

Policy 2017004

1. Purpose. The Delaware Workforce Development Board (DWDB) establishes this policy to facilitate Training Provider appeals for rejected Blue Collar proposals.

2. Scope. This policy applies to denials or removals of programs from consideration in the competitive Blue Collar Process.

3. Appeal Process. The following is the four step appeal process:

- Providers will have 30 calendar from the date of mailing of notification by the DWDB Executive Director of a rejection a proposal from Consideration in the competitive Blue Collar Process.
 - The DWDB will only accept written appeals.
 - The written appeal must be received by the DWDB by the appeal due date.
 - The provider/appellant must provide all supporting documents with the appeal when it is submitted. For example, Indeed.com job postings for a given zip code is adequate information to demonstrate an occupation is in demand.
- The DWDB Executive Director will either favorably consider an appeal or forward non-favorably considered appeals to the Proposal Review and Certification Committee (PRCC) within seven calendar days.
- The PRCC – at its next scheduled quarterly meeting – will evaluate the appeal and decide the disposition of the appeal. The PRCC may ask the provider to attend the PRCC meeting to explain why the appeal is substantive and should be considered. If asked to Appear, failure of the appellant to appear ends the process.
- If the PRCC does not favorably consider the appeal, the Executive Director will convene, within 14 calendar days, a panel of three non-board member director-level official from DOL to adjudicate the appeal.
 - The non-board member panel will review the written appeal, the supporting documents submitted with the appeal, and may ask the provider/appellant and the DWDB Executive Director to discuss the issues relating to the appeal. The appellant or the DWDB executive director will only appear if invited.
 - “There shall be no further right of appeal from the decision of the panel. All decisions of the panel will be final.”]

4. Substantive Appeals. The DWDB will only accept substantive appeals. Substantive appeals typically concern the designation of a demand occupation, employment opportunities/results for those completing training; median earning’s for specific occupations; and achieved performance measures.

5. Non-Substantive Appeals. Simple disagreement is not a substantive reason for appeal. Simply, “We don’t agree the panel’s decisions” is not sufficient cause for an appeal.

6. If an appellant wants to change the reasons for an appeal after the process starts, the appellant must submit in writing an amended and revised appeal with any supporting documentation. The amended and revised appeal will then proceed by beginning again with Step 2 above.”

7. The DWDB Executive Director is the point of contact for these appeal procedures. The current Executive Director, William Potter, can be reached at 302-761-8163 or William.Potter@state.de.us

William J. Potter
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Delaware Workforce Development Board