

COMPLAINT PROCEDURE
for
KETCHIKAN INDIAN CORPORATION
TRIBAL MEMBERS

AS APPROVED BY THE TRIBAL COUNCIL ON MAY 8, 1995

Sect. 1: **PURPOSE**

When a tribal member feels that they have been treated unfairly by a program operated by Ketchikan Indian Corporation, in terms of application of program regulations or has been discriminated against for any reason, that tribal member shall have the right to enter into a Complaint Procedure. The following steps will be used in resolving such matters. It shall be the responsibility of the tribal member to follow the procedure in a timely and responsible manner, as failure to do so may disqualify any claims.

Sect. 2: **INFORMAL COMPLAINT PROCEDURES**

- 02.01 PROGRAM MANAGER/DIRECTOR:** The tribal member will make his/her complaint known to the Program manager/director within ten (10) working days of the incident in question, in an attempt to resolve the issue informally through discussion.
- 02.01.01** Instances when the tribal member's complaint involves the Program manager/director, the immediate supervisor will be the point of contact for the tribal member.
- 02.01.02** The Program manager/director or immediate supervisor, will begin a log which will document all additional contact dates during the Complaint Procedure. The log will be permanently affixed to the tribal member's Complaint file.
- 02.02 APPROPRIATE STAFF:** After an initial discussion with the tribal member, the Program manager/director or immediate supervisor, will request any pertinent documentation from the staff person named by the tribal member.
- 02.02.01** Documentation will include the tribal member's application for services, copy of the written response to the tribal member's application and date of interview/meeting.
- 02.03 DISCRETION TO MAKE CHANGES:** After reviewing the facts at hand, it shall be at the discretion of the Program manager/director or immediate supervisor to reverse the original decision, make necessary changes to correct the situation or to confirm the original action.
- 02.04 FINAL DECISION:** The Program manager/director or immediate supervisor shall make a final decision within ten (10) working days of the initial complaint and shall inform the tribal member in writing, including the reason for the decision.
- 02.05 TRIBAL MEMBER'S OPTION:** If the final decision of the Program manager/director or immediate supervisor is not satisfactory to the tribal member, he/she shall have the option of entering into the Formal Complaint Procedure.

Sect. 3: FORMAL COMPLAINT PROCEDURE

03.01 THIRTY (30) DAY LIMIT FOR FILING: The tribal member must file his/her complaint with the Deputy General Manager within 30 days of the refusal of services/funding, or incident of discrimination.

03.02 THE COMPLAINT SHALL CONTAIN THE FOLLOWING:

03.02.01 The complainant's name and address;

03.02.02 the name of the staff member involved;

03.02.03 the service or funding applied for;

03.02.04 statement of fact, including specific dates, such as date of original application, etc;

03.02.05 notarized signature and date signed.

03.03 METHOD OF DELIVERY: The complaint must be hand delivered to KIC or postmarked within the required time frame. Certified mail is recommended.

03.04 APPROPRIATE STAFF: A copy of the complaint and related documents will be forwarded to the appropriate staff so that they may prepare a response.

03.05 COMPLAINT COMMITTEE: A Complaint Committee, comprised of the Deputy General Manager and two (2) staff members will review and investigate the Complaint.

03.05.01 No staff member who is a spouse or common law spouse, mother, father, son, daughter, brother or sister of the complainant, may sit on the Complaint Committee.

03.05.02 Staff members in the department named by the complainant member may not sit on the Complaint Committee.

03.05.03 The Complaint Committee will have access to all applicable files, including tribal member's files and Personnel files, documentation and facts, in order to conduct a thorough investigation of the Complaint.

03.05.04 The Complaint Committee will render its Confidential written decision, to the General Manager, within ten (10) working days of the receipt of the Complaint.

SECT. 4: TRIBAL COUNCIL

04.01 TRIBAL COUNCIL: In the event the tribal member finds the decision of the Complaint Committee

unsatisfactory, he/she may appeal to the Tribal Council. An Arbitration Committee, made up of three (3) Tribal members, will be appointed to review the case on behalf of the Tribal Council.

