

Civil Rights Complaint Procedures

MAP No. 30-5

Dated: June 1, 1990

State of Alaska

Department of Health & Social Services

Division of Public Assistance

FIELD SERVICES

MANAGEMENT ADMINISTRATIVE PROCEDURES

Approved by: Jan Hansen
Chief of Field Services

Date: June 1, 1990

PURPOSE

To provide managers and supervisors with procedures to handle civil rights complaints.

BACKGROUND

Division civil rights complaint procedures are detailed in Administrative Procedures Manual section 100-4, change #26. This MAP expands on those procedures and focuses on manager and supervisor responsibility with regard to civil rights complaints.

Administrative Procedures Manual section 100-4 contains general instructions for civil rights complaints, including: the Division policy statement; complaint definition; agency responsibility; complainant responsibilities (where, when and how to file); complaint form distribution and requirements for display of appropriate posters.

Supervisors are responsible to encourage in their offices and among all levels of staff, a heightened awareness of the Division's continuing commitment to provide services, with sensitivity regarding the rights, needs and circumstances of the public it serves.

At the office/unit level, managers/supervisors are responsible for correct completion of the appropriate civil rights complaint forms, conducting the complainant interview, attempting to resolve issues, and training staff in civil rights awareness and complaint procedures.

Detailed worker/supervisor responsibilities with respect to civil rights complaints, including proper completion of forms and conduct of the initial investigative interview are found in Policy and Procedures 190-6, Appendix B, Section III. Relevant contents of that section, as applicable to DPA are incorporated into this MAP, so that Regional Managers and supervisors can follow these procedures and will not need to refer to the Policy and Procedures manual.

The supervisor's initial step, upon receipt of a possible civil rights complaint, is to attempt to informally resolve the issue. It may be that what is expressed or alleged as discrimination is in fact a complaint relating to office procedures or a casework issue and not an actual civil rights complaint.

PROCEDURE

Supervisor's Responsibilities:

- 1) Conduct the conference interview.
Upon receipt of an oral or written civil rights complaint, the local office supervisor shall take the following actions:
 - a) Make an appointment with the complainant to discuss the complaint. This meeting shall be held as soon as possible, but no later than 10 days from the date the complaint is filed. (See Administrative Procedures Manual, Section 100-4).
 - b) If the complaint is anonymous, conduct an investigation to the extent possible and complete the Civil Rights Complaint form Gen 101 and Review Disposition of Civil Rights Complaint form Gen 102. Forward all civil rights forms and supporting documentation to the Regional Manager allowing adequate time for the Regional Manager to forward the documentation to the Civil Rights Coordinator/Central Office, within 15 days from the date the complaint was filed.
- 2) During the conference interview the supervisor is responsible for:
 - a) Interviewing the complainant to determine the allegations and issues identified by the complainant;
 - b) clarifying the Division's policies and procedures;
 - c) offering solutions to resolve the complaint, if appropriate;
 - d) Informing the complainant of the other agencies with whom they may file a complaint, if they prefer (see Administrative Procedures Manual, Section 100-4 for the list);
 - e) Assisting the complainant, if necessary, in completing the Civil Rights Complaining form, Gen 101 (give a copy of completed form to the complainant)'
 - f) Explaining to the complainant that documentation and the civil rights forms will be forwarded to the appropriate authorities whether or not the complaint is resolved at this level;
 - g) Requesting the complainant complete a Withdrawal of Civil Rights Complaint form, Gen 103, if the complaint is resolved (give a copy of completed form to the complainant);
- 3) Complete the Review-Disposition of Civil Rights Complaint form, Gen 102.
 - a) Complete Part I, Complainant Identification. If anonymous, so state.

