

## **Policy**

GLFS believes in promoting prompt and responsible resolution of issues raised. This client rights and grievance policy provides an outline of the client rights and the procedure for presenting and settling any disputes.

## **Scope**

The grievance policy applies to all clients.

## **Policy Definitions**

- 1) Accusation: a charge of wrongdoing.
- 2) Arbitration: is the exclusive forum for resolution of discipline and discharge cases, and both the agency and employee waiving their right to bring any action in court or the enjoy trial by jury.
- 3) Complaint: an expression of grievance, dissatisfaction, or concern.
- 4) Department of Health and Human Services: (DHHS)
- 5) Grievance: a wrong or hardship, either real or perceived, resulting in grounds for a complaint.
- 6) Unbiased: free from bias especially free from all prejudice and favoritism: eminently fair

## **Procedure**

Client Rights: Each client has the right to:

- 1) Be treated with respect.
- 2) Be provided equal treatment without regard to race, color, national origin, religion, gender, gender identity, disability, age, marital status, genetic information, sexual orientation, veteran status or any protected class specified by federal, state, or local law, statute, or ordinance.
- 3) Be protected from physical, emotional, or verbal abuse, and from all manner of exploitation.
- 4) Know any progress that he/she has made with Family Support Services.
- 5) Ask any question; obtain any answer; time and place permitting.
- 6) Confidentiality (DHHS exempt): Each client reserves the right to have any matters that are discussed or addressed under the supervision of the family support worker to remain confidential, unless one of the following situations occur:
  - a. Permission is given by client.
  - b. Threats of suicide or self-harm.
  - c. Threats to harm others or destroy/vandalize property.
  - d. Unreported instances of abuse or neglect to children or adults.
    - i. GLFS is a Mandatory Reporter according to the Nebraska State Laws.
- 7) To voice complaints, grievances and appeals about the care or services provided at the agency without fear of restraint, interference, coercion, discrimination, or reprisal.

## Client Responsibilities:

- 1) Clients must provide information needed by GLFS Staff providing services to the client.
- 2) Clients must willingly cooperate, follow plans, instructions and guidelines for services.
- 3) Clients must participate in developing mutually agreed upon goals.

## Program Rules for Clients:

- 1) Clients must keep appointments as scheduled or cancel at least 24 hours prior to appointment.
  - a. In case of emergency, clients are responsible for contacting staff by 8:00 am on the day of the scheduled visit.
- 2) Clients may not bring weapons on GLFS agency premises.

- 3) Client may not bring drugs, alcohol or tobacco products on GLFS agency premises.
  - a. If you are suspected of being under the influence of alcohol/drugs:
    - i. Parties under the influence of drugs or alcohol will be asked to leave the session/visit.
    - ii. GLFS reserves the right to end the visit and contact the DHHS case manager.
    - iii. GLFS reserves the right to contact authorities.
  - b. We ask that smoking take place outside personal residences during the session for the health of the children.
- 4) Clients must not use physical discipline in any format and must refrain from using offensive language or rude behavior. GLFS will not tolerate threatening, aggressive behavior or sustained arguing; communication or behavior that is emotionally or physically threatening to any person present.
  - a. GLFS reserves the right to end the visit and potentially all future visits.

Appeal and Grievance Procedures:

There is always the potential that the services received by a client may not be perceived by that client as fair or appropriate. To safeguard against any mistreatment of a client, or any failure to provide quality services, or inaccurate accounting regarding client charges, GLFS has established a grievance procedure whereby the client can make his or her concern known.

The basic procedure if a client has a complaint or concern is as follows:

- 1) Clients who express dissatisfaction will be instructed to write a formal grievance (Step 1)
  - a. Complaints and grievances will be investigated and resolved within 10 business days of the appropriate staff member receiving the grievance.
  - b. Clients will be informed of their right to appeal with GLFS Human Resources (Step 2)
- 2) Clients who are not satisfied with the results of the Step 1 Appeal may proceed with completing a formal grievance to Human Resources (Step 2)
  - a. Complaints and grievances will be investigated and resolved within 30 business days from receipt of receiving the grievance. However due to each grievance being different (i.e. number of individuals involved and availability of individual schedules) some grievances may require longer to settle. Should the time frame require more than 30 business days Human Resources will notify the grievant in writing.
  - b. Clients will be informed of their right to request final and binding arbitration (Step 3)
- 3) Clients who are not satisfied with the results of the Step 2 Appeal may request final and binding arbitration. All fees or expenses of arbitration, including, without limitation, the arbitrator's fees and expenses and rental of a venue for the for the arbitration, if necessary, shall be the responsibility of the grievant. The grievant bears the burden of proof as to the validity of the grievance. The decision of the arbitrator shall be in writing and the decision is final and binding.

