

WIB of SWMO OJT Dispute Resolution Policy

Employer Disputes

OJT EMPLOYEE RIGHTS, HEARING, AND REVIEW

Except in urgent or irreversible circumstances, the OJT participant will not be terminated without prior notice and reasonable opportunity to correct or improve his/her job performance and without notification to the Board's OJT Representative.

- The Employer must have an established informal grievance/complaint resolution process by which the OJT participant's grievances can be heard and resolved.
- If the informal resolution process does not settle the dispute the Employer agrees to advise OJT participants enrolled under the contract of their rights and responsibilities regarding further dispute resolution options. Upon request by the OJT Employer, the Board, or an agreed upon neutral third party (e.g., mediation center), will provide the participant and the Employer with an opportunity to be heard in connection with any adverse action taken against the OJT participant. Final determination made after the hearing by the Board, or the neutral party, shall be provided to the OJT participant and the Employer in writing. These provisions in no way preclude the use of grievance procedures already in place at the Employer's establishment.

Nepotism

No participant shall be hired under an OJT contract if a member of his or her immediate family is employed in an administrative capacity by the employer. The term "administrative capacity" includes those who have selection, hiring, placement, or supervisory responsibility for OJT participants and "immediate family" shall include: Spouse, Child, Parent, Sibling, Child-In-Law, Parent-In-Law, Step-Parent, Step-Child, Grandparent, and Grandchild.

Agreement Modification

The OJT Contract may be modified to adjust the end date, number of hours, contract total, or for other valid changes using the OJT Supplemental Agreement form. A copy of the OJT Contract Modification form must be forwarded to the WIB's Fiscal Manager.

Substance Abuse Testing Appeals

All participants have the right to appeal the results of a drug screen administered for the purposes of OJT employment funded under WIOA. Any participant that wishes to appeal the results of a drug screen must do so in writing within thirty (30) calendar days of receipt of drug screen results, by submitting an appeal letter to the following:

Equal Opportunity Officer
Workforce Investment Board of Southwest Missouri
PO BOX 1706
Joplin, MO 64802

Participants should include the following information within the appeal letter:

- Date and Location of Drug Screen
- Copy of Drug Screen Results Certificate
- Basis for Appeal

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The EO Officer will review the appeal. If appropriate, the EO officer will assign a hearing officer and hold a hearing. The hearing officer will determine whether the results of the drug screen were valid and whether the participant should be provided with future WIOA funded training.