

# Policy/Procedure

Policy/Procedure No: 711.00

#### **GRIEVANCE PROCEDURES**

**POLICY:** It is Changing Tides Family Services' policy to implement a grievance procedure that can be used by clients or vendors who have a complaint regarding Changing Tides Family Services' services.

#### **DEFINITIONS:**

Agency means Changing Tides Family Services.

**Complainant** means any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination in programs and activities funded directly by the state or receiving any financial assistance from the state.

**Complaint** means a written and signed statement alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination.

If the complainant is unable to fill out the complaint in writing because of conditions such as illiteracy or other disabilities, the agency shall assist the complainant in the filing of the complaint.

**Complaint Investigation** means an administrative process used by Changing Tides Family Services for the purpose of gathering data regarding the complaint.

Days shall mean calendar days unless designated otherwise.

**Division Director** shall mean an Changing Tides Family Services management-level staff person who oversees the division responsible for the decision about which the complainant is complaining. In the event that the complaint addresses services or issues from more than one division, the Executive Director will determine which Division Director shall be the point of contact for Level 1 of the procedure.

## PROCEDURES AND LEVELS OF REVIEW

## Level 1

The complainant shall discuss the complaint with the appropriate Division Director. If discussion does not resolve the matter, the complainant should present his/her concern in *writing* to the Division Director within fourteen (14) days after the cause for the complaint has occurred. The written complaint should clearly state:

- -- "COMPLAINT"
- -- What law or regulation or application of same the complainant is objecting to.
- A statement regarding what the complainant believes would be a fair resolution to the matter.

#### The Division Director shall:

- 1. Interview individuals who can provide relevant information concerning the complaint.
- 2. Review documents that may provide information relevant to the alleged violation.
- 3. Prepare a written report of the investigative findings and a rationale for the findings.

#### Level 2

If the complainant is not satisfied with the Division Director's response, he/she may present the complaint in writing to the Changing Tides Family Services Executive Director within fourteen (14) days after receipt of the Division Director's written response. Copies of all writing and/or documents pertaining to the complaint shall accompany the written complaint to the Executive Director.

The Executive Director shall make such inquiry and investigation, as is necessary, in the circumstances and shall, as soon as possible (but no later than sixty (60) days after receipt of the complaint at Level 2), make a decision in writing. The decision will be given to the complainant and Division Director. This decision shall be considered final.

## **GENERAL PROVISIONS FOR GRIEVANCE PROCEDURE**

- A. The agency will not retaliate against a complainant.
- B. The complainant may be represented by another person of his/her own choosing at all steps of the complaint procedure. Changing Tides Family Services

representatives may utilize professional assistance or counsel in the complaint proceedings.

- C. The time limit set forth in these complaint procedures may be extended by mutual consent of the parties. Failure by the complainant to meet the time lines, unless extended, will mean that the complainant has abandoned his/her complaint and shall bar presentation of the complaint thereafter.
- D. No expenses of any kind incurred by the complainant, in the course of preparing or submitting the complaint, shall be paid by Changing Tides Family Services.
- E. The Grievance Procedure will be will be made available upon request at any Changing Tides Family Services office.
- F. The report of the investigation of the complaint will be written in English and into the language of the complainant (if possible).
- G. The Grievance Procedure does not apply to the following situations:
  - 1. <u>Allegations of Child Abuse.</u> These should be referred to the Humboldt County Department of Health and Human Services, Child Welfare Services or appropriate law enforcement agency.
  - 2. <u>Health and Safety Complaints, Regarding a Child Development Program.</u>
    These should be referred to California Department of Social Services,
    Community Care Licensing.
  - 3. <u>Discrimination Issues Involving Child Nutrition Programs.</u> These should be referred to the U.S. Office for Civil Rights (OCR) or the U.S. Department of Agriculture.
  - 4. <u>Employment Discrimination Complaints.</u> These should be referred to the California Department of Fair Employment and Housing (DFEH).
  - 5. Adverse Action As Stated In A Notice of Action. Appeal of an adverse action as stated in a Notice of Action must follow the Appeal Procedure which is described on the back of the Notice of Action.

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Approved By: Signed by C. Hill	
Carol A. Hill, Executive Director	