



Spokane Area WORKFORCE DEVELOPMENT COUNCIL

DISPUTE RESOLUTION POLICY

Spokane WorkSource System Policies and Procedures

POLICY #: 806

Effective Date: July 11, 2011

BACKGROUND

The Spokane Area Workforce Development Council (SAWDC) is issuing this policy to provide guidance and standards for conflict resolution between partners in the Spokane WorkSource System. This Dispute Resolution Policy applies to disagreements and specifically includes those involving SAWDC Memorandum of Understanding Policy #807, the SAWDC One-Stop Operator Agreement, and the Coordinated Employer/Business Services Policy #802.

POLICY

All disputes involving two or more WorkSource partners will be handled via the SAWDC dispute resolution procedures. Disputes should, whenever possible, be resolved at the lowest possible level. All actions taken to resolve disputes will be documented. Disputes will generally fall into these categories:

1. General conflicts over the normal course of providing employer and job seeker services
2. One-Stop Operator disputes, including One-Stop Operator Agreement and amendments
3. Memorandum of Understanding (MOU) disputes prior to failure to sign
4. MOU disputes regarding failure to sign

Dispute resolution, under the first three categories, will proceed as follows:

- All attempts to resolve disputes among or between WorkSource Spokane System partners will begin with negotiations between the disagreeing parties. Partners are expected to put forth good faith efforts in communication and compromise to resolve disagreements in a cooperative and timely manner.
- Should the partners be unable to directly resolve their dispute, they will notify the SAWDC of the dispute, and provide in writing an explanation of the matter. The SAWDC Executive Committee will review the dispute and provide a written recommendation.

If the above local-level resolution process fails and the disagreement proceeds, the following process applies:

- If the entities continue to disagree, they request that WorkSource Standards and Integration Department (WSID) review the dispute, after which a written recommendation will be released.
- If one or more of the parties do not agree with the WSID written recommendation, they shall contact the Commissioner of the Employment Security Department who will make a decision in consultation with the SAWDC Board Chair and the Chief Local Elected Official.

Disputes regarding failure to sign the MOU

All steps in the previous sections must be completed and documented. When the local boards and partners have entered into good faith negotiations and have still reached an impasse, the following additional steps shall be taken:

- The local board and required partners must send a letter to the Commissioner of Employment Security, as the administrative entity of the Workforce Investment Act, notifying of the impasse and outlining the issues. A copy of that letter must also be sent to the Assistant Commissioner of the WSID. Documentation of the attempts to resolve the dispute should be attached.
- The Commissioner may seek alternatives to propose a resolution.
- If an impasse continues, notifications of failure to sign will be issued with applicable sanctions to the extent of applicable state and federal laws as noted in 662.310(b,c). In addition, any local area in which a local board has failed to execute an MOU with all of the required partners is not eligible for state incentive grants.

The above steps are intended to provide assistance to resolve disputes and add clarification. They do not supersede or replace language in the Workforce Investment Act or regulations.

Disputes Involving Employment Security Department

When disputes occur which directly involve the Employment Security Department, the first approach is to attempt to reach resolution at the local level. If the parties continue to disagree, the matter will be submitted to the SAWDC Executive Committee for resolution. Should this not solve the disagreement, one or more parties may request that Workforce Standards and Integration (WSID) of the Employment Security Department review the dispute. WSID will release a written recommendation after their review. If one or more of the parties do not agree with this written recommendation, the matter will be referred to the Governor's office which will make a decision regarding the matter in consultation with the SAWDC Board Chair and the Chief Local Elected Official.

REFERENCES

Washington State Employment Security WorkSource Service Delivery System Policy 1008 Rev 1 WorkSource Initiative One Stop Operator Policy

- Spokane Area Workforce Development Council One Stop Operator Agreement.

Washington State Employment Security WorkSource Service Delivery System Policy 1013 WorkSource Memorandum of Understanding Policy

- Spokane Area Workforce Development Council Memorandum of Understanding policy # 807

Washington State Employment Security WorkSource Service Delivery System Policy 1014 Coordinated Employer/Business Services Policy

- Spokane Area Workforce Development Council Coordinated Employer/Business Services Policy # 802

SUPERSEDES

New policy

DIRECT INQUIRES TO:

(As referenced in SAWDC Staff Composition Policy #100)

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Spokane Area Workforce Development Council Administration
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