- b) Complete Part II, Report of Action Taken at Local Office Level. Provide a narrative description of the facts and circumstances surrounding the complaint. (Attachments may be necessary.)
- Enter the action taken to resolve the complaint.
 - Enter the corrective action taken or planned to prevent recurrence of the type of complaint involved. (If no corrective action is required, so state.)
 - Check the appropriate response regarding the complaint withdrawal. If the complaint is withdrawn, attach a copy of the completed Withdrawal of Civil Rights Complaint form, Gen 103.
 - Complete the supervisor signature section. Complainant does not receive a copy of the Review-Disposition of Civil Rights Complaint form, Gen 102.
- c) Send the confirmation letter
- The supervisor responsible for resolving the complaint sends the confirmation letter (Addendum D) to the complainant.
- d) Distribute the forms
- The supervisor forwards all forms and supporting documentation to the Regional Manager for review and signature

Regional Manager's Responsibilities:

- 1) Review all civil rights forms and supporting documentation to determine if appropriate action was taken on the civil rights complaint;
- 2) Make contact with the complainant if appropriate and necessary (document the contact and any action taken as an attachment to the Gen 102);
- 3) Complete and send Confirmation Letter (Addendum D) when complaints are resolved at the Regional Office level;
- 4) See that corrective measures are taken in local offices in the region where there appears to be a need;
- 5) Forward all civil rights complaint forms and supporting documents within 15 days from the date the complaint was filed to the Civil Rights Coordinator in Central Office.

Division Civil Rights Coordinator's Responsibilities:

- 1) Review the completed Civil Rights forms: Gen 101, Gen 102, and Gen 103 submitted by the Regional Manager.
- 2) Brief the Director of Public Assistance on civil rights complaints and recommend appropriate action for the Division.
- 3) Brief the Department Civil Rights Coordinator on civil rights complaint.
- 4) Forward the complaint forms, after they have been signed by the Division Director and Department Civil Rights Coordinator, to the appropriate federal investigatory agencies.
- 5) Serve as the contact person for federal investigatory agencies who need information to conduct investigations of civil rights complaints.

Division Director's Responsibilities:

- 1) Review the completed Civil Rights forms: Gen 101, Gen 102, and Gen 103 to determine whether the Division has complied with civil rights requirements.
- 2) Request further investigation of the complaint, if necessary.
- 3) Take corrective action in response to the civil rights complaint, if necessary.
- 4) Complete the Division Director's section of the Review-Disposition of Civil Rights Complaint form, Gen 102.
- 5) Submit the completed civil rights complaint forms to the Department Civil Rights Coordinator.
- 6) Discuss the Department's response to the complaint with the Department Civil Rights Coordinator, and/or the Commissioner of Health and Social Services, if necessary.

Department Civil Rights Coordinator's responsibilities:

- 1) Review the completed Civil Rights forms: Gen 101, Gen 102 and Gen 103 to determine whether the Division has complied with Civil Rights requirements.
- 2) Arrange a meeting, if necessary with the Division Civil Rights Coordinator and/or Division Director, to obtain more information about the complaint.
- 3) Request that the Division Director investigate the complaint further, if necessary.
- 4) Request that the Division Director take specific corrective action if necessary.
- 5) Complete the Department Civil Rights Coordinator section of the Review-Disposition of Civil Rights Complaint form, Gen 102.
- 6) Submit the completed civil rights complaint forms to the Division Civil Rights Coordinator for forwarding to appropriate federal investigatory agencies.

Summary of Civil Rights Forms and Distributions:

- 1) Civil Rights Complaint, [Gen 101](#) (Addendum A):

Complainant
DPA, Civil Rights Coordinator
District Office Civil Rights Complaint File

- 2) Review-Disposition of Civil Rights Complaint, [Gen 102](#) (Addendum B);

DPA, Civil Rights Coordinator
District Office Civil Rights Complaint File

- 3) Withdrawal of Civil Rights Complaint, [Gen 103](#) (Addendum C):

Complainant
DPA, Civil Rights Coordinator
District Office Civil Rights Complaint File

4) Confirmation Letter (Addendum D):

Complainant
DPA, Civil Rights Coordinator
District Office Civil Rights Complaint File