



New Mexico Asian Family Center

Grievance Policy

2023

ARTICLE 1. GENERAL

A grievance is any significant employee concern that arises in the application of personnel breaches or in violation of personnel practices, either between employees and their co-workers or between employer and employees.

ARTICLE 2. EMPLOYEE COMPLAINTS

Section 1. Complaints Involving another Employee.

Employees are encouraged to take complaints involving a co-worker directly to that person for discussion and resolution. If the two employees are unable to resolve their differences, either may at any time request a mediation meeting with his/her supervisor where both employees are present.

If the complaint is unresolved at that level, a second mediation meeting can be arranged by either party with the Executive Director within 10 working days. The resolution of the Executive Director shall be considered final.

It is the policy of New Mexico Asian Family Center to discourage gossip among or about staff people.

Section 2. Complaints against a Supervisor

The procedure set forth is intended to serve as a means for peaceful settlement of disputes that arise between employees and the supervisor. Extension of times beyond those indicated in the formal steps of the procedure outlined below may be secured through mutual (written) agreement of the parties involved. Failure by the employee to comply with any limitations shall constitute withdrawal of the grievance. Failure by management to comply with the time limitations shall constitute the right of the employee to proceed to the next step of the grievance procedure.

1. Step One – Immediate Supervisor

- a. Every effort shall be made by both employee and supervisor to resolve the problem through discussions.
- b. If discussions fail to resolve the issue, the employee shall submit the substance of his or her grievance in writing to the supervisor within 10 working days.
- c. The immediate supervisor shall convey his or her decision in writing to the employee within five working days of receipt of the grievance.
- d. If the aggrieved employee is not satisfied by this decision, he or she may submit in writing his or her grievance to the Executive Director within five working days of receipt of the immediate supervisor's decision.

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2. Step Two – Executive Director
 - a. The Executive Director, shall, within five working days of notification, arrange a meeting with the employee to discuss the grievance.
 - b. A decision regarding the disposition of the grievance shall be conveyed in writing to the employee within five working days following the meeting.
 - c. If the matter is resolved at this level, it shall be mutually acknowledged in writing, and no further action is required.
 - d. If the discussion has failed to resolve the issue, the employee has five working days to submit a written notice outlining the grievance to the chair of the personnel committee of the board.
3. Step Three – A Committee of the Board of Directors
 - a. Upon receiving the written request, the chair shall request copies of all written communications from Step One and Step Two. The chair shall convene the personnel committee of the board (no fewer than three people), which shall meet within 10 working days to discuss the issue. With the exception of the employee and his or her representative, the personnel committee of the board shall decide who else shall be in attendance.
 - b. The committee of the board shall decide on the matter by majority vote and shall issue its decision in writing to the employee and the chief executive within five working days of its meeting.
 - c. Decisions of the committee of the board shall ordinarily be final. Failure of a party to cooperate with the personnel committee of the board does not preclude the board from conducting a further proceeding.
4. Step Four – Board of Directors
 - a. In the event that the personnel committee of the board is unable to reach a decision and/or the grievance is of such a nature that it might interfere with the normal functions of the New Mexico Asian Family Center then the personnel committee shall bring this matter to the entire board for consideration. Upon referral by the personnel committee, the employee shall have the right to be present, and be accompanied by a representative and by a person who would substantiate the grievance. The board of directors shall issue its decision in a written statement to the employee and the chief executive within five working days of its meeting. This decision shall be final.

ARTICLE 3. CLIENT COMPLAINTS

A client who has a grievance or complaint against a staff member is encouraged to discuss the issue directly with the staff member first. If this is not possible, the client can bring the matter up with the staff member's immediate supervisor, for example, the case management supervisor or clinical supervisor. If the issue is not satisfactorily resolved at the supervisory level, the client can escalate the complaint to the Executive Director. The form of grievance could be through verbal or written means.

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