

<b>RURAL DEVELOPMENT PROJECT POLICIES AND PROCEDURES</b>	<b>Issued by:</b> RDP Statewide Program Officer- Maile Lu'uwai	<b>Policy No.:</b> <b>PRO 001</b>
	Revised by Contracts & Grants Associate - Judy Moon	<b>Effective Date:</b> 05/15/2006
Subject: <b><i>Participant Tracking</i></b>	<b>Approved by:</b> RDP Statewide Program Coordinator-John Dunicliffe	<b>Revision No.:</b> 1.0
		<b>Supersedes Policy:</b> N/A

- I. **PURPOSE:** To guide RDP staff in obtaining participant data and follow-up information and to ensure compliance with DOL federal rules and regulations
- II. **STAFF RESPONSIBILITIES.** Each Island Project Director is responsible for ensuring compliance with this policy for their respective island projects. Statewide staff is responsible for ensuring compliance with the provisions of this policy for assigned projects.

### III. PARTICIPANT TRACKING

Program files must include a completed RDP Intake Form for each participant and applicable verification that confirms eligibility.

- A. **RDP Intake Form.** Program staff must customize the form to conform to information specified in the grant. You must review the grant when customizing the form. Input the grant project title, grant number and program title
- B. **Participant Eligibility.** Customize the "Program Eligibility" section. Input the program eligibility criteria for participants. This section must have the same criteria specified in the grant.
  1. Participants only have to meet one criteria if it targets the participants the grant was intended to serve.
  2. Program staff must verify eligibility.
  3. A program staff member must sign the form.
- C. **Verification of Eligibility.** All documents supporting eligibility must be included in the program file. Examples of acceptable documentation are attached as Exhibit B, Examples of Documentation to Verify Participant Eligibility.

Contact RDP Program Evaluator with questions regarding the RDP Intake form or questions regarding documents verifying eligibility.

### IV. EEO NOTICE & RDP COMPLAINT RESOLUTION PROCEDURES

*Prior* to signing the RDP Intake Form, each participant will receive a copy of the RDP Complaint Resolution Procedures/EEO Form which is attached as Exhibit C. The RDP

Intake form includes a **certification statement** to verify that the Participant received the form.

## V. CONFIDENTIALITY

All RDP Intake forms will be stored in secure location with each project. The RDP Intake forms will be confidential and used only for RDP tracking and follow-up purposes. Only designated RDP staff will have access to the forms.

## VI. HUINET DATABASE MANAGEMENT

Island Project Directors and designated statewide staff are responsible for ensuring the RDP Intake Forms for their respective programs are input into the HUINET database ***within the same quarter*** that the forms are received.

## VII. PARTICIPANT FOLLOW-UP / GRANT OUTCOMES

Participant follow-up will be conducted ***30 to 90 days after program completion***. Follow up will be conducted by telephone. If a participant cannot be reached by telephone, follow-up will be conducted by email or by a survey mailed to the participant. **Follow-up information obtained from a participant must be specific to the outcomes identified in the applicable program grant.**

**HUINET Notes:** RDP staff conducting follow-up must input "Outcome" information into the HUINET case management "Notes" section. The following information must be included:

- The **Date** the participant contacted and/or the information was verified.
- The **Outcome**. What are the outcomes identified in the grant-did the participant obtain the outcomes? How? Be specific. For example, if the outcome was for participants to complete the program, specify the date the program was completed.
- The **Source** that verified the outcome, i.e., contracted the program coordinator or instructor [Include the Name and Title of the Contact], contacted participant, obtained copies of certificates or class roster of students completing program, contacted instructor.
- The **First Initial** and **Last Name** of the staff member conducting the follow-up.

