

KIT CARSON County of Human Services
County Policy for Grievances Concerning County Employee Conduct
Legal Authority: 19-3-211 C.R.S., 12 CCR 2509-7 Rule 7.606

C.R.S 19-3-211 (1) (c) The conflict resolution process must provide for the resolution of grievances as follows:

- (I) Transmittal of all grievances to the county child welfare director for internal resolution by the county department within ten working days after receipt of the grievance;
 - (II) Closure of the grievance and issuance of a written final decision within thirty-five days of receipt of the grievance if the county department has resolved the grievance to the complainant's satisfaction;
 - (III) Referral of the grievance to the office of the child protection ombudsman upon the request of the complainant if the county department has not resolved the grievance to the complainant's satisfaction;
 - (IV) Review by the office of the child protection ombudsman in accordance with section 19-3.3-103;
2. Each county department shall post information about the grievance process on the county department's public-facing website or otherwise provide information concerning the grievance process to individuals involved in the county child welfare system. The state department shall promulgate rules governing the procedures for processing grievances, for determining if a grievance is within the scope of the conflict resolution process, and for receiving additional information from the complainant and the subject of the grievance.

**7.606 CHILD WELFARE GRIEVANCE RESOLUTION PROCESS [Eff. 1/1/15]
12 CCR 2509-7**

The governing body of each county, and city and county, shall establish a grievance process, including a citizen review panel, as required by Section 19-3-211, C.R.S. A grievance filed by a complainant concerning the conduct of a county department employee can be submitted to the county department or the Colorado Department of Human Services Client Services unit.

The following requirements apply to the grievance process:

A. Definitions

"Grievance" means a complaint filed by a complainant regarding the conduct of an employee of a county department of social services in performing his/her duties under Article 3 of the Children's Code. "Grievance" does not include complaints regarding conduct by the courts, attorneys, law enforcement officials, employees of the State, foster parents or other providers or services to children, or other family members.

"Complainant" means any person who was the subject of an investigation of a report of child abuse or neglect or any parent, guardian, or legal custodian of a child who is the subject of a report

of child abuse or neglect and brings a grievance against a county department in accordance with the provisions of Section 19-3-211, C.R.S.

“Conduct” means the manner in which a county department employee behaves when performing his/her duties under Article 3 of the Children’s Code. If an employee makes a decision that is appealable under Colorado statutes and the rules governing child welfare services, an individual may pursue those remedies. The grievance resolution process does not modify the time frames for pursuing the other forms of relief available under Colorado statutes and the rules governing child welfare services.

“Recommendation” means a proposed course of action that may be implemented by a county director to resolve a grievance. These proposed actions may include reassigning a case to a different employee, requiring an employee to receive training, or administering disciplinary action to an employee, subject to applicable safeguards afforded to the employee through the personnel system under which the employee is employed.

B. Time Frames for Resolving Grievances

Any grievance shall be forwarded to the county director for internal resolution within ten (10) working days after it has been received by the county department.

The county director shall act on the grievance within twenty (20) calendar days after s/he receives it. If the county director is able to resolve the grievance to the complainant's satisfaction, s/he will issue a written decision setting forth the resolution within thirty-five (35) calendar days of the receipt of the complaint to the complainant, the county director and to any county employee who is the subject of the grievance.

If the county director is unable to resolve the grievance to the complainant's satisfaction within twenty (20) calendar days and the complainant has requested the grievance be referred to the Office of the Child Protection Ombudsmen then a referral will be made to the Office of the Child Protection Ombudsmen where it will be further reviewed in accordance with 19-3.3-103.

D. Annual Reports

On or before July 31 of each year, every county or city and county shall submit to the State Department an annual report regarding the resolution of grievances pursuant to this section. At a minimum, this report shall include:

1. The number of grievances received by the County Director, the number of grievances referred to the Child Protection Ombudsmen and the actual time frames for resolving grievances at each level.
2. A brief description of the disposition of the grievances, including the number that were concluded without any action taken, the number which were substantiated, the number resolved by case reassignment, the number resolved by requiring additional training, the number resolved by imposing disciplinary action against a county employee, and the number resolved in other ways.
3. A copy of its county grievance policy

E. Counties shall publicize:

1. The availability of the process for all dependency and neglect cases through the “Notice of Rights and Remedies” and by informing child welfare clients, guardians, and legal custodians of the process during the initial contacts with parties and periodically throughout the provision of services related to dependency and neglect cases.
2. The rights and remedies for families as specified in Section 7.601.31.
3. The County’s grievance policy