Rights of Consumers, Staff, Volunteers and Visitors to Senior and Disability Action (SDA)

As a consumer of SDA services, <u>you have the following rights</u>:

- To expect that SDA will be accessible to you
- To be treated with courtesy and to be given clear information
- To be treated as the expert on your own life
- To receive reasonable accommodation to enable you to use our services and to receive materials in alternate formats if requested.

All consumers, staff, volunteers, and visitors at SDA should expect that:

- No individual shall be discriminated against because of age, race, ethnicity, gender or sexual orientation or disability in provision of appropriate service or in employment.
- SDA shall not tolerate sexual harassment by or directed at consumers of services, volunteers, visitors or staff. Sexual harassment is defined as unwelcome physical, visual or verbal contact of a sexual nature.
- All individuals at SDA shall be free from any actual or threatened physical or verbal abuse.
- SDA shall take immediate and appropriate steps to end any discriminatory, harassing, threatening or attacking behavior

Consumer Complaints or Appeals

Consumer complaints or appeals regarding SDA staff decisions/behavior should be handled in the following manner:

- Discuss the matter with the appropriate staff person.
- If there is no resolution, a formal complaint may be initiated. Document in writing or in an alternative format what your complaints are and what resolution you propose. SDA staff will reach out via phone, email or correspondence to acknowledge the complaint within 2 working days. SDA will schedule a meeting with the staff member's supervisor within 5 working days of the receipt of the complaint.

- If no satisfactory resolution is achieved at this point, request a meeting with the Executive Director or their designated staff. This meeting shall take place within 10 days of the request.
- If satisfactory resolution still has not been achieved, the final documented appeal for resolution is to the President of the SDA Board of Directors, c/o Senior and Disability Action, 222 8th Street, San Francisco, CA 94103, who shall respond in writing within 10 working days of receipt of the appeal.

Grievance Filing Format to DAS/OCP

If a consumer is not satisfied with the results of their grievance at the provider level, they have the right to appeal to DAS/OCP for review. Below are instructions for appealing at the DAS/OCP level:

- Grievance request to DAS/OCP should be submitted in writing. However, if a consumer cannot submit a written grievance, the DAS/OCP shall take all of the following actions:
    - verbally accept the grievance;
    - prepare a written grievance;
    - have the consumer sign the written grievance, although this is not necessary prior to commencement of the review.
- The written grievance shall include, at a minimum, all of the following information:
    - the name, mailing address or e-mail address and telephone number, if any, of the consumer or person authorized to act on behalf of the consumer;
    - the type of service and the service provider involved;
    - the name of the individuals involved;
    - the issue of concern or dispute;
    - the date, time, and place that the issue of concern or dispute occurred;
    - the names of witnesses, if any.
- The resolution process at the DAS/OCP level shall be completed within 30 days of receipt of the grievance and shall include all of the following:
    - the time frame from the receipt of a grievance in which the review will occur;
    - an impartial investigation of the grievance and an attempt to resolve
    - the issues with the parties involved;
    - the time frame within which the investigation of the grievance(s) will occur;
    - the preparation of a written report on the results of the investigation activities, including a process for ensuring that agreements reached during the review process are fulfilled, if applicable. A copy of the report shall be sent to the parties involved.

- the consumer shall be notified of their right to an advisory council hearing if dissatisfied with the results of this review. Notice shall include contact information and instructions to exercise this right.

Advisory Council Hearing

If a consumer is not satisfied with the results of the level 2 review, they may request an advisory council hearing to review the grievance.

- The request for advisory council hearing shall be made either orally or in writing to DAS staff identified in the Level 2 review report.
- Within 30 days of the request for hearing, the consumer or person authorized to act on behalf of the consumer, shall be notified in writing of all of the following:
    - the date, time and location of the hearing;
    - the consumer's and other parties' right to be present at the hearing and/or to have another person act on their behalf, including the right to have legal counsel present.
- The hearing body shall issue an advisory decision on the grievance within 30 days from the date of the hearing.
- Requirements of the Advisory Council hearing:
    - The hearing shall be conducted by an impartial panel composed of three members of the DAS Advisory Council appointed by the Council President. A signed conflict of interest statement shall be obtained from each panel member.
    - The hearing shall be conducted in a professional manner with testimony restricted to the issues requiring resolution.
    - All parties shall have the right to all of the following:
        - to be present at the hearing;
        - to present evidence and witnesses;
        - to examine witnesses and other sources of relevant information and evidence.
    - The panel shall issue an advisory decision, which shall contain all of the
    - following:
        - description of each issue;
        - a statement as to whether the grievance was upheld or denied. In the case of grievances that are upheld, an explanation of the remedy for the grievance shall also be included;
        - a citation of applicable laws and regulations.
    - The advisory decision shall be forwarded to:
        - the DAS Executive Director, unless the grievance is against the director;

        - the President of the DAS Commission when the grievance is against the DAS Executive Director
    - No more than 30 days after the receipt of the advisory decision, the Executive Director or President of the DAS Commission shall either:
        - adopt the proposed decision as final.
        - write a new final decision.
    - The adopted/final decision shall be communicated in writing to all parties involved. **This shall be the final level of grievance**.