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DEPARTMENT OF LABOR AND EMPLOYMENT

DIVISION OF EMPLOYMENT & TRAINING

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Category: Program
Subject: ES Complaint System
Source: STATE/FEDERAL
Revise/Replace: PGL 02-33-P
Contact: State Monitor Advocate
Distribution: All SDA/OSC Program and Administrative Staff
Colorado One-Stop System Policy Guidance Letter#: 09-06-P
Subject: Employment Services Complaint System and Reporting Requirements of the ETA 5148 Quarterly Report
Date: June 3, 2009

I. REFERENCE(S):

20 CFR 658-400 Service to Migrant and Seasonal Farm Workers;
Employment Service Complaint System; Monitoring and Enforcement.

II. PURPOSE:

The purpose of this System Guidance Letter is to ensure continued compliance with processing of the Employment Service System and Reporting Requirements.

III. BACKGROUND:

The U.S. Department of Labor, Employment and Training Administration require job applicants, claimants, and members of the public are informed of the availability of the Employment Service Complaint System.

- Complaints against an employer about the specific job to which the applicant was referred by the One-Stop involving violations of the job order or employment related law; and
- Complaint about One-Stop actions or omissions under Employment Service regulations governing core and intensive services delivered by Wagner-Peyser staff.

IV. POLICY/ACTION:

The One-Stop Director or the designated complaint specialist for the office will take a formal complaint on form ETA-8429 (rev. 9/97) and assist the complainant in completing the form.

The complaint should be logged in the complaint log (copy attached) as soon as it is taken.

Complaints which cannot be resolved at the local level and are employment service related and also involve referral to a Job Order should be referred to the State Monitor Advocate office at:

Colorado Department of Labor and Employment
Attn: Olga Ruiz, State Monitor Advocate
633 17th Street, Suite 700
Denver, CO 80202-3627

Complaints that are not employment service related should be referred to appropriate enforcement agencies that may be able to assist, attorneys, consumer advocates and/or other assistance where appropriate.

The Employment Service Complaint System is administered and enforced by the U.S. Department of Labor, Employment and Training Administration.

Attached ETA 5148, Part three, Job Service Complaint System Report is to be completed by all One Stop Centers on the tenth day of the month following the end of the reporting quarter.

The Attached ETA 5148, Part one, Services to Migrant and Seasonal Farmworker Report is to be completed by the six significant Migrant and Seasonal Farmworker One Stop Centers, which are Brighton, Delta, Greeley, Lamar, Monte Vista, and Rocky Ford.

Completed ETA 5148 reports are to be forwarded to Olga Ruiz, State Monitor Advocate.

One Stop Directors can request a copy of the regulations which cover the reporting requirements which is the Code of Federal Regulations, Services to Migrant and Seasonal Farmworkers: Employment Service Complaint System, Monitoring and Enforcement, from Olga Ruiz at (303) 318-8802.

If there is a need for training regarding the Employment Service Complaint System and the reporting requirements of the ETA 5148, Part one and three, please notify Olga Ruiz and training will be scheduled.

V. **IMPLEMENTATION DATE:** Upon receipt.

VI. **INQUIRIES:**

Inquiries concerning this PGL should be addressed to Olga Ruiz at (303) 318-8802.

Peggy S. Herbertson, Director
Division of Employment & Training