### Examples of HUINET notes:

Example #1: Outcome-*Participants will complete training (could not contact participant)*

<u>Date</u>	<u>Document Source</u>	<u>Source Title</u>
10/19/05-	Confirmed from graduation announcement received from	Program
	<u>Source Name</u>	<u>Outcome</u>
	Coordinator, Napua Spock, received certificate in Outreach for Health Promotion. March	
	<u>Follow-up Staff</u>	
	2005 at Kauai Community College-D. Custer	

Example #2: Outcome-*Participants will enter 2 to 4 year degree program*

2/28/06- Contacted participant. Participant obtained AS degree in Dec 2005. She is now working for Kaiser Permanente as a medical coordinator.-K. Bourne

### **VIII. PARTICIPANT RECORDS RETENTION**

Participant files, including RDP Intake Forms and documentation verifying eligibility, shall be retained for a period of three years from the date of submission of the final expenditure report for the award which funded the participant program.

The exceptions are:

1. If any litigation, claim or audit is started before the expiration of the three year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken.
2. When records are transferred to or maintained by the Department of Labor, the three-year retention requirement is not applicable to RDP.

### **IX. REFERENCES**

29 CFR 95.53; 29 CFR 37.25; 29 CFR 37.29; 29 CFR 37.30; 29 CFR 37.31

## EXHIBIT A: COMPLAINT RESOLUTION PROCESS AND EEO NOTICE

### COMPLAINT RESOLUTION PROCESS AND EQUAL OPPORTUNITY NOTICE FORM

#### I. RDP Grievance Resolution Procedures

The Rural Development Project hereby establishes this Complaint Resolution Procedure pursuant to WIA Sections 188 and 18 (c), 20 CFR, Sections 667.600-667.630 and 29 CFR Part 37. The principles and procedures set forth in this Complaint Resolution Procedure shall be used by all contractors, subcontractors, individuals and organizational entities seeking funding from the Rural Development Project and all individuals participating in or receiving services from RDP funded programs to resolve complaints which arise in connection with proposals for funding and Department of Labor grant-funded programs. No person, organization or agency may discharge, or in any manner discriminate or retaliate against any person, or deny any person a benefit to which that person is entitled under the Department of Labor regulations because such person has filed any complaint, instituted or caused to be instituted, any such proceeding or investigation, or has provided information or assisted in an investigation. The identity of any person who has furnished information relating to, or assisting in, the investigation shall be confidential to the extent possible, consistent with a fair determination of the issues. All time frames specified in these procedures refer to consecutive calendar days including weekends and holidays. **FILING OF A RDP COMPLAINT: Every complaint must be in writing before the official complaint resolution process will commence. The complaint must be signed, dated and must contain the following information: The full name, mailing address and telephone number of the complainant; The full name, telephone number and address of the respondent; The laws, federal or state regulations, contract or other agreements believed to have been violated; The remedy to the complaint that would satisfy the Complainant. Any complaint that does not contain the foregoing information shall be considered incomplete.** RDP shall notify the complainant **in writing** that the complaint is incomplete and that the complaint will not be processed without the required information. If the Complainant fails to cooperate or is unavailable, the complaint may be dismissed upon reasonable notice to the last known address of the Complainant. Complaints may be amended to correct technical amendments. Complaints may be withdrawn at any time prior to the issuance of the hearing officer's decision. Complaints may not be amended to add new issues. The one-year time period in which a complaint may be filed is not extended for complaints that are refiled with statement of the facts and dates describing the alleged violation(s).

