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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 3@ Employment Services Programs

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Part 1@ Employment and Employability Services

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Chapter 2@ JOB TRAINING PARTNERSHIP ACT COMPLAINTS

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Article 1@ GENERAL PROVISIONS

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Section 4501-1@ Definitions

4501-1 Definitions

(a) "Audit complaint" means a written expression by a party appealing an audit disallowance and/or investigation, and monitoring findings issued by the EDD or by the service delivery area. An "audit complaint" may be in response to administrative and/or financial/monetary sanctions resulting from monitoring, investigations or audits. All complaints, amendments and withdrawals shall be in writing.

(b)

"Complaint (or Complaints)" includes both policy and audit complaints.

(c)

"Compliance Review Division" is the organization within EDD which oversees the administrative resolution of policy complaints and audit complaints.

(d)

"Days" means consecutive calendar days, including weekends and holidays.

(e)

"Hearing Officer" means an impartial person or group of persons. Hearing officers may be selected from among the staff of offices which will not be directly affected by or will not implement the decision in the specific matter, such as legal offices or personnel department of municipalities, counties or the State.

(f)

"JTPA" means the federal Job Training Partnership Act, Title 29, United States Code, Sections 1501 through 1792 b, nonconsecutive.

(g)

"Policy Complaint" means a written expression, appealing other than an audit disallowance, by a party alleging a violation of the JTPA, the regulations promulgated under the JTPA, recipient grants, subagreements, or other specific agreements under the JTPA, including terms and conditions of participant employment. All complaints, amendments, and withdrawals shall be in writing.

(h)

"Service delivery area" includes the service delivery area administrative entity and its subrecipients to whom the administrative entity has delegated the complaint resolution process.

(i)

"Service Provider" means a JTPA public agency, private nonprofit organization, or private-for-profit entity that delivers educational, training, employment or supportive services to JTPA participants.

(j)

"State Review Panel" is an entity within the EDD composed of a representative of the EDD's Compliance Review Division, the Legal Office, and the Director's Office. This Panel shall review and approve or disapprove decisions and recommendations regarding policy and audit complaints.