



NCWorks Commission

NCWorks Commission Policy Statement Number: CPS 05-2025

Date: August 13, 2025

Subject: Customer Complaint, Appeal, and Resolution Policy

From:

A handwritten signature in black ink that reads "Tom B. Rabon, Jr.".

Tom B. Rabon, Jr.
Chair, NCWorks Commission

Purpose:

To combine the Complaint policies and procedures for Workforce Innovation and Opportunity Act (WIOA) Titles I and III-based complaints and transmit the current Customer Complaint, Appeal, and Resolution Policy.

This Commission Policy Statement rescinds CPS 08-2021 Customer Complaint, Appeal, and Resolution Policy and CPS 07-2021 Migrant and Seasonal Farmworker Complaint System and Appeal Policy Procedures. The procedures herein supersede all previous policies, procedures, and guidelines regarding the Customer Complaint, Appeal, and Resolution Policies for WIOA Titles I and III.

References:

WIOA (Public Law 113-128) Section 181(c), Sections 301-308
20 CFR § 620
20 CFR § 651.10
20 CFR §§ 658.410 - 411
20 CFR §§ 658.417- 421
20 CFR § 683.600
20 CFR § 683.610
29 CFR § 38.9
29 CFR § Section 37.35

Background:

The United States Department of Labor (USDOL) requires that the Division of Workforce Solutions (DWS) establish a comprehensive statewide intake system to redress complaints and inquiries. This system incorporates an appeals process for those job seekers who have been suspended or barred, employers who have been denied access to NCWorks Online, Migrant and Seasonal Farm Workers (MSFW), and employers connected with the MSFW program. The policy includes written procedures for registering and resolving complaints against an NCWorks Career Center, DWS, or its sub-grantees. The funding stream, whether WIOA Title I or Title III Wagner-Peyser, determines what complaint process to follow.

The WIOA sees customer complaints as opportunities for service improvement. The complaint process aims to address concerns, resolve issues quickly, learn from complaints,

and implement solutions system-wide. It is a critical component of the Workforce system and a means to receive valuable feedback to enhance services.

It is mandatory for certain types of complaints to be submitted using the complaint system, as described in this Commission Policy Statement. This Policy applies to participants and other interested parties affected by the local workforce development system, including one-stop partners, service providers, and Migrant or Seasonal Farm Workers.

This policy does not address procedures for discrimination complaints under WIOA Section 188 or the Nondiscrimination and Equal Opportunity Regulations (29 CFR Part 38). Discrimination Complaints will be referred to the program's designated Equal Employment Opportunity (EEO) Officer for investigation and resolution. This will follow the procedures outlined in WIOA and the Nondiscrimination/Equal Opportunity Standards and Complaint Procedures Commission Policy Statement.

All complaints received by an Employment Services (ES) office or a State Workforce Agency (SWA) alleging unlawful discrimination or retaliation for protected activity - violating nondiscrimination laws enforced by the Equal Employment Opportunity Commission (EEOC), the Department of Labor's Civil Rights Center (CRC), or the Immigration and Nationality Act's anti-discrimination provision (8 U.S.C. 1324b) - must be logged and immediately referred to the State-level EEO Officer. The Complaint System Representative is required to notify the complainant in writing that the complaint has been referred.

In the event of a conflict between this policy and federal law or regulation that cannot be reconciled, the federal law or regulation will be followed.

Action:	The attached procedures are to be used for WIOA Titles I and III-based complaints. Workforce Development Boards must immediately implement this policy upon its release.
Effective Date:	Immediately
Expiration:	Indefinitely
Contact:	DWS Ombudsman Statewide MSFW Complaint Coordinator
Attachment:	Customer Complaint, Appeal, and Resolution Procedures