**1. LEVEL ONE- INFORMAL RESOLUTION:** The complaint must be by mailed or faxed to: Rural Development Project, Maui Community College, 310 Ka'ahumanu Avenue, Kahului, HI 96732 Attn: RDP Statewide Coordinator. Telephone Number: 808-984-3661 FAX Number: 808-249-2591. It is the complainant's responsibility to ensure that RDP receives the complaint. The Rural Development Project has **ten (10 days)** from the receipt of the written complaint to schedule and conduct an informal complaint resolution meeting at the Rural Development Project level. After the complaint is accepted, the Complainant will be notified by the Rural Development Project, in writing, of the date, time and place of the informal resolution meeting. At that meeting an attempt to resolve the complaint informally will take place. Respondents must make good faith efforts to resolve all grievance complaints prior to the scheduled hearing. Failure on the part of any party in the grievance complaint to exert good faith efforts shall constitute a basis for dismissing a grievance complaint and shall this be considered to be a part of the facts to judge in the resolution process. Every grievance complaint not resolved informally will be given a formal hearing, if requested, regardless of the grievance complaint's apparent merit or lack of merit. In the event of an informal resolution of the RDP complaint at the Rural Development Project level, **the Rural Development Project will provide a written settlement agreement to the Complainant** which describes the issues, provides the date of the informal resolution meeting, the attendees, and the terms of the resolution which has been reached by the parties as full and complete settlement of the complaint. The written settlement agreement will be signed by the Complainant's executive management or their authorized representative and the Complainant. A copy of the signed statement will be maintained in the Complainant's file for audit purposes and sent by certified mail to the complainant. In the event that an informal resolution cannot be reached, **the Rural Development Project will provide a written statement to the Complainant** which describes the issues, provides the date of the informal resolution meeting, the attendees, and the issues that could not be resolved by the parties. A copy of the statement will be maintained in the Complainant's file for audit purposes and sent by certified mail to the complainant.

**2. LEVEL TWO – ADMINISTRATIVE HEARING a. Request for administrative hearing before an impartial Hearing Officer.** If an informal resolution cannot be reached at RDP level, the Complainant may request that an administrative hearing be scheduled before an impartial hearing officer. Request for an administrative hearing should be made within five (5) days of the Complainant's receipt of the written statement by RDP that an impasse has been reached in settling the complaint matter. The request must be sent by mail or fax to: Financial Services Department, Research Corporation of the University of Hawai'i, 2530 Dole Street, Sakamaki Hall D-200, Honolulu, HI 96822 Attn: Financial Services Manager, Telephone Number: 808-956-7702, FAX Number: 808-956-3822. The administrative hearing will be scheduled within **30 days** of the official filing date of the complaint. Prior to the hearing, the

Complainant may amend his/her complaint to correct technical deficiencies but not to add issues. The amendment must be submitted in writing to the impartial hearings officer at the above address. The recommendation(s) of the hearing officer will be considered the Final Determination of the complaint.

b. Conduct of Hearings. **The RCUH Financial Services Manager or his/her designee will serve as the hearings officer for the administrative hearing. Written notice of the date, time and place of the hearing, the manner in which it will be conducted, the issues to be decided and the rights of the parties will be sent to the Complainant and Respondent(s) by Certified Mail/Return Receipt Requested. Any request to withdraw complaint must be in writing and received prior to the scheduled hearing. Requests to reschedule a hearing must also be made in writing and for good cause. The RCUH Financial Services Manager will make the final decision on such requests subject to acceptance of all parties of an extension of the 30-day requirement on scheduling a hearing and the 60-day requirement to have a final decision. Requests must be made at least 72 hours prior to the scheduled hearing.**

Both parties have the right to present written and/or oral testimony and arguments and the right to present records and documents relevant to the issues.

c. **Decision.** Not later than **60 calendar days** after the filing of the grievance complaint, the RCUH Hearings Officer will notify the Complainant and Respondent in writing of the recommendation(s) and Final Determination of the hearing officer. The written decision will contain the following information: The names of the parties involved; A statement of the alleged violation(s) and the issues related to the alleged violations; A statement of the facts; The hearing officer's recommended decision and the reasons for the decision; A statement of corrective action or remedies, if any, to be taken.

**The recommendation(s) of the hearings officer will be considered the Final Determination of the complaint. A copy of the decision will be sent to the complainant by certified mail.**

### **III. COMPLAINTS ALLEGING CRIMINAL FRAUD, WASTE OR ABUSE**

Information and complaints involving criminal fraud, waste, abuse or other criminal activity must be reported immediately to:

DOL Office of the Inspector General, Office of Investigations, Room s5514, 200 Constitution Avenue NW.

