



POLICY OVERVIEW:

Community Access, Inc. (CA) is committed to facilitating the resolution of any grievance in an equitable and expedient manner. The following Grievance Policy and Procedures are made available to all who receive services from CA programs.

SCOPE:

The Grievance Policy and Procedures covers participants or applicants in all CA programs.

DEFINITIONS:

Grievance: A complaint or concern (verbal or written) regarding a program, services, staff, maintenance, or other issues at programs or facilities managed by CA.

Administrative Grievance: A Grievance that was not resolved to the satisfaction of a participant when initially addressed by the Program Director or Property Manager. Administrative Grievances are typically addressed and documented by the Quality Improvement Department (QI).

Grievance Appeal: A Grievance Appeal is when a participant is not satisfied with the outcome and requests that their grievance be reviewed by the Grievance Committee or the New York State Office of Mental Health (OMH) Customer Relations or Concern Line by calling 800-597-8481.

Neighbor Complaints: A neighbor complaint typically refers to an expression of dissatisfaction with a neighbor's behavior or actions that disrupts peace or causes distress. This can include issues such as noise disturbances or other annoyances that affect the enjoyment of living in a community. Community Access will attempt to help mediate neighbor disputes. In cases where mediation is not possible, participants will need to rely on 311 or the NYPD to resolve their neighbor disputes. Property Management may take further action in response to a neighbor complaint, including issuing a Lease Violation if there is a sustained pattern of behavior that infringes on other tenants' rights and is not resolved through mediation. In most cases, due to privacy laws, housing action such as a Lease Violation taken against another tenant cannot be shared with the complainant.

Maintenance Complaints: A maintenance complaint typically refers to an expression of dissatisfaction regarding the maintenance of an apartment or building. It typically involves issues such as damage, poor upkeep, or problems that arise despite maintenance efforts.

Participant: any tenant or resident in CA housing, guest at a Crisis Support Program or individual receiving services at any CA non-residential program including Howie the Harp, Blueprint, ACT, IMT,



Self-Direction, or the Art Collective. For the purposes of the Grievance Policies and Procedures, program applicants are also considered participants.

Policy:

Community Access is committed to providing all program participants/tenants with a high level of service and support. If a concern or request arises, it should be communicated to your service coordinator/primary worker, the Property Manager, or the Program Director. Community Access encourages all tenants and program participants to actively voice their concerns, complaints, and suggestions regarding the services and programs we provide. Feedback is a vital part of maintaining a respectful, responsive, and inclusive environment.

Participants that file grievances will not face retaliation for doing so. Retaliation includes, but is not limited to, intimidation, threats, coercion, discrimination, harassment or any adverse action affecting housing or services. Individuals who believe they have experienced retaliation are encouraged to report such behaviors immediately through the grievance process or to the Quality Improvement Department (email qidept@communityaccess.org).

Participants/tenants are expected to speak up if they believe their rights as a resident, tenant, or program participant have been violated. This includes situations where an employee fails to respect a participant's right to set their own goals, makes decisions about services without agreement, or behaves in a manner that is unprofessional or inconsistent with the values of Community Access. Additionally, participants/tenants should report any conduct that may be considered abusive or neglectful. All reports relating to services should be made through the appropriate channels, such as the Program Director and will be addressed in accordance with Community Access policies and procedures. Any concerns related to the condition of their apartment or building are considered maintenance complaints. If there are issues with your apartment or building maintenance, the first step is to submit a work order through the Maintenance Repair Line at 917-248-7455. Program staff will assist with this if needed. Complaints about maintenance issues will not be accepted if there is not an existing Work Order in place. A maintenance issue may be submitted as a grievance if a Work Order exists, the problem remains unresolved beyond expected timeframes, and the tenant has provided access after receiving sufficient notice. Expected time frames are as follows:

- Emergency work orders involving uncontrollable water leaks, or issues related to gas or electrical hazards will be addressed within 24 hours. Under Emergency circumstances, maintenance staff will key in and enter without notice or if no one answers the door.
- Urgent works orders such as clogged sinks, toilets, and lock changes will be addressed within 72 hours.
- Non-urgent Work Orders will be addressed within 7 -10 business days of submission.

The complainant will be notified if an outstanding maintenance issue is delayed due to vendor or part issues outside Community Access control. All reports should be made through the appropriate channels,



such as the Property Manager, and will be addressed in accordance with Community Access policies and procedures.

Any concerns related to a participant/tenant's neighbor are considered neighbor complaints. All complaints should be made through the appropriate channels, such as the program staff and/or the Property Manager. Community Access will attempt to help mediate neighbor disputes. In cases where mediation is not possible, participants will need to rely on 311 or the NYPD to resolve their neighbor disputes. Property Management may take further action in response to a neighbor complaint, including issuing a Lease Violation if there is a sustained pattern of behavior that infringes on other tenants' rights and is not resolved through mediation. In most cases, due to privacy laws, housing action such as a Lease Violation taken against another tenant cannot be shared with the complainant.

