



---

**TITLE: PROCESSING COMPLAINTS BY EMPLOYEES OF NONPROFIT AGENCIES PERFORMING WORK ON CONTRACTS UNDER THE ABILITYONE PROGRAM**

---

**1. PURPOSE**

This document prescribes the policy for processing complaints received from employees of nonprofit agencies.

**2. APPLICABILITY**

This policy applies to the U.S. AbilityOne Commission and staff.

**3. AUTHORITY**

- (a) Public Law 101-12, Whistleblower Protection Act of 1989
- (b) 41 U.S.C. §§ 4705 and 4712, Protection of Contractor Employees from Reprisal for Disclosure of Certain Information
- (c) 41 U.S.C. §§ 8501-8506, Javits-Wagner-O'Day (JWOD) Act
- (d) 5 C.F.R. Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch
- (e) 41 C.F.R. Chapter 51, Committee for Purchase From People Who Are Blind or Severely Disabled

**4. DEFINITIONS AND ACRONYMS**

Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided in Policy 51.102, Definitions. Terms unique to a specific subject matter will be defined in the associated policy and/or procedure.

Term	Definition
Complaint	A complaint is a statement, either verbal or written, that describes with sufficient detail a wrong (one or more), the offending party committed and a basis for the relief sought.

**5. RESPONSIBILITY**

- A. The Executive Director hereby delegates responsibility for this policy and related procedures to the Director of Oversight and Compliance.
- B. The Director of Oversight and Compliance shall:
  - a. Ensure the compliance team members are trained to receive and process complaints and establish annual refresher training.

---

The Committee for Purchase From People Who Are Blind or Severely Disabled operates as the U.S. AbilityOne Commission



## **U.S. ABILITYONE COMMISSION**

### *51.410 Processing Complaints Received by Employees of Non-Profit Agencies Performing Work on Contracts in the AbilityOne Program*

*April 3, 2017*

---

- b. Review and approve all complaints processed by the compliance team.
  - c. Conduct after-action reviews for closed complaints.
  - d. Provide weekly updates to the Deputy Executive Director
  - e. Provide monthly updates to the Executive Director on any systemic issues
- C. Within sixty days, the Director of Oversight and Compliance shall:
  - a. Establish and maintain a tracking and reporting system.
  - b. Establish and publish the complaint process on the Commission web site.
- D. Compliance team members shall receive and process complaints in accordance with this policy.
- E. Commission staff not on the compliance team shall forward complaints and complainants to the compliance team.

## **6. POLICY**

- A. The Commission will investigate and process complaints from employees of nonprofit agencies that are within its area of authority and notify the complainant or their advocate of the resolution.
- B. The Commission will refer complainants to the appropriate agency when the complaint topic falls outside its area of authority. The Commission also shall notify complainants or their advocates of applicable timelines for submitting certain types of complaints.
- C. To the extent possible, anonymous complaints will be evaluated and processed in accordance with this policy.
- D. Under no circumstances shall anyone interfere, obstruct, impede or otherwise disrupt the complaint process.

## **7. EXCEPTION TO POLICY**

This policy does not address complaints filed by Commission or other Federal employees, who should instead be referred to one of the agencies identified in Section 8.I. of this policy.

## **8. PROCEDURE**

- A. When a Commission staff member receives a written complaint, they shall forward the complaint to a member of the compliance team immediately, or on the next business day if the written complaint is received after normal business hours.
- B. When a Commission staff member receives a telephone call from a person who wishes to file a complaint, the staff member will immediately forward the call to a compliance team member.

**U.S. ABILITYONE COMMISSION**

*51.410 Processing Complaints Received by Employees of Non-Profit Agencies Performing Work on Contracts in the AbilityOne Program*

*April 3, 2017*

- C. When a compliance team member receives a verbal or written complaint, they will process the complaint within two business days.
- D. Individuals should submit their complaint in writing via the Complaint In-take Form (Appendix A), or by sending an email, letter, or other form of written communication to the compliance team. However, verbal complaints will be accepted.
  - 1. Send e-mail to: info@abilityone.gov
  - 2. Send mail to: The Director, Oversight and Compliance, 1401 S. Clark Street, Suite 715, Arlington, VA 22202-3259
- E. When taking a verbal complaint, the compliance team member shall document the following information:

<b>Table 1 Required Information for Verbal Complaint Intake</b>	
a. Complainant's name	f. Nature of the complaint (e.g., ratio-related, discrimination, etc.)
b. Nonprofit agency employer	g. Determine whether the complaint has been filed with another agency. If so, determine the status and disposition of the complaint.
c. Name and employer of the offender (if applicable)	h. Determine whether the complaint is being filed on behalf of the person filing the complaint or on behalf of someone else.
d. Date of incident	i. Annotate the name(s) of witness(es) or other person(s) who have first-hand knowledge of the incident.
e. Work address where an incident occurred	

- F. The compliance team member who processes the complaint will prepare a written report that recommends a course of action and disposition, and then forward it to the Director, Oversight and Compliance for review and approval. Compliance team members will be assigned to process complaints by the Director, Oversight and Compliance, based on a published duty roster.
- G. The Director, Oversight and Compliance will get a legal review from the Office of General Counsel.

**U.S. ABILITYONE COMMISSION**

*51.410 Processing Complaints Received by Employees of Non-Profit Agencies Performing Work  
on Contracts in the AbilityOne Program*

*April 3, 2017*

---

- H.** If the complaint involves fraud, waste, abuse or reprisal for a protected communication, the Compliance team member will refer the complainant to the Commission Office of Inspector General:

Office of Inspector General  
U.S. AbilityOne Commission  
703-603-2124  
[igoffice@oig.abilityone.gov](mailto:igoffice@oig.abilityone.gov).

- I.** If the complaint involves matters of employment policy, discrimination, affirmative action, sexual harassment, conditions of employment (including pay) or prohibited personnel practices, or if the complainant is an employee of a Federal contractor, the Compliance team member will refer them to the appropriate agency below and notify the Contracting Officer:

**1. Office of Inspector General**

U.S. AbilityOne Commission  
703-603-2124  
[igoffice@oig.abilityone.gov](mailto:igoffice@oig.abilityone.gov)

- 2.** State Employment Agency or other agency in the state where the complainant is employed.

**3. Equal Employment Opportunity Commission.**

Information regarding how to file a complaint and important deadline information is available at <https://www.eeoc.gov/employees/howtofile.cfm>

Complainants also can file a claim in person at any of the 53 EEOC field offices. The location of the nearest field office can be found at <https://www.eeoc.gov/field/index.cfm>

**4. Wage and Hour Division, Department of Labor**

[https://www.dol.gov/whd/contact\\_us.htm](https://www.dol.gov/whd/contact_us.htm)  
1-866-4USWAGE (1-866-487-9243)  
TTY: 1-877-889-5627

**U.S. ABILITYONE COMMISSION**

*51.410 Processing Complaints Received by Employees of Non-Profit Agencies Performing Work  
on Contracts in the AbilityOne Program  
April 3, 2017*

---

**5. The Office of Federal Contract Compliance Programs**

U.S. Department of Labor,  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210  
1-800-397-6251 (toll-free)  
(202) 693-1337 (TTY)  
OFCCP-Public@dol.gov

A list of regional offices can be found at <https://www.dol.gov/ofccp/contacts/regkeyp.htm>

**9. SUPERSESSION**

None.



APPROVED: \_\_\_\_\_

*E. Ballard*

Date: \_\_\_\_\_

*4/3/2017*

**E. Ballard**  
**Executive Director**