reports_and_records/dps0846ccriminalhistoryrecordrequestformrev120117pdf.pdf?la=en&hash=EA50398A227AA13333672A334F53FB6B

- b. *Out of State Records Inquiries:*

Organizations needing to check criminal records outside of the state of Connecticut can access other state departments of public safety through this website:

<http://www.statelocalgov.net/>

5. Unallowable types of criminal background check:

CWP recognizes that there are many private companies that implement criminal background checks online or otherwise. However, CWP cannot recommend or approve the use of any criminal background check other than those listed above offered through state departments of public safety.

CWP also recognizes that because of the nature of state department processes, performing a background check on an employee may result in unforeseen delays. In these cases, it will be imperative for contracted organizations to use staff with favorable background checks in their service to youth in place of those without completed checks until said checks are in place.

6. Confidentiality of criminal background checks:

The CWP contracted organization may not share the results of the criminal records check with anyone other than those with a "need to know." This would include only people making the determination whether or not to hire or retain the candidate in the grant-funded position. The results of criminal background checks, including any related communications about an individual, are considered confidential information. Once received, the information on the candidate should be maintained in a confidential file, with limited access.