If concerns are not addressed or not handled satisfactorily, participants have the right to file a Grievance which will be addressed by CA administration as outlined in the procedures below. Grievances may be filed using the Grievance Documentation Form but may also be submitted in writing, via email, or they can be communicated verbally. Staff are available to assist in filing a grievance if it is needed. Assistance may include language translation, explaining the grievance process, or assistance with reading and writing. If anonymity is desired, a complaint/grievance may be filed anonymously in writing in a sealed letter given to any staff member or by contacting CA's Confidential Reporting Line (646) 722-9398.

Throughout all steps of the grievance process, participants will be encouraged to give their input as to an acceptable resolution to the complaint/grievance. This input will always be considered and, whenever possible, included in the final resolution and recommendations.

All grievances will be responded to in a timely fashion. All Grievances and requests for an appeal will receive verbal confirmation, followed by written confirmation via e-mail or mail of the complaint within two (2) business days. The response to the complaint will be provided to the participant within seven (7) business days. In circumstances where follow up requires more than seven (7) business days to complete, the participant will be advised in writing within seven (7) business days that the response will be forthcoming and the current anticipated timeframe for response. Grievance appeal requests will receive a decision regarding whether or not a review before the Grievance Committee is warranted within seven (7) business days of the Appeal request.

A program participant/tenant may not always receive detailed information regarding the disposition of the grievance as there may be information that is confidential in nature that cannot be shared. A program participant/tenant has the right to appeal any determination made on a grievance if they feel



the grievance was not resolved to their satisfaction. The process for appeals is detailed in the procedures below and includes appeals up to the funding source or governmental department with oversight of the program. It is recommended that participants follow the steps outlined below in order to resolve all grievances as early on in the process as possible.

To ensure a positive and safe environment for everyone, we ask that all program participants/ tenants interact with staff in a respectful, courteous manner at all times. Our staff are here to help, and they will treat program participants/ tenants with respect, fairness, and understanding.

All grievances will be tracked and analyzed by the Quality Improvement department to ensure that they are responded to in a timely fashion and resolutions are appropriate and effective.

PROCEDURES:

The following steps should be taken to effectively resolve grievances that are made at Community Access.

1. Initial Grievance:

The initial Grievance will be handled at the program or facility level. A participant should report the issue to their Service Coordinator, the Property Manager, the Assistant Director or the Program Director or any other staff member with whom they feel comfortable. If asked, any program staff member must provide the program participant/tenant with the Complaint/Grievance Document form and contact information for the appropriate Department Head to assist them with filing a complaint. Staff should also provide assistance in translation, reading or writing if a person would like to file a Grievance. Staff who assist with the filing of a Grievance must treat information obtained as confidential and not share the information or discuss the complaint with the person(s) named in the complaint or with others at the site unless it is a part of an investigatory process. A Grievance Report Form may be used for this report; however, it is not required. The program staff should report the issue to the Program Director, unless the director is the subject of the grievance. In most cases, Grievances regarding Program issues will be addressed and documented by the Program Director and Grievances regarding facilities/housing issues will be addressed and documented by the Property Manager. In some cases, the Director of Housing or the Director of Facilities/Director of Property Management/Director of Operations will address the Grievance. If the complaint is made about a Program Director or Property Management staff, the complaint should be brought to the appropriate supervisor who will then lead the grievance response. The responsible Director or Property Manager will then investigate the issue and provide a resolution within seven (7) business days of receipt of the complaint. The Quality Improvement Department or Human Resources Department should be consulted as necessary to assist with the investigation or resolution.

Complaints regarding abuse or neglect or issues of similar magnitude would be considered serious grievances and should be escalated immediately to the Administrative Grievance stage and reported to

the Quality Improvement Department and HR. All initial complaint or concern materials should be provided to the Quality Improvement Department immediately by program or property management staff. For OMH licensed programs, these serious grievances may also require reporting to the Justice Center (see Incident Reporting Policy & Procedures Appendix A).

If necessary, the Program Director/Property Manager should also inform their direct supervisor and seek guidance in responding to the grievance. The Program Director/ Property Manager is responsible for providing the participant with written receipt of the grievance within two (2) business days and reporting back to the program participant/tenant regarding the resolution within seven (7) business days. The Grievance Response/resolution report to the participant must be verbal (via phone, video conference, or in-person) as well as written. If a verbal discussion with the participant is not possible, there should be sufficient documentation in progress notes supporting attempts made and/or the rationale for the lack of verbal follow-up. All participants engaged in the grievance process must also be provided with a Grievance Response. A copy of this Grievance Response must also be provided to QI. All written Grievance Responses must include the following components:

1. Participant Name
2. Date Grievance was received
3. Date Grievance was acknowledged
4. Date of the Verbal Determination Meeting
5. Date the Written Determination was provided.
6. A brief summary of the core complaint(s) or concern(s)
7. The proposed resolution to each complaint or concern that was listed as a core complaint or concern.*
8. The contact information of the Quality Improvement Department in the event that the participant would like to appeal the complaint decision (email gidept@communityaccess.org).

