

Yuma County Department of Human Services
Policy for Grievances Concerning Child Welfare Employee Conduct

Legal Authority: CRS 19-3-211, 12 CCR 2509-7.606 (B), Volume 7.606 (B)

I. Purpose/Policy

The governing body of each county, and city and county, shall establish a grievance process. A grievance filed by a complainant concerning the conduct of a county department employee can be submitted to the Yuma County Department of Human Services, the Colorado Department of Human Services Client Services Unit, or the Office of The Child Protection Ombudsman.

II. Legal 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 of 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.

"Governing body" means the board of county commissioners of a county, or a city council of a city and county, in accordance with Section 19-1-103, C.R.S.

"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.

III. Grievance Process

Pursuant to Section 19-3-211, C.R.S.

The grievance process concerning employee conduct shall provide for the resolution of grievances as follows:

- A. Upon removal of a child, YCDHS provides Notice of Rights and Remedies for Families.
- B. All grievances shall be submitted to the county director for internal resolution within 20 calendar days after receipt of the grievance.
- C. The county director shall issue a written final decision resolving the grievance within 35 days. If the decision resolves the grievance to the complainant's satisfaction, the grievance will be closed.
- D. If the county department is unable to resolve the grievance to the complainant's satisfaction and upon the request of the complainant the county department shall refer the grievance to the Office of the Child Protection Ombudsman.

IV. Annual Report

- A. The county department shall prepare and submit an annual report along with a copy of this county's Grievance and Complaint policy to the State Department.
- B. The annual report will identify the number of complaints and grievances filed and the disposition of each complaint or grievance. Submissions will be reviewed by the Department.