

HOW TO HANDLE GRIEVANCES

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What is a grievance?

- Allegations by an individual who is affected by a case-specific decision or action of an OCS employee
 - Placement of child
 - Visitation
 - Treatment of client
- Grievance procedures are listed in statute AS 47.10.098 and implemented through regulations under 7 AAC 54.255
- Grievances must be filed:
 - Within 6 months of the notice of action or decision
 - Within 3 years regardless of whether or when the complainant received actual notice

Who can file a grievance?

- Parent or guardian
- Foster parent
- Adult family member
- A person with a significant relationship with the child
 - Stepparent
 - Grandparent
 - Parent's live-in partner
- A person participating in provision of services to a child or family
 - Medical provider
 - Potentially, lawyer

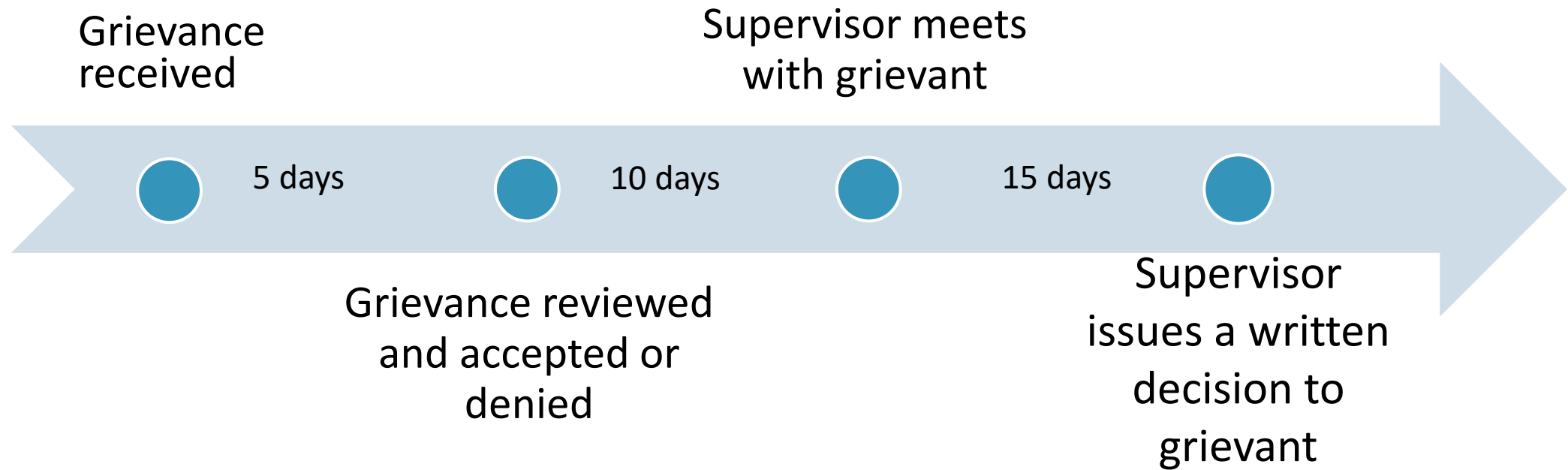
What is NOT a grievance

- Appeal substantiated finding
- Appeal late payments or contest foster care rates
- Appeal decision or action that is reviewable in court
- Appeal any federal or state action that is not in our jurisdiction
- Complaints by a state employee who is not a client or service provider for OCS
- Appeal a decision regarding a civil rights action
- Appeal a licensing action
- Initiate complaints that fall under State Personnel Act
- Address contract services disputes
- Appeal a decision regarding grant programs

Emergency Removals

- Foster parents cannot grieve the emergency removal of a child
- If the foster parent grieves the non-emergency removal of a child, the foster parent may request that the child not be removed until the issuance of a final decision. The request will be granted unless a PSM II finds that:
 - ✓ Removal is in the best interest of the child
 - ✓ The child is being returned to the legal parent or guardian
 - ✓ Removal is in response to an allegation of maltreatment in the foster home
 - ✓ Removal is ordered by court

Timeline for Level 1 review



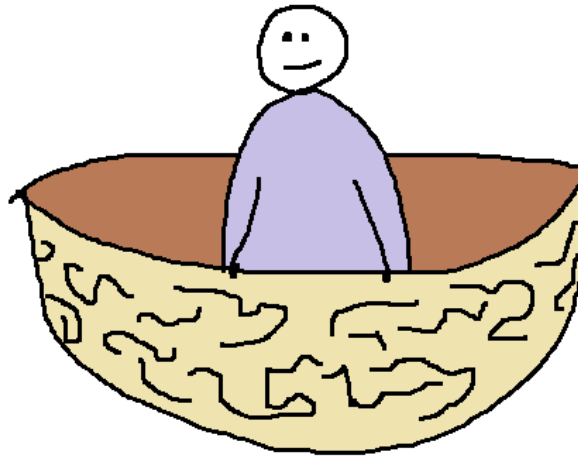
What happens next?



Appeals for review

- If a grievant disagrees with the decision of the supervisor:
 - Request a review by the regional manager within 10 days after the decision was sent
 - The regional manager must meet with the grievant within 10 days of receiving the request
 - The regional manager must issue a decision within 15 days of the meeting
- If a grievant disagrees with the decision of the regional manager
 - Request a review by the division operations manager with 10 days
 - Division operations manager and regional manager must meet with the grievant within 10 days
 - Within 15 days after the meeting, the division operations manager will forward a proposed decision to the director
 - Within 10 days after receiving the proposed decision, the director will issue a final decision

That's it in a nutshell!



Any questions?