

# Employee Grievance Policy

## I. POLICY:

- A. It is the policy of Hughes Behavioral and Mental Health Services, Inc. to resolve workplace issues and problems by providing employees with an internal grievance procedure that ensures any problems or complaints are considered quickly, fairly, and without fear of reprisal.
- B. The Executive Director and/or Corporate Compliance Officer are responsible for ensuring that the procedures in this policy are followed and met.
- C. A grievance may be filed by an employee for any of the following reasons:
  1. Any disciplinary action taken by a supervisor. These include written warnings, disciplinary suspension without pay, demotion or dismissal.
  2. Any instance of illegal discrimination perceived by an employee.

**Note:** All employees have the legal right to file a discrimination complaint with state and federal regulatory agencies and are not restricted to the internal grievance procedure, nor required to file an internal grievance.

3. Any instance of unlawful workplace harassment perceived by an employee.

**Note:** All employees have the legal right to file a discrimination complaint with state and federal regulatory agencies and are not restricted to the internal grievance procedure, nor required to file an internal grievance.

## II. PROCEDURES:

### A. INFORMAL RESOLUTION:

1. A positive relationship between employees and supervisors is based on mutual trust, respect, and open communication. If employees have a problem in the workplace related to employment, they are encouraged to first discuss the issue or concern with their immediate supervisor. In most cases, these discussions can resolve any misunderstandings or conflicts.
2. If informal discussion is not effective in resolving concerns, employees are encouraged to utilize the formal grievance resolution procedures.

## B. FORMAL RESOLUTION

### 1. Steps of the Grievance Review:

- a. Step 1: To initiate a grievance, an employee must file a written Notice of Grievance within 14 days of the contested action or incident with the Corporate Compliance Officer (CCO). The notice must state specifically what is being grieved, what relief is being sought, and must include a description of the efforts the employee took to settle the complaint informally.
- b. Step 2: The CCO will initiate an investigation of the complaint by taking the following actions:
  - (1) Sending a copy of the Notice of Grievance to the supervisor involved, if applicable.
  - (2) Sending a copy to the Executive Director.
  - (3) Conducting interviews with persons involved, if appropriate.
  - (4) Rendering a final decision, in writing.
- c. Step 3: The CCO will provide a written response to the grievant within 7 days of receiving the Notice of Grievance. The written response will contain one of the two following outcomes:
  - (1) Grievance Unfounded: This outcome may include a brief justification regarding the decision.
  - (2) Grievance Founded: This outcome may include actions that will be taken to resolve the problem and/or information related to meeting with specific management employees to assist in remedying the situation.
- d. Step 4: Should the written response document the grievance as unfounded, employees may appeal the decision to the Board of Directors. The appeal must be in writing within four days of the employee receiving the “unfounded” response. A copy of the prior Notice of Grievance and written response must be attached.
- e. Step 5: The Board of Directors will provide a written response to the grievant within 7 days of receiving the written appeal of the initial

grievance response. The written response will contain one of the two following outcomes:

- (1) Grievance Unfounded: This outcome may include a brief justification regarding decision.
- (2) Grievance Founded: This outcome may include actions that will be taken to resolve the problem and/or information related to meeting with specific management employees to assist in remedying the situation.

**OPTION ONE:**

2. Should the appeal of the initial written response result in a second “unfounded” outcome, internal options for seeking resolution of the grievance are exhausted. Should an employee continue to pursue resolution of a perceived problem after a second written response of “unfounded”, they are encouraged to seek assistance from external entities, on their own time and at their personal expense.

**OPTION TWO:**

**C. MEDIATOR**

1. Should an employee wish to continue to the grievance process following an “unfounded” result of an appeal of the initial outcome, they may initiate a review by a Mediator by indicating in writing to the CCO that they wish to participate in such a process.
2. Procedural information related to the proceedings, will be provided to all parties prior to the proceedings.
3. The CCO will serve in a non-voting advisory capacity to assist with procedural structure.
4. The Mediator will operate according to the following procedural guidelines:
  - a. Both of the opposing parties (employee and supervisor) will be present during presentation of the case to the Mediator. Neither party may interrupt the case being presented by the other side. The Mediator will have the right to limit lengthy discussion deemed to not focus directly on the grievance.
  - b. Each party will have the right to provide evidence or documentation relevant to the case. Both parties will be required to submit any documentary material or witness lists three days prior to the review.

- c. Documentation not submitted and/or witnesses not listed will not be entered into the process once the review board convenes.
  - d. Each party may receive a copy of the other parties' documentary material and witness list on the work day preceding the review from the CCO.
  - e. Each party has the right to call witnesses; however, witnesses will only be present during their testimony. It will be the responsibility of the grievant and the supervisor to notify their witnesses of the time, place and date of review.
  - f. The grievant and the supervisor may recommend the order of testimony and the appearance of witnesses for their respective sides.
  - g. Documentary material and/or testimony may be denied, by the Mediator, in the hearing if deemed to be unnecessarily repetitive or irrelevant.
  - h. The Mediator will reach its findings and present its recommendations to the Executive Director within 14 calendar days of the review.
  - i. The Executive Director may accept the Mediator's recommendation in whole or in part, or may reject the Mediator's recommendations.
  - j. The grievant will be informed of the final decision by the Executive Director, in writing, within 7 days of receiving the recommendations from the Mediator.
5. Should the appeal to the Mediator result in a dissatisfactory outcome for the employee they are encouraged to seek assistance from external entities, on their own time and at their personal expense.

## Written Notice of Grievance

Employee: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Please indicate the type of grievance you are filing:

Alleged Wrongful Disciplinary Action:

Alleged Illegal Discrimination by Supervisor/Employer:

Alleged Unlawful Workplace Harassment by Supervisor:

Please describe the alleged problem, incident, or behavior (who, what, when, where):

Please describe why you believe the action was wrongful, illegal, or Unlawful:

If you chose, please provide the names of any employees who may have been witness to the event or events that led to the filing of this grievance.

1. \_\_\_\_\_

3. \_\_\_\_\_

2. \_\_\_\_\_

4. \_\_\_\_\_

Bring the completed form to the agency Corporate Compliance Officer. Upon submission, you will be asked to sign and date it, and will be provided with a copy of the Employee Grievance Policy to assist you in this process. You will receive a written response to your grievance within seven days of submission.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date of Submission