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| Policy Name: | Complaints and Grievances |
| Policy Code: | 411 |
| Policy Purpose: | Rise is committed to approaching all complaints in a spirit of consultation, problem solving, and as an opportunity to make improvements. |

I. Overview

Persons served and/or their legal representatives may file formal complaints to the organization at any time via the procedures outlined below. There will be no interference, coercion, discrimination, retaliation, or barriers to service for filing a complaint/grievance.

II. Procedure

A. If you have a problem, dispute, or feel that you have been treated unfairly in some way, you are encouraged to talk to a Rise team member with whom you feel comfortable with about your complaint or problem. If they are unable to help you resolve the issue to your satisfaction, you may file a formal complaint/grievance as follows:

1. Contact the Program Manager (Service Team Leader, Coordinator, or Director) who oversees your service area and let him/her know the details of your complaint either verbally or in writing. The Program Manager will address your complaint within two (2) days.

a. If you are not sure how to go about contacting your Program Manager, please ask any Rise team member for assistance.

B. If the complaint/grievance is not resolved to your satisfaction via step A, you or your representative may take your complaint to the Vice President either verbally or in writing. Within ten (10) working days of receipt of the formal complaint, the Vice President will respond in writing regarding any actions to be taken to address the complaint.

1. Contact Information for Rise Vice President

Rise Vice President: Tim Dickie

Direct phone: 763-783-2815

Email: tdickie@rise.org

Address: 8406 Sunset Road NE, Spring Lake Park, MN 55432

- C. If you are not satisfied with the outcome of step B above, you may appeal to the President of Rise. Within ten (10) days of receipt, the President will respond in writing with the final determination or actions to be taken.

1. Contact information for Rise President

Rise President: Lynn Noren
Direct phone: 763-783-2814
Email: lnoren@rise.org
Address: 8406 Sunset Road NE, Spring Lake Park, MN 55432

- D. At each level above, an internal review of the complaint will be completed to include:
1. The nature of the complaint and date received.
 2. An evaluation of whether related policies and procedures were followed and adequate.
 3. An evaluation of whether there is a need for additional team member training.
 4. An evaluation of whether the complaint is similar to past complaints with the person(s) served, team member, or services involved.
 5. An evaluation of whether there is a need for corrective action to protect the health and safety of persons receiving services, or future lapses in performance by team members or the program.
 6. The outcome/resolution, including any corrective action (a copy of the summary will be maintained in the case file of the person served).
- E. If you are not satisfied with the final determination, or if you would like advocacy assistance at any point in time in the complaint, grievance process, you may contact one or more of the following organizations:

State of Minnesota Office of the Ombudsman for Mental Health and Developmental Disabilities

121 - 7th Place E, Ste 420, Metro Square Bldg St. Paul, MN 55101
651-757-1800 or 1-800-657-3506 or MN Relay Service 711
Website: <http://www.ombudmhdd.state.mn.us/>
Email: ombudsman.mhdd@state.mn.us

Disability Law Center

Legal Aid – Mid Minnesota Legal Assistance
430 1st Avenue N, Suite 300
Minneapolis, MN 55401-1780

Phone: 612-332-1441, TDD: 612-332-4668, Fax: 612-334-5755
Website: <http://www.mylegalaid.org/>

**Minnesota Department of Employment and Economic Development (DEED)
Vocational Rehabilitation Services (For persons served in VRS programs only.)**

First National Bank Building, 332 Minnesota Street Suite E200
St. Paul MN 55101. Voice 651-259-7376, TTY 651-296-3900.
Website:

http://www.positivelyminnesota.com/JobSeekers/People_with_Disabilities/index.aspx
Email: VRS.CustomerService@state.mn.us

**Minnesota Department of Human Services
Licensing Division**

PO Box 64242
St. Paul, MN 55164-0242
Phone: 651-431-6500

III. Addendum for People Served in Extended Employment Program

A. Extended Employment Program Grievances: Final and Binding Arbitration Process

For people enrolled in the Extended Employment program, grievances may be subject to binding arbitration required by Minnesota Statutes, section 268A.07, subdivision 2.

- B. If, after following the Complaint Policy and Procedures, a person served in the Extended Employment Program is not satisfied with the outcome of a grievance, he/she may institute arbitration proceedings within twenty (20) days of receipt of the final determination.
- C. Rise and the person served will attempt to select a mutually acceptable arbitrator to hear and decide the grievance. If Rise and the person served are unable to agree on an arbitrator, they may request a list of five (5) names from the American Arbitration Association or some such nationally recognized group. Names will be alternately struck from the list. The last name remaining shall serve as arbitrator.
- D. The arbitrator should be empowered, except as the arbitrator's powers are limited below, to make a final and binding decision. Limitations on the power of the arbitrator are as follows:
1. The arbitrator shall have no power to add or subtract from or modify in any way written Personnel Policy.
 2. The arbitrator shall have no power to establish or change wages or change or establish any fringe benefits or supplementary compensation.

3. The arbitrator shall have no power to decide any question, which is the right of management to decide. Management has such rights as the right to decide inherent managerial functions and programs of the agency, its overall budget, utilization of technology, its organizational structure, and the selection, direction, and number of personnel, as the rights may be expressly conditioned by the Agency's written Personnel Policies.
 4. The arbitrator may consider and decide only the specific issue or issues submitted in writing by the worker.
- E. Arbitration expenses shall be assessed in the following manner:
1. If the arbitrator finds in favor of Rise, the person served may be required to pay part of the arbitrator's expenses.
 - a. However, in no event shall the person served be required to pay the expenses of arbitration unless the person's income and resources are such that he/she could reasonably be expected to bear a portion, but not more than 50% of the arbitration fees and expenses.
 2. Rise shall pay the arbitration costs when the arbitrator finds in favor of the worker.
 3. The allocation of fees and expenses shall be made by the arbitrator.
- F. The Arbitrator's decision shall be provided in writing to the person served and Rise within a reasonable period of time following the proceedings.
- G. A copy of the proceedings and a decision shall be made part of the case record of the person receiving Rise services.

***This Grievance Procedure does not preclude recourse to protection under State and Federal Civil Rights Acts, or utilization of advocates.**