



Local Complaint Hearing Procedure

Procedure Number: 1170b

Effective Date: January 1, 2026

Revision Number: 0

Revised Date: N/A

INTRODUCTION

This procedure serves as a comprehensive guide for conducting local area hearings in accordance with federal, state, and local laws governing non-discrimination complaints. The following Workforce Snohomish (WFS) policies provide additional guidance for hearing processes:

Policy #	Policy Name	Procedure(s)	Agency
1170	Customer Complaint	a. Program Complaint Handbook	WFS
1012 (Rev2)	Customer Concern and Complaint Resolution	b. Complaint Resolution (Handbook)	ESD

TIMELINE FOR KEY ACTIONS

- **Within 25 days** of complaint receipt: Informal resolution offer submitted to customer
- **Within 60 days** of complaint receipt: Formal hearing conducted and decision rendered

COMPLAINT HEARING OVERVIEW

Upon receipt of a formal complaint, a hearing will be scheduled with an independent and impartial Hearing Officer. Both the complainant and respondent will receive written notification prior to the hearing date. The hearing notice must include:

- Date of notice, complainant's name, and name of the party against whom the complaint is filed
- Date, time, and location of the hearing
- Statement of alleged violations

- Name, address, and telephone number of the issuing contact person

Informal Resolution Process

As outlined in Workforce Snohomish Policy 1170 and Procedure 1170a, efforts may be made to resolve complaints informally prior to the hearing. If the complainant accepts informal resolution, written approval must be documented and the formal hearing cancelled. In all other cases, including complainant non-responsiveness to Hearing Officer or respondent communications, the hearing will proceed as scheduled.

Default Judgment Authority

The Hearing Officer may enter a default judgment granting requested relief against any party who, without just cause, fails to appear and present their case at the scheduled time and location.

Escalation to State Level

All formal WIOA complaints must first be addressed at the local level. Complaints will be elevated to the state level only when:

- Resolution cannot be achieved within sixty days
- Either party remains dissatisfied with the local hearing decision
- The complaint involves an entity operating in multiple Workforce Development Areas

Program Concerns vs. Complaints

Program concerns that do not constitute formal complaints are not subject to this hearing process. Refer to Workforce Snohomish Policy 1170 and Procedure 1170a for definitions, filing eligibility, and required information.

HEARING PROCESS

Step 1: Select a Hearing Officer

Each Local Workforce Development Area (LWDA) must designate a Hearing Officer and alternate to serve in a quasi-judicial capacity for WIOA programmatic complaints, in accordance with WA State Employment Security Department Policy 1012 (Rev2) Complaint Handbook.

Hearing Officer Requirements:

- **Impartiality:** Must be an independent third party with no direct connection to the complaint or potential impact from the determination
- **Independence:** Cannot be subordinate to LWDB staff administering WIOA programs; objectivity measures must be implemented

- **Eligibility Restrictions:** Local elected officials, executive directors, and governing board members are prohibited from serving as Hearing Officers
- **Compensation:** WIOA funds may reimburse Hearing Officers for time and effort in organizing and conducting hearings
- **Qualifications:** Preferably possess legal or applicable administrative backgrounds, such as experience with city/county legal departments or legal aid organizations

Hearing Officer Responsibilities:

The Hearing Officer shall fulfill the following duties in conducting fair and impartial administrative proceedings:

1. **Case Preparation:** Review and analyze the complete case file prior to the hearing to ensure thorough understanding of all relevant facts and circumstances.
2. **Violation Assessment:** Identify and evaluate the nature of the alleged action to determine whether it constitutes a violation of applicable acts, regulations, grants, agreements, or personnel policies and procedures.
3. **Informal Resolution:** Actively seek opportunities for informal complaint resolution when circumstances indicate such resolution may be appropriate and beneficial to all parties.
4. **Hearing Management:** Prepare and provide a comprehensive hearing agenda to all parties in advance of proceedings.
5. **Rights Advisement:** Clearly define and communicate the rights of both complainants and respondents throughout the hearing process
6. **Party Notification:** Issue proper notices directing parties to appear, ensuring all notifications are sent via both email and certified mail with return receipt requested to guarantee adequate notice
7. **Purpose Declaration:** Clearly state the purpose and scope of the hearing at commencement of proceedings.
8. **Evidence Management:** Receive, evaluate, and determine the relevance of evidence, maintaining authority to exclude irrelevant, immaterial, or repetitive evidence that does not contribute to the administrative review process.
9. **Procedural Guidance:** Address and resolve procedural questions that arise during the hearing process.
10. **Regulatory Compliance:** Ensure all rulings, decisions, and orders conform to applicable federal, state, and local statutes, regulations, ordinances, and duly adopted policies. The Hearing Officer's authority is expressly limited to issuing decisions that comply with all governing legal and regulatory requirements.

Step 2: Issue Notice of Hearing and Hearing Rights

- Reference Attachment A for required notice format and content.

Step 3: Conduct the Hearing

- Hearing must occur and a decision must be rendered within **60 days** of complaint filing
- Process must include written notice, opportunity for evidence and testimony presentation, written decision, and appeal rights notification

Step 4: Issue Hearing Decision

- Utilize sample Hearing Officer Decision format (Attachment B) and include all necessary signatures.
- Document resolution or withdrawal; if decision remains uncontested, case closes.