



Complaints, Grievances and Harassment Policy

- I. The purpose of this policy is to promote service recipient right by providing person(s) served and/or legal representative(s) with a simple process to address complaints or grievances. All persons, staff and persons served and/or their legal representative are encouraged and assisted in continuously sharing ideas and expressing concerns in informal discussions with management staff and in support team meetings.
 - I.1 Attempts to resolve each concern or grievance should be made directly between the complainant and the person towards whom the grievance is directed. Ideally, attempts will be made to reach a fair resolution in a reasonable manner.
 - I.2 Should a person and/or legal representative feel an issue or complaint has not or cannot be resolved through informal discussion, they should file a formal grievance by submitting a **Complaint and Grievance Resolution Form**.
 - I.3 If a person served and/or legal representative feel that their formal complaint has not or cannot be resolved by other staff, they may bring their complaint to the Governing Board and or directly contact the State of Maine Licensing Board.
 - I.4 EQ Maine ensures that during the service initiation process that there is orientation for the person served and/or legal representative to the company's policy on addressing grievances.
 - I.5 Persons served and/or legal representatives may file a grievance without threat or fear of reprisals, discharge, or the loss of future provision of appropriate services and supports.
- II. You have the right to bring a grievance to challenge any possible violation of your rights or any questionable practices. You have the right to have your grievance answered in writing, with reasons for the decisions. You may appeal any decision to the Office of Adult Mental Health Services. You may not be punished in any way for filing a grievance. You cannot be retaliated against for filing a grievance. For help with filing a grievance, contact SAMHS Grievance Coordinator, (207) 557-5234, TTY Users: Dial 711 (Maine Relay), 11 State House Station-41 Anthony Avenue, Augusta, Maine 04333, or call The Disability Rights Center, 24 Stone Street, Ste. 204, Augusta Maine 04330 Tel# 1-800-452-1948 V/TTY .
 - II.1 All complaints affecting a person's health and safety will be responded to promptly by the Clinical Director
 - II.2 Direct support staff will immediately inform the Clinical Director of any grievances and will follow this policy and procedure. If at any time, staff assistance is requested in the complaint process, it will be provided.
 - II.3 If for any reason a person served and/or legal representative chooses to use the formal grievance process, the Clinical Director shall respond to the grievance within 14 calendar days and work with the aggrieved party to resolve concerns.
 - II.4 If the person served and/or legal representative is not satisfied with the Clinical Director's response, they will then notify in writing or discuss the formal



grievance with the Executive Director, who will then respond within 14 calendar days.

- II.5 As part of the complaint review and resolution process, a complaint review will be completed by the Clinical Director and documented in the minutes at the monthly executive board meeting.
- II.6 The complaint review will include an evaluation of whether:
 - Related policies and procedures were followed.
 - The policies and procedures were adequate.
 - There is a need for additional staff training.
 - The complaint is similar to past complaints with the persons, staff, or services involved.
 - There is a need for corrective action by the company to protect the health and safety of persons served.
- II.7 Based upon the results of the complaint review, EQ Maine will develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by staff or the company, if any.
- II.8 A written summary of the complaint and a notice of the complaint resolution to the person served and/or legal representative will be provided. This summary will:
 - Identify the nature of the complaint and the date it was received.
 - Include the results of the complaint review.
 - Identify the complaint resolution, including any corrective action.
 - The Complaint Summary and Resolution Notice will be maintained in the individual's permanent file.

III Harassment on the basis of protected classification (race, creed, color, religion, sex, national origin, marital status, status with regard to public assistance, disability, age, membership on a local human rights commission, and sexual orientation), including sexual harassment, is prohibited.

- III.1 No employee of EQ Maine may engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, their relatives, friends, or associates because of the protected classifications mentioned above if the conduct:
 - a. Has the purpose or effect of unreasonably interfering with the person's work performance; or
 - b. Otherwise adversely affects that person's employment opportunities.
 - c. The following are examples of prohibited harassment. Please note that these are not the only examples. If you have a question about whether conduct is permissible under this policy, you should discuss it with your supervisor. •



Epithets, slurs, or negative stereotypes; • Intimidating or hostile acts based upon protected classification; • Written or graphic material that denigrates or shows hostility or aversion to persons of a protected classification and that is posted or circulated on HMC property. One form of prohibited harassment is sexual harassment. Some examples include: • Unwelcome sexual flirtations, propositions, and invitations to social events; • Offensive physical contact or physical closeness; • Use of words of a sexual nature describing body parts or sexual acts, telling “suggestive” jokes or stories, and conversations about sexual exploits or sexual desires; • Displaying in the workplace sexually suggestive objects, pictures, cartoons, or representations of any action or subject which is sexual in nature and which can be perceived as offensive; • Sabotaging an employee’s character, reputation, work effects, or property because of sex; • Direct and indirect suggestions that an employee’s job security, job assignment, conditions of employment, or opportunities for advancement depend in any way on the granting of sexual favors or relations.

- III.2 If you have a question about whether conduct is permissible under this policy, you should discuss it with your supervisor.
- III.3 An employee who believes he or she has been subject to harassment prohibited by this policy should report the incident immediately to your supervisor.
- III.4 The complainant is asked to put the facts surrounding the offensive conduct or communication in writing. Thereafter, the investigation may include interviews with the employee making the charges, the accused employee, and appropriate witnesses depending on the individual circumstances of the matter.
Determination of whether prohibited harassment occurred will be made on a case-by-case basis, depending upon the circumstances of the matter, including the type of harassment alleged, the context in which the alleged harassment occurred, and any other facts deemed relevant. The employee making the complaint will be advised of the final disposition of the matter.
- III.5 A violation of this policy may be grounds for immediate discipline, up to and including discharge. Sanctions, if any, will be determined on a case-by-case basis after a review of relevant information. Any questions regarding your obligations and those of others under this policy should be directed to the Executive Director.