



BLUE RIDGE REGION

**Western Virginia Workforce Development Board**

Grievance Hearing – The Foundry

December 10, 2021 – 11:00 AM

Botetourt Center at Greenfield

57 S Center Drive, Daleville, VA 24083

<b>I. Welcome and Introductions</b>	<b>Casey Nicely</b>
<b>II. Public Comment</b>	
<b>III. Grievance Process Overview</b>	<b>Michael Gardner</b>
<b>IV. Summary of Allegations</b>	<b>Casey Nicely</b>
<b>V. The Foundry Presentation</b>	<b>The Foundry</b>
<b>VI. Question and Answer Period</b>	<b>Michael Gardner</b>
<b>VII. Adjournment</b>	<b>Casey Nicely</b>

**Western Virginia Workforce Development Board (WVWDB)**  
*Grievance and Complaint Hearing Documentation*  
*December 10, 2021*

- October 19, 2021** A [letter dated October 12, 2021](#) from Mr. Philip Clements, CEO of The Foundry, is received by staff to the WVWDB. This letter requests additional time (180 days beginning October 12, 2021) to present any and all grievances and complaints. The letter states the current timeline outlined in policy would prevent The Foundry from being able to access the Complaints and Grievance process and prove to be a burden, ultimately leading to the WVWDB/VCW Blue Ridge covering up violations. The letter also states that The Foundry would be seeking financial and other equitable relief and are left with no other option but to pursue action that will necessitate additional expenses including but not limited to: lost wages, attorney fees, investigative fees, consultant fees, consumable resources, and witness expenses).
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- October 19, 2021** After receiving the letter from Mr. Clements, Ms. Romeo consulted with WVWDB leadership and is advised to retain legal representation from an Attorney specializing in government contracts. Ms. Autumn Visser, from Woods Rogers PLC, is recommended. Ms. Romeo is informed that Ms. Visser is on vacation but will return the following week.
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- October 25, 2021** Ms. Visser, Mr. Michael Gardner, Vice-Chair for the WVWDB, and Ms. Romeo have an initial conference regarding the situation. Ms. Romeo provided all emails, relevant policies, documentation contracts and associated communications to Ms. Visser for review.
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- October 27, 2021** Ms. Visser, Ms. Romeo, and Mr. Gardner speak via teleconference on Ms. Visser's review. Discussion is held regarding a response to the letter dated October 12, 2021.
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- November 5, 2021** Ms. Visser sends [letter dated November 5, 2021](#) to Mr. Clements via United States Postal Services.
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**November 12, 2021** [Mr. Clements emails Mr. George Taratsas](#), Director of Title I Compliance and Administration, and copies Ms. Visser, regarding the letter received from Ms. Visser. Mr. Clements states that he tried to call Ms. Visser but she was not available. Mr. Clements states his concern from receiving the letter from Woods Rogers PLC as going through a law firm puts an undo burden on his ability to receive services from the WVVDB and the Complaints and Grievance policy instructs him to file directly with the Executive Director of the WVVDB. He also states that the instructions do not create an environment on finding resolution but instead feels retaliatory.

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**November 15, 2021** [Ms. Visser responds to Mr. Clements email](#) and notes that she was on vacation the last two business days. Ms. Visser offers to discuss by phone the matter and asks for times Mr. Clements is available.

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**November 15, 2021** [Mr. Clements responds to Ms. Visser's email](#) and copies Mr. Taratsas noting that Ms. Visser's response above was hostile and unnecessary. Mr. Clements states that the actions by the VCW/WVVDB can't be allowed.

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**November 15, 2021** [Letter dated November 12, 2021](#) from Mr. Clements formally filing a grievance is received by staff to the WVVDB.

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**November 16, 2021** Ms. Visser [responded to Mr. Clements via email](#) providing official written notice of Mr. Clements grievance received on November 15, 2021. Ms. Visser also states in the email that Mr. Clements can submit grievances directly to WVVDB staff, as detailed in the Complaints and Grievance policy and that he can also submit reimbursement paperwork, apply for training, or inquire about additional services directly to the WVVDB staff. Ms. Visser also reminds Mr. Clements of the 30-day deadline to submit a complaint or grievance and extends the initial deadline for filing a grievance regarding the October 2021 OJT process from December 3, 2021 to December 6, 2021. Ms. Visser notes that since all matters have been resolved, a formal meeting does not need to be held at this time.

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**November 16, 2021** Mr. Clements [responded via email](#) to Ms. Visser clarifying his grievance allegations and states that Ms. Visser is attempting to deny Mr. Clements rights for a meeting.

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**November 17, 2021** Ms. Visser [responded via email](#) to Mr. Clements stating that she sent the grievance clarification to the Executive Director of the WVVDB.

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**November 17, 2021** Ms. Romeo [responded via email](#) to Mr. Clements clarifying his allegations in the grievance prior to sending written notice per the Complaints and Grievance policy.

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**November 18, 2021** Mr. Clements [responded to Ms. Romeo](#) stating that the summary of his allegations is correct. Mr. Clements also requests his grievance be taken out of the process required by the Complaints and Grievance policy and that an informal meeting be held to discuss the situation.

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**November 19, 2021** Ms. Romeo [sends via email the formal written notice](#) to Mr. Clements regarding his grievance received on November 15, 2021.

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