Appeals Grievances

Appeals and Grievances

100 Series: Agency Operations Policies & Procedures

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POLICY

EPI strives to meet the needs and expectations of all persons associated with the agency in all capacities. As an agency, we recognize there may be circumstances where expectations were not met that need to be addressed. EPI has developed a tracking system so that adults and children, their families, legal representatives, advocates, tenants, staff or concerned citizens have the opportunity to bring these issues forward and see resolution. The tracking system is a collaborative effort to address issues, appeals and grievances, which adheres to the philosophy of assisting all parties to resolve matters at the most direct level possible. Furthermore, it is our intent to maintain and promote compassion, understanding, and fairness in seeking resolution of issues that may arise. The goal is to bring resolution timely, efficiently, and adequately.

All parties have the right to appeal decisions regarding issues and grievances. The agency will take all appeals and grievances seriously and will work for swift resolution.

EPI strictly prohibits any retaliation against anyone reporting an issue, or grievance and appeal.

Written procedures will specifically address, but not limited to, the following:

1. Overview
2. Grievance and Appeals
3. Process for Grievance and Appeals

PROCEDURE - Overview

It should be noted, staff who have the desire to appeal an employment action or policy that the employee believes is unfair shall continue to use the Grievance Process from the employee handbook.

Opportunities are available to report issues through EPI's website. Shall this option not be available, issues can also be taken at EPI's main office or over the phone. When reporting an issue be prepared to provide the following details:

- Reporting Date
- Complainant Contact Information
- Type of Concern
- Date, Location and Description of Incident
- Primary Person Served/Staff/Others involved

Once the issue is submitted the Executive Operations Director will assign it to the appropriate Department Director, who will begin an investigation involving appropriate parties as necessary. A response to the complainant will be received within 5 working days of when the report was made.

EPI shall confirm resolution with the complainant no later than 30 days from receipt of complaint unless the complainant agrees to an extension in order to allow for a more thorough investigation. At this time the Department

Applicability:

- Applies to: All Staff
- Assigned Series Owner: Executive Operations Director

Effective Dates:

- Board approved: June 2018
- Policy updates: November 2020
- Procedure updates: November 2020

Latest Change:

- Policy/Procedure rewrite to incorporate CQL.

Regulation:

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Related:

- Admins: Issue Tracking
- Employee Handbook: Grievance

Director will finalize the issue within the tracking system, including but not limited to the issue status updated to "resolved", and entering the date of Final Outcome. If the concerned party is dissatisfied with the response or issue warrants escalation, they have the option to appeal. See grievance and appeal procedure below. All issues will be considered, addressed and remediated in the most expeditious and transparent way possible.

If the issue stems from the Hawkeye Child Development Center, the Iowa Child Care Complaint Hotline was developed as part of the Child Care and Development Block Grant Reauthorization as another option to report anonymous issues. This hotline serves as a centralized location for parents, the community, and others to report concerns they may have regarding child care facilities. The hotline can be reached at 1-844-786-1296.

PROCEDURE - Grievance and Appeal

All parties have the right to appeal decisions regarding issues and grievances.

The agency will take all grievances and appeals seriously and will work for swift resolution. Expressions of an appeal and/or grievance will not result in discrimination, retaliation against, humiliation of or barrier to services for the person served, child or their legal representative.

A grievance must be presented within 30 days of the alleged incident, and shall be limited to issues such as violation of individual rights, verbal or physical abuse, neglect, failure to provide team agreed upon services or meet individualized needs according to the service plan, or failure to treat a person served or child with dignity and respect. All other issues will be filed as complaints.

Documentation of all grievances and appeals will be maintained in the tracking system where they shall be reviewed by management staff at least annually and as needed to identify trends or patterns, and initiate actions as indicated.

Due to the importance of participation in this process, the procedure will be written in plain language and will outline the rights and responsibilities of both parties. Should a person served or their legal representative require assistance with understanding the process, it will be provided. Additional assistance may include options such as the procedure read aloud, translated into other languages or obtaining a sign language interpreter.

The representative (who may be the person served and/or legal representative) may present the cause. The grievance and the parties involved will be kept confidential. The person served or representative may hire council at his/her own expense.

An objective attitude will be employed to bring about a fair and feasible solution. At any point during this formal process, the person served and/or legal representative may request the involvement of outside advocates. Potential resources will be listed in the EPI Community Service Handbook, as well as listed on the website. Persons served and/or legal representative may also choose to seek remedy from an external source such as a commission, a local, state or federal agency, or legal counsel. Once an external source becomes involved the internal process will be discontinued.

All grievances will be considered, addressed and remediated in the most expeditious and transparent way possible.

PROCEDURE - Process for Appeal and Grievances

1. For the community service department; the process for appeals or grievances will be explained at the time of admission and reviewed annually thereafter. At this time the procedure will be acknowledged with the signature of the person served, legal representative (if applicable) and EPI representative. A copy of the signed document will be provided to the person served and legal representative. **For children enrolled in the Hawkeye Community Development Center, the process for appeals or grievances are explained at the time of enrollment.**
2. The complainant or representative will bring written issue(s) of appeal and/or grievance to the person's first supervisory staff, unless they are a part of the issue or unavailable. If this is the case, the matter moves to the next step. The supervisor receiving the complaint will respond to the concern within five (5) working days and

document the complaint and response in the tracking system. If the issue remains unresolved, the appeals process may be used.

3. If the issue has not been resolved with the person's first supervisory staff, the complainant or representative may appeal within seven (7) working days to the appropriate Director. The Director will answer the complainant or representative in writing within five (5) working days. A copy of the appeal letter and response will be filed in the Executive Director's office.
4. If an acceptable solution is not obtained, the complainant or representative has five (5) days to appeal the decision to the Executive Director. The Executive Director will meet with the complainant or representative and may include other EPI employees in the meeting. The Executive Director will make the final decision on the matter. The Executive Director will do further investigation and render a decision within ten (10) days of the appeal being set forth. This step is final.
5. Failure on the part of the agency to respond at any stage automatically moves the complaint to the next step.
6. At any point during the process, the complainant or representative may elect to remedy the situation with an external source such as a commission, a local, state, or federal agency, legal counsel or independent advocate. When this is done, the process will be discontinued and all correspondence will occur through the legal counsel for Exceptional Persons, Inc.

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