

DISTRICT 4 GRIEVANCE PROCEDURE

(12/7/24) DRAFT

The following language is proposed to replace Section XII – Grievance Procedure of the District 4 Coalition Bylaws adopted June 29, 2024.

SECTION XII - GRIEVANCE PROCEDURE

A. GRIEVANCE AND APPEAL PROCEDURES REQUIRED

The District 4 Coalition (Coalition) is required to have procedures for handling grievances about its decisions and about appeals from grievances addressed by its member neighborhood associations. The Coalition is bound by the appeal and grievance procedures set forth in the Office of Community & Civic Life/Office of Neighborhood Involvement (OCCL/ONI) Standards. These sections of the Coalition Bylaws are intended to fulfill the requirements of those standards.

B. GRIEVANCES AND APPEALS

- 1) Grievances filed with the Coalition are limited to procedural violations of the Coalition's bylaws or OCCL/ONI Standards. The grievance must comply with the requirements of Section 4 below.
- 2) Appeals filed with the Coalition are limited to the review of grievances filed in neighborhood associations which are members of the Coalition. The appeals must comply with the requirements of Section 5 below.

C. GRIEVANCE COMMITTEE

- 1) The Coalition Board shall create a Grievance Committee consisting of five Board Members. The Board Chair shall appoint the members of the Committee and fill any vacancies. The committee members shall serve until their

departure from the Board, but for no longer than three years. Each year the committee will select a chair. If the chair is unavailable, or there is no chair, the senior member of the committee shall serve as chair until one can be selected.

2) The Grievance Committee shall:

- a) Hear original grievances filed against the Coalition,
 - b) Hear appeals of grievance decisions made by neighborhood associations belonging to the Coalition, and
 - c) Advise the Board regarding the implantation of the grievance process and make recommendations regarding its improvement.
- 3) In all cases, the Grievance Committee will submit recommendations to the Coalition Board, which shall make the final decision.

D. INTAKE PROCESS

- 1) Upon the filing of a grievance or an appeal Coalition staff shall assign a number to the matter, make a record of the filing date, and provide copies of the documents to the members of the Grievance Committee. If the matter is an appeal the Coalition staff will provide a copy of the grievance to the relevant neighborhood association with a request that the neighborhood association promptly provide to the Grievance Committee copies of any documents in their possession relevant to the appeal.
- 2) The chair of the Grievance Committee shall assign the grievance or appeal to a panel for a resolution. A panel must be composed of at least three Board members, at least two of which must be members of the Grievance Committee.
- 3) The committee is authorized to propose forms for use in grievance and appeal proceedings. The Board must approve the forms before they can be used. If forms are authorized

grievants and appellants are encouraged, but not required, to use them.

E. GRIEVANCE REQUIREMENTS

- 1) A grievance of an action by the Coalition must identify:
 - a) the procedural decision of the Coalition which caused harm to the grievant;
 - b) the date(s) on which the decision was made;
 - c) the specific provision(s) of the Coalition bylaws or OCCL/ONI Standards that were violated;
 - d) the manner in which the violation directly affected the outcome of the decision;
 - e) the nature of the harm done to the grievant; and
 - f) the remedy proposed for the claimed violation.
- 2) Grievances must be submitted:
 - a) within forty-five business days of the alleged incident,
 - b) in written form (hard copy or electronic), and
 - c) must include a concise statement addressing each of the above listed requirements for the filing of a grievance.

F. GRIEVANCE PROCEDURES

1. After a grievance has been filed, dated, and submitted to the assigned grievance panel the grievance shall be heard by the panel and the panel's recommendation acted on by the Board within sixty calendar days of the date the grievance was received.
2. The panel is not required to take testimony about the circumstances of the grievance but may decide to hear testimony from the grievant or others with knowledge of or an interest in the grievance. If a hearing to which the panel has invited witnesses and in which testimony is taken occurs it must be public, conducted with appropriate notice provided to all known interested parties, and recorded. The

recording must be retained until the entire OCCL/ONI grievance process has been completed. Witnesses may not be questioned by anyone other than panel members. Deliberations of the panel shall be held in an executive session.

