

Training Provider Grievance Policy #P-10-6.22

Date: June 5, 2022
Re: Guidance for training providers to file an appeal upon contract denial due to eligibility.

Origin Date: January 29, 2020

Approved: November 11, 2022
Effective: November 11, 2022

References: WSP No. 04-2015

Author: Saranne Miller 

I. Purpose:

- A. The purpose of this policy is to establish criteria by which a provider of training services can appeal a denial or termination of eligibility.

II. Background:

- A. Eligible training providers must comply with all federal, state, and local statutes, regulations, policies and procedures.
- B. Any providers that fail to comply may be denied eligibility or removed from the Eligible Training Providers List (ETPL).
- C. This policy serves as an appeals procedure for providers of training to appeal a denial of eligibility from the local list of eligible training providers.
- D. This policy explains the appeals process for denial or termination of eligibility of a provider of training services.

III. Policy:

- A. A provider requesting to appeal a decision with regard to the denial of a provider's application for initial or continued eligibility listing on the ETPL, or the removal of a program(s) already listed on the ETPL, rendered by the South Central Workforce Development Board (SCPa Works), must submit an appeal to SCPa Works.
- B. Denials for eligibility may be based on: Incomplete or untimely application submission; failure to meet established criteria; intentionally supplying inaccurate information; and substantial violations of any provisions of Federal, State, or Local statutes, regulations, policies and procedures.
- C. Removal from the list may be based on:
 - 1. Failure to provide required data;
 - 2. Failure to notify of program changes including, but not limited to, costs, location of training, or a change in the program any time after its original approval;
 - 3. Failure to meet established criteria; failure to meet minimum levels of performance;

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4. Intentionally supplying inaccurate information; substantial violations of any provisions of federal, state, or local statutes, regulations, policies or procedures;
5. Conduct that is either unreasonable or unprofessional; and
6. Deregistration in the case of a Registered Apprenticeship Program (RAP).

IV. Procedure:

- A. A provider requesting to appeal a decision rendered by SCPa Works regarding the denial or removal from the ETPL must submit an appeal within thirty (30) calendar days of the rejection notice or notice of suspension of eligibility.
- B. A provider must follow the procedures in the Desk Aid for WIOA Title I Statewide Eligible Training Provider List, Page 21, ONLINE APPEAL PROCEDURES.
 1. The provider should enter detailed information in the *Reason for Appeal* section that includes a detailed explanation of the reasons why the provider feels that the denial or removal is erroneous.
 2. By completing these steps, the appeal process commences.
- C. Upon receipt of the appeal from the provider, SCPa Works will schedule a meeting with the appealing provider.
- D. The scheduled meeting will allow both parties to present information to support their position and to request documents relevant to the issue(s) and to be represented.
 1. A final decision will not be made at this time.
- E. A final decision will be provided to the provider within 30 days of the receipt of the appeal.
- F. If SCPa Works upholds the rejection, the provider will receive an email notification, with read receipt, of the decision.
 1. The provider then has thirty (30) calendar days from the date of the second rejection to file an appeal with the Commonwealth of Pennsylvania Department of Labor and Industry.

V. Summary of Changes: This policy is reviewed every 180 days by the SCPa Works Policy Department for necessary changes, edits, updates, and revisions.

Date of Change:	Changed by:	Summary of Change(s):	Effective Date
09/25/2022	Saranne Miller 	Revised procedure based on new content.	11/11/2022