

## 8.6 Grievance Procedure

### PROBATION POLICY AND PROCEDURE

**Approved by:** Shannon Dilley, Director



**Date Signed:** 4/15/2024

**Review due:** 4/15/2029

**Previous versions:** 09/17/2014

**Attachments:** Grievance Form, Grievance Procedure Meeting Summary Form

**Authority:** [7 AAC 54.245 - 7 AAC 54.250](#) Grievance Procedure, [7 AAC 54.300-450](#) Confidentiality of Client Records: Juvenile Justice.

### **POLICY:**

It is the policy of the Division of Juvenile Justice to follow the Alaska Administration Code grievance procedures under 7 AAC 54 when the regulations are applicable and less formal dispute resolution processes have not been successful or would be inappropriate. The purpose of the regulatory grievance procedure is to provide a standardized dispute resolution process through which individuals and Division staff involved in a dispute can voice their concerns and reach a fair resolution agreeable to all.

It is the responsibility of probation staff members to work with individuals who are expressing concern regarding the Division. During this critical process, a formal organized approach may be averted through active listening, and a timely response. When it is evident that a formal organized approach to resolving concerns would be beneficial to enable two parties to reach a resolution, the grievance procedure contained in the Alaska Administrative Code should be offered. Unless such an approach is necessary, less formal, alternate resolution processes should be used.

### **APPLICABILITY:**

This policy and procedure shall apply to all probation staff.

## DEFINITIONS: NA

## PROCEDURES:

- A. When a complainant contacts the Probation Officer by phone, email, or letter, the probation officer should examine closely the concerns expressed. If it is an area that the worker can respond to immediately, then that response should be offered to the complainant. This can be an explanation of the actions taken on a case or actions that will be taken to meet the need. These actions may bring immediate closure to the complaint. The contacts and actions should be recorded in JOMIS as a chrono.
  1. If the initial complaint comes to the supervisor, the supervisor will follow the same steps as delineated for the probation officer. The supervisor may direct a probation officer to respond to a complainant.
- B. If the probation officer or supervisor is not able to offer a response that will resolve the complaint, the complainant should be offered the use of the grievance procedure, unless it is clear that another process is indicated. Other dispute processes may be indicated for the situations listed in 7 AAC 54.245(c). Offering use of the grievance procedure includes giving a verbal description of the grievance procedure and providing a copy of the grievance form (See Attached) and a copy of the grievance procedure regulation, 7 AAC 54.245 - AAC 54.250. The complainant should be advised they may complete a grievance form and forward it to the District Supervisor, or access the grievance form through the DJJ website and submit it to the DJJ general inbox, [hss.djj.alaska.gov](https://hss.djj.alaska.gov).
- C. Should the complainant decline to complete a written grievance form or otherwise utilize the grievance procedure, a summary of the contact will be made in a JOMIS chrono entry.
- D. As noted in 7 AAC 54.245 (c)(1), the grievance procedures outlined below are not available to youth residing in DJJ facilities. Facility youth will utilize the grievance procedures outlined in policy *L-103 Resident Grievances*, while any grievances their parents or guardians have will follow the procedures of this policy, *8.6 Grievance Procedure*.
- E. Upon receipt of the grievance form, the supervisor will immediately review [7 AAC 54.245-250](#), open an Incident Report in Incident Tracker and follow procedures as outlined in [7 AAC 54.245](#), Juvenile Justice Grievance Procedure.
- F. The DJJ Policy Unit will monitor the [hss.djj.alaska.gov](https://hss.djj.alaska.gov) general inbox and will forward any grievances received to the appropriate supervisor.

- G. Within 10 days of receiving the grievance, the supervisor will determine whether use of the regulatory grievance procedure is applicable as outlined in 7 AAC 54.245(c) and respond to the complainant. All grievances that are assessed by probation staff to be inapplicable to the grievance process will be sent to and reviewed by the regional Chief Probation Officer. If the grievance procedure is not applicable, the supervisor will inform the complainant in writing.
- H. If the supervisor determines the complaint should be processed under the formal grievance procedures under 7 AAC 54, the supervisor will contact the complainant to arrange a meeting with the complainant and, at the discretion of the supervisor, the involved probation staff member if the participation of the staff member will assist in the resolution of the grievance. The supervisor shall conduct a meeting with the grievant not later than 10 calendar days after the date the Division receives the grievance form.
- I. In conducting the dispute resolution meeting, each party will be given the opportunity to state their understanding of the facts at issue. At the conclusion of the meeting, the supervisor will complete a Grievance Procedure Meeting Summary form (See Attached). All parties present sign the form indicating agreement with the summary as described on the form. A copy will be provided to the Chief Probation Officer and the Statewide Probation Chief.
- J. If a resolution of the concerns was not reached at the meeting, the supervisor will, within five calendar days of the meeting, complete a written statement detailing the supervisor's proposed resolution and mail it to all parties. The statement will include:
  - 1. Grounds for the complaint;
  - 2. A statement of the facts;
  - 3. Actions taken or planned to resolve the complaint;
  - 4. A statement of the right to request a review of the supervisors proposed resolution by a regional panel appointed by the Deputy Director;
  - 5. The name and office address of the Chief Probation Officer; and
  - 6. A statement of the complainant's right to include a statement for the Chief Probation Officer's review.

- K. The complainant has the right to request the next level supervisor review the outcome in the decision letter and will be referred to the Chief Probation Officer. The meeting between the complainant and the Chief Probation Officer will be held as outlined above. Should the Chief Probation Officer be unsuccessful in resolving the matter, the complainant will be advised in writing of their right to have an appeal heard by the Statewide Chief Probation Officer and further appealed to the Deputy Director of Operations and the Director if unresolved. Each request for review by the complainant must be in writing and delivered to the next superior supervisor in the chain of command not later than 15 business days after the date the previous decision was issued.
- L. The Director has final authority to issue written grievance resolutions.
- M. If at any time a resolution to the grievance process is reached, the grievant may withdraw the grievance in writing, at which time the case shall be closed. If the grievant does not withdraw in writing and otherwise ceases to respond to inquiries from the supervisor, after 15 days from the last inquiry the department may consider the matter closed and issue a final decision without further proceedings.

### **TRAINING:**

Probation staff will be introduced to grievance procedures, grievance regulations 7 AAC 54.245 - 7 AAC 54.250, and this policy during their initial orientation. Probation supervisors will provide additional guidance to staff as they navigate the grievance process.

### **QUALITY ASSURANCE:**

- A. All grievances that are assessed by probation staff to be inapplicable to the grievance process will be sent to and reviewed by the regional Chief Probation Officer.
- B. Grievance Procedure Meeting Summary forms will be completed and sent to the regional Chief Probation Officer and statewide Chief Probation Officer for review.
- C. Supervisors will address and remediate any inconsistencies between subordinate staffs' processing of grievances and the procedures outlined in this policy.

### **IMPLEMENTATION:**

This policy is effective once signed by the Director.