

FLORIDA DEPARTMENT OF EDUCATION
FARMWORKER CAREER DEVELOPMENT PROGRAM (FCDP)

COMPLAINT PROCEDURES FORM

The operative statute followed for this program is Workforce Innovation and Opportunity Act (WIOA). It is against the law to discriminate. To ensure retaliation protection for complainants use Retaliation Protection, per 29 CFR 38.6, (See also 29 CFR 38.19). Subrecipients must notify complainants of their rights on the following bases against discrimination:

- Any individual in the United States, based on race, color, religion, sex, national origin, age, disability, political affiliation, or belief; and
- Any beneficiary of programs financially assisted under Title I of WIOA, based on the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I-financially assisted program or activity.

The subrecipient/site staff must not discriminate in any of the following areas:

- Program participation selection, or provide program access, to any WIOA Title I-financially provided program or activity.
- Provide program opportunities in, or treating any person regarding, such a program or activity; or
- Make education or employment decisions in the administration of, or in connection with, such a program or activity.

If you believe you experienced discrimination in the selection process, the following complaint process applies.

Under a WIOA Title I-financially assisted program or activity, you can file a complaint within 180 days from the date of the alleged violation. The complaint shall be filed following the identified levels. Contact Information including both mailing and email addresses, in accordance with 29 CFR 38.70(a), are provided.

For the complaint process use the following guidelines:

- **Level I Complaint** - Address your concern to:
Coordinator name: Daniel M. Davis
Email: Daniel.Davis@southflorida.edu Phone number: 863-784-7166
Address: South Florida State College
600 West College Drive
Avon Park, FL 33825

Upon filing your complaint with the local FCDP, they have 45 days to investigate the issue and prepare their response or Notice of Final Action. Upon receiving their response, if you feel that the matter has not been resolved, then the matter enters Level II.

- **Level II Complaint** - Address your written concern to:
R. Rodriguez,
Florida State Director of Farmworker Career Development Program (FCDP),
Florida Department of Education,
1313 N. Tampa Street, Room 103 Tampa, FL 33602
Tel. (813) 224-1920

Upon filing your complaint with the FCDP State Office, they have 45 days to investigate the issue and prepare their response or Notice of Final Action. If you feel that the matter has not been resolved, then the matter enters Level III.

- **Level III Complaint-** Address your written concern to
Director, Civil Rights Center (CRC),
U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123,
Washington, DC 20210, Voice: (202) 693-6502
TTY (202) 693-6515 or email: CivilRightsCenter@dol.gov

At Level III, you shall receive a written Notice of Final Action within a reasonable amount of time from which you filed your complaint, you shall file your CRC complaint within 120 days on which you filed your initial complaint.

Complaints shall include:

- ✓ Required Signature on the complaint as mandated by 29 CFR 38.70(d).
- ✓ Required Identification of the Respondent as specified in 29 CFR 38.70(b).
- ✓ Full name and address (keep the organization with whom you filed your complaint updated of changes in your address, phone number, or other pertinent information)
- ✓ Share names and addresses (if known) of other persons involved/witnesses.
- ✓ Include a clear and concise statement of facts (with specific details of events)
- ✓ Daytime telephone number or email to use for updates.

The above has been explained or read aloud in a language I understand by
_____ Staff Representative and Complaint Level

Date ____/____/____ and I have been offered a copy to retain for my records.

Applicant Signature

Staff should complete this section if this is about Applicant Eligibility

Is Applicant Eligible? ☐ Yes ☐ No Reason Ineligible:

- ☐ Above Income Guidelines
- ☐ Does not meet farmworker or dependent of a farmworker definition
- *☐ Does not meet eligibility for out-of-school youth criteria
- ☐ Is not authorized to work in the United States
- ☐ Is not registered for the draft

*Note: Applies when determining eligibility for WIOA Out of School Youth Program participants only.

This institution is an equal opportunity provider, and employer.
Auxiliary aids and services are available upon request to individuals with disabilities.

Distribution: One to Applicant
One uploaded to the participant document section in Employ Florida
One for site staff records
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