* Information regarding other tenants or staff disciplinary actions cannot be shared due to confidentiality restrictions. Possible resolutions may include programmatic or policy changes, mediation meetings between the program participant/tenant and the staff member(s) involved, resolving maintenance issues, staff education or disciplinary action, or, if the complaint cannot be substantiated, there may be a determination that no action is required.

If the proposed resolution requires a plan of action, this will be done in writing and follow-up and completion of action steps should be documented and dated. The Program Director/ Property Manager is responsible for keeping track of all complaints and action plans handled successfully at the program level.

2. Administrative Grievance:



If a complaint or concern is unable to be resolved at the Program Director/Property Manager Level, the issue can be submitted to QI as an Administrative Grievance. To submit an Administrative Grievance, the program participant/tenant should take one of the following steps:

In the case of a Grievance where the participant is dissatisfied with our previous Grievance response, provide Quality Improvement with all documentation regarding the initial complaint, complaint investigation, and the Grievance Response, if available.

The Quality Improvement Department will review available documentation and may initiate a new investigation to gather further details based on the information provided. Within ten (10) business days, the Quality Improvement Department will either propose a new resolution and recommendations or endorse the previous resolution and recommendations based on the review and investigation and respond verbally and in writing to the complainant. In circumstances where follow up requires more than ten (10) business days to complete, the participant will be advised in writing within ten (10) business days that the response will be forthcoming and the current anticipated timeframe for response.

3. Grievance Appeal

If after resolution of the first appeal, the program participant/tenant remains unsatisfied with the resolution of the Administrative Grievance, a request may be made to have the grievance reviewed by the Grievance Committee. This request should be made to the Director of Quality Improvement (email: gidept@communityaccess.org, phone 212-780-1400x7785) and should include a brief description of the grievance, the reason why the outcome is unsatisfactory and the resolution that is being sought. The Director of Quality Improvement will review the request and all previous Grievance documentation and investigation materials with the Chief Program Officer and/or the Chief Operating Officer, each of whom serve as the Chief Executive Officer's designee when responding to grievances, and make a decision regarding whether or not a review before the Grievance Committee is warranted within seven (7) business days of the Appeal request and if so, an appropriate Grievance Committee will be convened within the following 20 business days. A Grievance Committee may not be warranted if the previous decisions are being endorsed or if the requested resolution (or similar alternative) can be granted without convening the committee.

The Grievance Committee may be comprised of members of CA staff, members of the CA executive team and Peers. The composition may vary based on the nature and magnitude of the grievance. Nobody who works for or participates in the program involved in the grievance may sit on the Grievance Committee.



The Grievance Committee will receive the Appeal request and all grievance documentation and investigatory materials prior to the committee meeting. At the Grievance Committee review, the committee will hear a presentation of the issue from the program participant/tenant. The Grievance Committee may also request presentations from other parties involved, including potential witnesses or others with relevant information.

After all parties have been heard, the Grievance Committee will make a decision regarding the outcome of the grievance and may make further recommendations for resolution. The decision of the Grievance Committee will be sent in writing to the complainant within seven (7) business days after the Committee meeting and review. The Committee's decision is final. Decisions made by the Grievance Committee will not be binding on future grievances unless they are officially incorporated into CA policies or procedures.

4. Grievances after Appeal

Grievances that have gone to the Appeal stage are considered closed after determination. This is the case even if a Grievance Committee was not convened. Participants who remain dissatisfied with the outcome of the grievance process should bring their complaint or concern to the appropriate funder. In most cases, this would be one of the three following entities. Any determination letter at the Administrative Grievance or Grievance Appeal stage will include the contact information for the most relevant funder for a complaint or concern:

1. New York State Office of Mental Health, Customer Relations Line "OMH Concern Line" – (800) 597-8481.
2. New York City, Department of Health and Mental Hygiene, Department of Consumer Affairs – (347) 396-7194
3. DSS/HRA Central Complaint Unit --- (718) 291-4141
4. HUD Office of Fair Housing and Equal Opportunity (FHEO) - (800) 669-9777
Website: www.hud.gov/fairhousing

Additional Assistance

If a participant remains unsatisfied about the outcome of their grievance, they may file a complaint with the program funder. At any point in the grievance process, a participant may contact any of the following agencies for assistance or to submit a complaint:

- New York State Justice Center (for OMH Licensed Programs) – (855) 373-2122
- New York City, Department of Health and Mental Hygiene, Department of Consumer Affairs – (347)



396-7194

- New York City Non-Emergency Complaint and Assistance Line- 311
- New York State Office of Mental Health, Customer Relations Line “OMH Concern Line” – (800) 597-8481
- New York Lawyers for Public Interest – (212) 244-4664 Mobilization for Justice (MFY) Legal Services – (212) 417-3700
- DSS/HRA Central Complaint Unit --- (718) 291-4141
- Mental Hygiene Legal Services: (718) 618-3717
- HUD Office of Fair Housing and Equal Opportunity (FHEO): (800) 669-9777

Grievance Tracking and Analysis:

All grievances will be tracked by the Quality Improvement Department and analyzed annually with regard to frequency and trends and to ensure that resolutions are effective. Grievance tracking will also be made available to auditors and funders when requested.

