

# **Draft Grievance Process for the Neighborhood and Community Relations Department and Neighborhood and Community Engagement Commission**

*As of 7/20/17*

## **Purpose:**

Like any human system, in the City of Minneapolis' system of funded neighborhood programs, there is the opportunity for individuals to disagree or to have sincere differences about adherence to adopted policies, procedures, guidelines and processes used by neighborhood organizations that received funds from the programs. The Grievance Policy<sup>i</sup> and Procedures established in this document are intended to provide a fair and impartial framework for adjudication and resolution of grievances that are within the scope of the City's community participation program contract, and which have been appealed from a prior decision of a participating neighborhood organization using its own grievance procedure, and filed by a person or entity eligible for membership or otherwise directly impacted by the subject matter of the prior grievance.

The policies, procedures, and guidelines in this document are to be used when such disagreements arise in the neighborhood programs administered by the Neighborhood and Community Relations Department, and where the Neighborhood and Community Engagement Commission has been charged with considering grievance appeals arising from the aforementioned programs. It is critical that all Minneapolis residents, businesses, and other stakeholders demonstrably see that the neighborhood programs provide for broad and inclusive participation from the community, that processes involved are fairly and equitable administered, and the procedures for adjudication and resolution of grievances be transparent, fair and impartial.

## **General Parameters:**

- NCEC will have a Standing Grievance Committee (hereinafter "Committee") of 5 standing members and 2 alternates. A standing member of the Committee shall provide not less than 3-days notice to NCR Department staff and Alternates if they are unable to attend the initial meeting, hearing, or other meetings in the process. The members who attend the initial meeting on any specific grievance process shall continue to serve for the remainder of that process.
- All NCEC members will be trained annually on the grievance process (roles, responsibilities, communications, etc) through the regular annual orientation for new members.
- The Committee will meet annually for an in-depth training. The Committee will meet to conduct hearings and reviews of grievances on an as-needed basis thereafter.
- A Grievance training manual will be available for the Committee and NCEC members.

- The grievance process shall be deliberative and timely, not to exceed 70 days.
  - Neighborhood and Community Relations department: 10 business days (including date of receipt).
  - Neighborhood and Community Engagement Commission: 45 calendar days, with allowance for a 15 calendar day extension. The Grievance Committee's final decision shall be forwarded to the next full NCEC commission meeting for approval.
- Documentation for both neighborhoods and the grieving party shall be available and provided with clear, concise information about the appeal process, roles and responsibilities.
- Once the grievance process has commenced, neither party can introduce new information during the appeal process.
- All parties involved, including the Grievance Committee, shall be provided guidance on data privacy laws and regulations.
- Communication regarding the grievance process shall be limited to the grievant, the neighborhood organization's representatives and the NCEC Grievance Committee.
- A non-profit attorney shall be provided to the Grievance Committee to assist with training, running the hearings and writing the decision, as needed.
- All communications with all parties shall be sent via certified mail, return receipt requested.
- A tracking system shall be maintained by NCR to keep all parties informed and accountable to the timeline. Updates to progress on the tracking system shall be communicated to all parties by email.

### **Grievance Committee Consideration:**

The NCEC Grievance Committee must consider the following three questions:

1. Was the neighborhood grievance process followed?
2. Was the complaint relevant to the CPP or CIF program guidelines?
3. Was the neighborhood's conclusion reasonable based on the evidence?

### **Three Step Process:**

- Step 1: Filing a Complaint: Complainant files grievance with the neighborhood organization. The neighborhood organization follows its adopted process. If the complainant is not satisfied that the neighborhood organization followed the CPP guidelines and/or the neighborhood organization's policies or by-laws, the complainant may file an appeal to the Neighborhood and Community Engagement Commission (NCEC). The grievance appeal must be submitted in writing to the NCR Department in a timely manner (but not to exceed 45 days after the completion of the neighborhood grievance process).

Step 2: Filing an Appeal to the NCEC: An appeal of grievance against a neighborhood organization may be filed with the NCEC if the following conditions are met:

- The grievance is within the jurisdiction of the City's community participation or Community Innovation Fund (CIF) contract with the neighborhood organization;
- The grievance is regarding the process used by the neighborhood organization (but not about decisions or outcomes), or the grievance is regarding the management or use of CPP or CIF funds in a manner that is inconsistent with the program's standards and expectations;
- The person filing the grievance is a member of the neighborhood organization, or eligible for membership or is otherwise directly affected by the actions of the organization;
- The person filing the grievance has formally brought the issue to the attention of the neighborhood organization in a timely manner and the grievance has been addressed through the neighborhood organization's grievance procedure, or if the neighborhood organization has failed to respond to the grievance in a timely manner as addressed in the neighborhood organization's bylaws (but not to exceed 120 days); and
- The grievance appeal must be submitted in writing to the NCR Department in a timely manner (but not to exceed 45 days after the completion of the neighborhood grievance process).

On behalf of the NCEC, a written grievance must be filed with the NCR Department addressing the original grievance filed with the neighborhood organization, the reason(s) for disagreement with the neighborhood organization's response, and a proposed resolution to the grievance. Multiple grievances must be addressed in separate letters.

The NCR Director and the nonprofit attorney will jointly review the grievance appeal to determine if any of the exemptions (noted in this policy) apply. This determination will be made within 10 days of receipt of the grievance. If none of the exemptions apply, the grievance proceeds to Step 3. The NCR Director/Attorney's determination must be sent, in writing, to all parties.

Step 3: NCEC Grievance Committee Review. The NCR department will review the facts of the situation, including a review of relevant program guidelines, organizational bylaws, policies and practices, and all of the information submitted by each party. The NCR department must issue a report to the NCEC Grievance Committee but not render a decision. Following receipt of the report by the NCR department, the NCEC Grievance Committee must meet and render a summary report. Step 3 of the Grievance process shall be complete within 45 days of the conclusion of Step 2. The Grievance Committee may extend this timeline by 15 days with written notification to all parties.

A summary report must be provided to all parties and submitted to the next full NCEC meeting for final approval. The NCEC must not discuss, debate or reconsider the decision by the Grievance Committee. The summary report must provide the general conditions of the

grievance and the determination of the Grievance Committee. The information contained in the summary report must be consistent with data privacy laws and regulations.

### **Exemptions to the Process:**

The following items are not subject to appeal to the NCEC:

1. Allegations of financial impropriety of a neighborhood group. NCR will work with auditors and City Attorney on these matters to determine if civil and/or criminal procedures are appropriate.
2. Direct contractual violations with the City. NCR will work directly with the City Attorney on these matters.
3. Complaints against City staff. Concerns regarding City staff issues should be directed to the employee's supervisor or a complaint can be filed with the City's Ethics Officer.

---

<sup>i</sup> *Although this Grievance Policy is intended for neighborhood organizations funded by the CPP or the CIF programs, the same process will be used for the One Minneapolis program should a grievance come forward. In the event that a One Minneapolis funded organization does not have an adopted grievance process, the NCEC process will begin at Step 2.*