

# **SALISH AND KOOTENAI HOUSING AUTHORITY**

## **Grievance POLICY**

**This Grievance Policy was adopted by the Salish and Kootenai Housing Authority Board of Commissioners on the 1<sup>st</sup> day of September, 2021.**

# Grievance Policy

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## SECTION 1

### PURPOSE

The purpose of this policy is to establish the procedure by which the Salish and Kootenai Housing Authority (Housing Authority) shall ensure that anyone utilizing the services of the Housing Authority is given the opportunity to dispute Housing Authority action or failure to act, and to receive within a reasonable period of time, a response to the dispute. A copy of the Grievance Policy shall be displayed in the Housing Authority office and made available upon request.

## SECTION 2

### APPLICABILITY

The Salish and Kootenai Housing Authority Grievance Policy shall be applicable to all disputes between a Grievant and any program under the administration or control of the Housing Authority with the exception of the Transitional Living Center and is only applicable to disputes regarding the interpretation or implementation of established policy. The Grievance Request Form must be submitted within 30 working days to initiate a grievance after the Grievant receives notice of the disputed action. The Policy shall not be applicable to disputes among individuals not involving the Housing Authority, and shall not be used as a method of initiating changes in Housing Authority policy.

## SECTION 3

### DEFINITIONS

For the purpose of this policy, the following definitions are applicable:

1. **Grievance** shall mean any formal complaint or dispute which a **Grievant** may have with respect to the Housing Authority action, or failure to act, in accordance with the individual lease, agreement, contract or in accordance with any other Housing Authority regulations or policies.
2. **Grievable Actions** will be those actions that are taken against a **Grievant** or individual by the Executive Director or staff. Those actions that are taken in accordance with Federal Statutes and Regulations are not grievable.
3. **Grievant** shall mean any person receiving services from any program under the administration or control of the Housing Authority.
4. **Grievant Request Form** shall mean formal documentation, in written form, of a grievance either using a **Grievant** Request Form or a letter signed and dated by the **Grievant**. The staff at the Housing Authority office will assist **Grievant** in preparation of the **Grievant** Request Form as needed.
5. **Conciliation Meeting** shall mean an informal meeting between the Executive Director of the Housing Authority, or his designee, and the **Grievant** in an attempt to resolve a grievance prior to scheduling a Grievance Hearing before the Board of Commissioners.
6. **Grievance Hearing** shall mean a formal presentation to the Housing Authority Board of Commissioners of all facts pertaining to a grievance.

The request for Grievance Hearing does not require the **Grievant** to resubmit all of the details of the grievance as this information will have been presented in the **Grievant** Request Form previously filed with the Housing Authority.

## SECTION 4

### DOCUMENTATION

1. A Housing Authority **Grievant** Request Form shall be completed, dated and signed by the Grievant whenever there is a grievance, as the initial step in the grievance process. A letter requesting action and signed and dated by the Grievant may substitute for a **Grievant** Request Form.
2. The Housing Authority staff shall keep a record of all formal and informal individual grievances, requests for assistance, or other communications requesting a review of Housing Authority action or failure to act. All Grievant Request Forms will be date stamped upon receipt and logged in and distributed to the appropriate staff. Grievant must receive a response to the Grievant Request Form within ten working days from the date it was received.
3. Any action taken to respond to an individual grievance shall be recorded with an indication of results achieved and further action required or anticipated.
4. Any Grievance Hearing before the Board of Commissioners of the Housing Authority will be documented in the minutes, plus any explanatory materials to be entered in the record kept regarding the appeal.

## SECTION 5

### INFORMATION SETTLEMENT OF GRIEVANCES

1. The Housing Authority staff shall make every effort to respond to individual grievances, problems, requests for assistance, requests for action or appeals of decisions so as to avoid the necessity for formal Grievant Requests and Grievance Hearings before the Board.
2. If requested, the staff shall assist individuals to document grievances and to assist in the completion of a Grievant Request Form.
3. Staff shall respond to Grievant Request Forms within ten working days of receipt of the Grievant Request Form.

## SECTION 6

### GRIEVANCE HEARING

1. If the **Grievant** is not satisfied with the result or findings of the Informal Settlement of the **Grievant** Request Form, a request for a Grievance Hearing before the Board of Commissioners can be made. The request must be made within ten working days of receipt of a formal Housing Authority response to the **Grievant** Request Form. A Grievance Hearing may not be requested until the **Grievant** has filed a formal **Grievant** Request Form and the Housing Authority has made a response.

2. If a hearing is not requested within the required ten working days, the matter in dispute will not be considered further and the Grievant will be required to adhere to the action specified in the original Grievant Request Form response.
3. When a request for a Grievance Hearing is received, a hearing will be scheduled for the next available Regular Meeting of the Board of Commissioners.
4. If the Grievant requesting the hearing does not appear or is not excused from appearing, for reasons deemed valid, the Grievant will be required to adhere to the decision of the Board.
5. At a formal Grievance Hearing before the Board of Commissioners, the following procedures will be followed:
  - a. The hearing will take place during the Appointment/Correspondence section of the Board agenda.
  - b. All visitors and guests other than the Executive Director, or designees, staff personnel, and the recording secretary, will be requested to leave the meeting room while the hearing is in progress. The Grievant has the right to be represented by another person of their choice at the hearing.
  - c. There will be an opportunity for both the Housing Authority and the Grievant to make opening statements, present witnesses and documents and ask questions of the other party.
  - d. The format of the hearing shall not imply that the burden of proof is more on one side than the other. The purpose of the hearing is to present all information required in order to allow a decision by the Board based on the merits of the grievance.
  - e. The Board will make a decision on the grievance at the conclusion of the Regular Meeting. The Housing Authority will transmit the decision within 24 hours to the Grievant both orally and in writing.
  - f. The decision shall be binding on all parties involved.

## **SECTION 7**

### **PAYMENT AND DEPOSIT OF RENT OR MONTHLY PAYMENTS DURING GRIEVANCE PROCESS**

When a grievance involves payment of rent or monthly payments or other charges, the Grievant may not withhold payment pending a response to a Grievance Hearing by the Board of Commissioners. The Grievant must make all payments for rent or other charges when due. The Housing Authority shall place these moneys in its accounts and shall not use them for any purpose until a Grievance Hearing is held and a decision is rendered.

## **SECTION 8**

### **EVICITION OR OTHER ACTION DURING GRIEVANCE PROCESS**

When a grievance involves action taken by the Housing Authority, including evictions, the action will be placed on hold until a Grievance Hearing is held and a decision is rendered.