- 04.01.01** Any conflict of interest, or appearance of conflict of interest shall be avoided by precluding any Tribal Member who is a spouse or common law spouse, mother, father, son, daughter, brother or sister to the complainant party or staff member involved in the complaint, to sit on the Arbitration Committee.
- 04.01.02** Each Arbitration Committee member will receive a CONFIDENTIAL packet of all information gained through the staff and Complaint Committee for review prior to the meeting.
- 04.01.03** The Committee may request further verbal or notarized written testimony from any staff member or other party(ies) who may provide pertinent information.
- 04.01.04** The Committee will render its Confidential written recommendation, to the Tribal Council, within ten (10) working days of the receipt of the Complaint.
- 04.01.05** The Tribal Council will act on the Arbitration Committee's recommendation at the next regularly scheduled Council meeting.
- 04.01.06** The decision of the Tribal Council is final and unappealable.

Sect. 5: **RESPONSIBILITIES OF STAFF**

05.01 DOCUMENTATION: It shall be the responsibility of KIC staff to document any action taken on applications for services or funding received from a tribal member.

- 05.01.01** Such documentation shall include but not be limited to:
- A) date application was received;
 - B) action taken; and
 - C) justification of action.

05.02 NOTICE TO APPLICANT: A written notice to the tribal member shall be required for any action taken on his/her application for services or funding, including justification for the action.

- 05.02.01** Any refusal of services or funding shall include a Notation regarding a tribal member's right to the Complaint Procedure.

Sect. 6: **TRIBAL MEMBER'S RIGHTS**

The filing of a Complaint by any tribal member, regardless of the outcome, shall in no way jeopardize the

tribal member's right to apply for and receive services or funding that they qualify for, or meet program guidelines for, in the future.

COMPLAINT PROCEDURE
for
KETCHIKAN INDIAN CORPORATION
TRIBAL MEMBERS

NAME: _____

DOB: _____

ADDRESS: _____

CITY: _____

KIC ENROLLMENT #: _____

WHICH KIC DEPARTMENT ARE YOU FILING A COMPLAINT AGAINST?

WHICH STAFF PERSON WAS INVOLVED IN THE ACTION YOU ARE FILING A COMPLAINT AGAINST?

WHICH SERVICE OR FUNDING WERE YOU APPLYING FOR: _____

DATE OF INCIDENT: _____

(Your Complaint must be filed within 30 days of the Date of Incident)

PLEASE EXPLAIN THE SITUATION LEADING UP TO THIS COMPLAINT, REMEMBER, BE VERY SPECIFIC:

Sect. 6. TRIBAL MEMBER'S RIGHTS

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SIGNATURE

DATE

NOTARIZATION:

Subscribed and sworn to before me this _____ day of _____.

NOTARY FOR ALASKA

Seal

My Commission expires: _____

MEMBER'S COMPLAINT PROCEDURE
COMPLAINT LOG

CLIENT: _____ **PROGRAM:** _____

(Date & staff initials) Informal discussion with Program Manager/Director.

(Date & staff initials) Final decision of Program Manager/Director per Sect. 02.04, within ten (10) working days. Results of Informal discussion:

Original Decision Stands
or (please circle choice)
Original Decision Overturned

Signature (Copy of written Notice of Decision to client to be attached to Log.) _____
Date

FORMAL COMPLAINT LOG

(Date & staff initials) Copy of complaint, etc., to appropriate staff, to prepare response.

(Date & staff initials) Complaint Committee: Deputy General Manager & 2 staff.

(Date & staff initials) Per Sect. 03.05.04, Confidential written decision to General Manager, from Complaint Committee, within ten (10) working days.

(Date & staff initials) Arbitration Committee as appointed by Tribal Council:

(Date & staff initials) Tribal Council's Decision at next regular Council meeting:

Original Decision Stands
or (please circle choice)
Original Decision Overturned

Council President _____ Date

Council Secretary _____ Date