### **IV. OTHER REMEDIES**

These procedures do not preclude the complainant from pursuing a remedy authorized under another Federal, State or local law.

## **II. EQUAL OPPORTUNITY NOTICE**

**We Believe in Equal Opportunity Equal Opportunity is the Law:** It is against the law for the Rural Development Project (the recipient) to discriminate on the following basis: against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under the Title 1 of the Workforce Investment Act of 1998 (WIA), on the basis of beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity. The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program activity.

**What to do if you Believe You Have Experienced Discrimination:** If you think you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: The recipient's Equal Opportunity (EO) Officer; or the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-4123, Washington, DC 20210. If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner) before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

**For more information contact The RDP Equal Opportunity Employment Officer:** Judy Moon, Rural Development Project, Maui Community College, 310 Ka'ahumanu Avenue, Kahului, HI 96732. 808-984-3266 or judy@hawaiiirdp.org

An equal opportunity employer/program Auxiliary aids/services available upon request for individuals with disabilities TTY if applicable. FAX: 808-249-2591

**EXHIBIT B: EXAMPLES OF DOCUMENTATION VERIFYING ELIGIBILITY**

<b>ELIGIBILITY CRITERIA</b>	<b>ACCEPTABLE DOCUMENTATION</b>
Residency	<ul style="list-style-type: none"> <li>• Drivers license or DMV identification</li> <li>• State issued identification</li> <li>• Utility bills w/participant's name</li> </ul>
Age	<ul style="list-style-type: none"> <li>• Birth certificate or hospital record of birth</li> <li>• Driver's license or DMV identification</li> <li>• Baptismal certificate</li> <li>• Voter registration card</li> <li>• Alien registration card</li> <li>• Food stamp records or medical coupons</li> <li>• School enrollment forms</li> <li>• Naturalization certificate</li> <li>• US passport</li> </ul>
Employment Underemployment Incumbent Worker	<ul style="list-style-type: none"> <li>• Employer or trade organization statement verifying participant position and pay</li> </ul>
Participant Interested in: <ul style="list-style-type: none"> <li>• Specific Training, i.e., carpentry, culinary arts.</li> <li>• Technical info and support</li> <li>• Obtaining a better job/pay</li> <li>• Improve work skills</li> <li>• Obtain additional work skills</li> </ul>	<ul style="list-style-type: none"> <li>• Self certification by signing RDP Intake form</li> </ul>
Welfare Recipient TANF Participant Social Services Recipient	<ul style="list-style-type: none"> <li>• State documentation to support status</li> </ul>
Education	<ul style="list-style-type: none"> <li>• High school diploma or equivalent</li> <li>• Degree or college transcripts</li> <li>• Documentation to show enrollment in college or area of study</li> </ul>
Single Parent Receiving Benefits	<ul style="list-style-type: none"> <li>• Benefit award letter or statement with benefits received</li> <li>• Documentation of marital and parental status</li> </ul>
Financial Aid Recipient	<ul style="list-style-type: none"> <li>• Financial award or receipt of funds</li> </ul>
Income	<ul style="list-style-type: none"> <li>• Wage stubs, employer statement</li> </ul>
Farmer Hawaiian Homestead Lessee	<ul style="list-style-type: none"> <li>• Documents of ownership of agricultural property</li> <li>• Business ownership statements</li> <li>• DHHL award letter</li> </ul>
Entrepreneur	<ul style="list-style-type: none"> <li>• Documentation of business ownership</li> </ul>
College student or participant enrolled in a course of study or educational program	<ul style="list-style-type: none"> <li>• Class roster</li> <li>• Program statement supporting enrollment or participation</li> </ul>

When documentary evidence is not available or cannot be provided, verification can be provided through collateral contacts that confirm participant's eligibility or through participant self-certification of eligibility criteria on the RDP Intake Form.