3. Whether or not testimony is taken, the panel may decide to solicit information from the grievant or others in writing. Questions asked and answers provided shall be retained until the entire OCCL/ONI grievance process has been completed.
4. When a recommendation on a grievance has been reached by the panel, a copy of the recommendation and the documents upon which it is based will be provided to the Coalition staff for distribution to the Board. The Board may go into an executive session to deliberate on the grievance but the vote on the recommendation must be public.
5. The Board will review the recommendation and either approve it or return it to the panel for further consideration. If approved staff shall mail or email the decision to all relevant parties. If returned the panel will reconsider the issues presented and submit a new recommendation to the Board.
6. The Coalition shall retain the original grievance and supporting documents, any documents obtained or created by the panel during their investigation, and the transcripts or recordings of any testimony taken until the entire OCCL/ONI grievance process has been completed. The relevant documents and the decision on a grievance shall be a matter of public record.
7. A grievant has fourteen calendar days from the date the grievant was mailed or emailed the Board decision to appeal to the Office of Community & Civic Life. Upon the filing of an appeal, Coalition staff will provide a copy of the

relevant documents to the Office of Community & Civil Life.

G. APPEAL REQUIREMENTS

1. Grievants who have filed a grievance with a Coalition member neighborhood association and are not satisfied with the neighborhood association's response may appeal to the Coalition.
2. Appeals from neighborhood association grievance decisions must identify;
 - a) the procedural decision of the neighborhood association which caused harm to the grievant;
 - b) the date(s) on which decision was made;
 - c) the specific provision of the neighborhood association bylaws or OCCL/ONI Standards which were violated,
 - d) the manner in which the violation directly affected the outcome of the decision;
 - e) the nature of the harm done to the grievant,
 - f) the remedy proposed for the claimed violation.
3. Appeals from neighborhood association grievance decisions must be filed:
 - a) by the grievant within fourteen business days of the neighborhood association's grievance decision,
 - b) in written (hard copy or electronic) form,
 - c) with a concise statement addressing each of the requirements for the filing of a grievance appeal, and
 - d) a copy of the neighborhood grievance decision and any supporting documents in the possession of the grievant.

H. APPEAL PROCEDURES

- 1) After an appeal has been filed, dated, and submitted to the assigned grievance panel, the matter shall be reviewed by

the panel and the panel's recommendation acted upon by the Board within sixty calendar days.

- 2) Upon notice of the filing of an appeal, a neighborhood association has an obligation to provide the panel with the documents obtained or created during the original matter. In addition to those documents the neighborhood association may file a response to the appeal. The documents, and any response, must be filed within fourteen calendar days of the filing of the appeal.
- 3) Appeals are conducted on a written record. The panel may solicit information from the grievant, or others, while reaching a decision. Questions asked and answers received must be in writing and copies shall be retained until the entire OCCL/ONI grievance process has been completed.
- 4) When a recommendation on an appeal has been made by a panel, a copy of the recommendation and the documents upon which it is based will be provided to the Coalition staff for distribution to the Board. The Board may go into executive session to deliberate on the grievance. The Board's final decision and vote upon it shall be open to the public.
- 5) The Board will review the recommendation and either approve it or return it to the panel for further consideration. If approved the decision will be distributed by staff to all relevant parties. If returned the panel will reconsider the issues presented and submit a new recommendation to the Board.
- 6) The Coalition shall retain the original grievance and supporting documents plus any documents obtained or created by the panel during their review of the appeal until the entire OCCL/ONI grievance process has been completed. Those records and the decision on an appeal shall be a matter of public record. Deliberations of the panel, however, shall be held in an executive session.
- 7) A grievant has fourteen calendar days from the mailing or emailing to them of a decision to seek review of the decision by the Office of Community & Civic Life. Upon

the filing of an appeal of a Coalition decision Coalition staff will provide a copy of the relevant documents to the Office of Community & Civil Life.