Step 1: Clients must first submit grievances in writing on the GLFS Step 1 Grievance Form. Grievances must be:

- 1) Submitted within 30 calendar days following the date he/she first knew of the grievance. If grievances are not submitted within the 30-day period, grievant waive their rights to assert it.
  - a. Forms must be submitted to the Executive Administrator

For grievances that involves the threat of or actual harm, serious injury or death the following procedures are required:

- 1) The Executive Administrator will contact the Supervisor and an investigation will be initiated within 24 hours of reporting
  - a. Written statements will be taken from all involved individuals utilizing the Appeal Investigation Witness Forms
    - i. The supervisor will turn in all Grievances and Appeal Investigation Witness Forms to Human Resources
  - b. Human Resources will initiate an independent review
    - i. This will involve Human Resources and two other unbiased Administration team members
    - ii. All actions will be documented, implemented and reported to the PQI Coordinator within 5 business days
    - iii. Any new actions implemented will be monitored by the agency (if applicable) to determine effectiveness and reported quarterly to the PQI Coordinator

For all other grievances:

- 2) Executive Administrator will log the information into the GLFS Grievance Tracking Form (see references) and
  - a. Forward a copy to the appropriate GLFS Staff Member and their Supervisor responsible for addressing the grievance
  - b. Notify the Executive Director
    - i. The Executive Director will contact and inform the DHHS Contract Representative on all client grievances.
  - c. File a copy in:
    - i. Client file
    - ii. Grievance Report file
- 3) GLFS Staff Members in conjunction with their Supervisors must respond in writing on the GLFS Step 1 Grievance Form (see references) within 10 business days following the receipt of the grievance. Staff Members/Supervisors must:
  - a. Ensure the grievant is informed of their rights to appeal (Step 2)
    - i. If there are any questions, staff members should contact Human Resources
  - b. Send a copy of the grievance report to: Executive Administrator
    - i. The Executive Administrator will:
      - Log the information into the GLFS Grievance Tracking Form (see references)
      - File a copy in the: Client File, Grievance Report File

All grievances and replies in Step 1 must be in writing on the GLFS Step 1 Grievance Form. If the grievance is not settled in Step 1, then the grievant may proceed to Step 2.

Step 2: If the grievant feels the issue has not been satisfactorily resolved, within 10 business days following your receipt of the written answer to your Step 1 Grievance, they may appeal the decision to Human Resources. Appeals must be submitted on the Step 2 Grievance Form to Human Resources.

Upon receipt of the Step 2 Grievance Form Human Resources will undertake an investigation of the grievance and the underlying facts which may include the following:

- 1) Compiling a 3-person unbiased appeal panel to review the grievance and interview necessary personnel (if applicable).
- 2) Notifying the grievant of any required next steps (if applicable), appeal panel decision once received, and right to Request for Grievance Review with DHHS or right to request final and binding arbitration.

The appeal panel will review the appeal and interview all necessary personnel (if applicable) utilizing the GLFS Step 2 Appeal Investigation Forms (Grievant or Witness) (see references).

- 1) Human Resources will contact the necessary personnel/witnesses and schedule the interviews.
- 2) All parties involved in the appeal process (grievant, appeal panel, witnesses) agree to keep all information regarding the grievance strictly confidential and will not discuss any information regarding the grievance or process with anyone. Any questions regarding the process may be directed to Human Resources.

Human Resources will notify the grievant in writing of the Step 2 decision within 30 business days from receipt of receiving the grievance. However due to each grievance being different (i.e. number of individuals involved and availability of individual schedules) some grievances may require longer to settle. Should the time frame require more than 30 business days Human Resources will notify the grievant in writing.

Step 3: This complaint process is only for parents, legal guardians or youth/children that have worked with the DHHS Division of Children and Family Services. If the grievant is not satisfied with the response from the appeal panel, within 10 business days following your receipt of the written answer to your Step 2 the grievant may Request for Grievance Review with DHHS.

- 1) The DHHS grievance form can be located at <http://dhhs.ne.gov/Pages/Child-Welfare-Complaint-Process.aspx>
  - a. If you do not have internet access via computer or cell phone to download/complete the DHHS form please contact Human Resources for assistance (308) 870-7260.

Step 4: If the grievant is not satisfied with the response from DHHS or the grievant is not satisfied with the response with the results of the appeal decision in Step 2, the grievant may request final and binding arbitration. The request for arbitration:

- 1) Must be made in writing within 15 business days following receipt of the appeal response in Step 2 or Step 3.
- 2) Mailed to:  
Attention Human Resources  
509 East 4<sup>th</sup> Street Suite E  
North Platte, NE 69101

All fees or expenses of arbitration, including, without limitation, the arbitrator's fees and expenses and rental of a venue for the for the arbitration, if necessary, shall be the responsibility of the grievant. The grievant bears the burden of proof as to the validity of the grievance.

The decision of the arbitrator shall be in writing and the decision is final and binding.

### **DHHS Case Closure**

Should DHHS close a case while a grievance is currently being investigated, GLFS will close the client grievance and notify those involved.

- 1) However, GLFS retains the right to continue any/all internal investigations depending on the seriousness of the accusations in the grievance.

**Disciplinary Consequences**

Any employee not following this GLFS policy will be subject to disciplinary action up to and including termination. Please refer to the GLFS Agency Employee Handbook.

**References**

GLFS Agency Employee Handbook, Disciplinary Procedure: Shared Drive/Policies and Procedures/Employee Handbook

GLFS Grievance Tracking Form

Location GLFS Google Drive: Shared Drive/Human Resources/Grievance/Grievance Tracking/Grievance Tracking Form

**GLFS GRIEVANCE TRACKING FORM**

DATE REPORTED	GRIEVANT	REPORT #	OVERSEER	ISSUE	RESOLUTION / ACTIONS REQUIRED	STATUS	DATE RESOLVED	