

POLICY

CATEGORY:	Board Administration	No.: 1.0.115.01
TITLE:	Anonymous Complaints and Communications	
SUPERSEDES:	1.0.115.00 dated April 24, 2009	
EFFECTIVE:	October 31, 2014	
BOARD APPROVAL:	October 30, 2014	
DATE OF LAST REVIEW:	October 30, 2014	

I. PURPOSE:

The intent of this policy is to establish a coordinated and uniform process for handling anonymous complaints. The policy is designed to encourage complaints and communications concerning matters of public policy and the administration of programs by the Board, and it is not intended to stifle or limit any legitimate complaints or communications in any way.

II. DEFINITIONS:

Board: Workforce Solutions of the Coastal Bend and its Board of Directors.

Board Staff: Administrative personnel of Workforce Solutions of the Coastal Bend.

Council of CEOs: Council of Chief Elected Officials.

Commission: The Texas Workforce Commission.

CEO: Chief Executive Officer of Workforce Solutions of the Coastal Bend.

Contracted Service Provider (Contractor): Responsible for the delivery of workforce services in accordance with applicable laws, rules, Board policy and the terms and conditions of the contract.

III. POLICY STATEMENT:

The Board encourages public comment concerning matters of public policy and the administration of programs by the Board and its Service Providers. Persons are encouraged to utilize the Open Door Policy, the Grievance Policy and other policies and procedures available in order raise any issues with the Board Staff. Persons also may submit complaints or communications anonymously in accordance with the following procedures.

IV. PROCEDURES:

Delivery of Complaints and Communications

In the event a person seeks to raise a complaint or submit a communication anonymously, such communications may be addressed to the Board as follows:

Chair, Board of Directors
Workforce Solutions of the Coastal Bend
P. O. Box 2568, Corpus Christi, Texas 78403

If any such complaint or communication is labeled “ANONYMOUS COMPLAINT” or “COMPLAINT” on the outside of the envelope, such complaint or communication shall be delivered as soon as practical to the Board Chair unopened in its original envelope. Any complaints or communications which are not labeled on the outside of the envelope to indicate such contents shall be delivered as soon as practical to the Board Chair in the original envelope to the extent reasonably possible.

In the event any complaints or communications are delivered to the Board by other means, such complaints and communications shall be delivered as soon as practical to the Board Chair in the same manner as provided above. Board Staff and any other personnel handling anonymous complaints or communications should make reasonable efforts not to photocopy, handle or otherwise disrupt the handling procedure outlined herein prior to the initial screening of the complaints and communications provided below.

Referral of Anonymous Complaints to Executive Committee

The Executive Committee shall be responsible to screen, classify, investigate where appropriate anonymous complaints and provide reports to the Board.

Initial Screening of Complaints and Communications

1. *Receipt of Complaint or Communication.* Upon receipt of anonymous complaints or communications, the Board Chair initially shall screen all such anonymous complaints and communications with the Executive Committee.

2. *Classification of Complaint or Communication.* The initial screening shall sort any such complaints or communications among the following classifications:

- a. Complaints or Communications Warranting General Investigation
- b. Complaints or Communications Warranting Confidential Investigation
- c. Complaints or Communications Not Warranting Any Investigation

3. *Vote Required and Time Frame to Act.* The initial decision of the Executive Committee with regarding to the classification of the complaint shall be by majority vote. The Executive Committee shall meet within at least one (1) month from the date of receipt of any anonymous complaint or communications to classify the complaint.

Actions Taken by Executive Committee after Classification

1. *Complaints or Communications Not Warranting Any Investigation.* Upon classification that complaints or communications do not warrant any investigation, the Board Chair shall direct such complaints or communications to the CEO for filing.

Examples of these types of complaints or communications include:

- (a) Complaints or communications not involving any matters relevant to public policy or the administration of the Board's programs,
- (b) Complaints or communications involving matters already the subject of a previous investigation, and

- (c) Complaints or communications which by their very nature cannot be investigated in the absence of additional information.

In the case of any anonymous complaint or communication, it is not possible to follow up with that individual on obtaining any needed additional information. Such complaints or communications may be brought back before the Executive Committee in the event future information becomes available.

The Board Chair shall report the Executive Committee's action regarding the determination that a complaint or communication did not warrant an investigation to the Board.

2. *Complaints or Communications Warranting General Investigation.* For Complaints or Communications Warranting General Investigation, the Board Chair shall direct such complaints or communications to the CEO for investigation and follow-up. The investigation upon completion together with the findings and recommendations shall be provided by the Board Chair for review with the Executive Committee. Findings and recommendations by the Executive Committee shall be reported to the Board for review and action.

Examples of these types of complaints or communications include:

- (a) Complaints or communications concerning violations of Board policies,
- (b) Complaints or communications concerning violations of Federal or State laws and regulations, and
- (c) Complaints or communications concerning the breach of contracts or other agreements binding on the Board.

If the complaint or communication involves the CEO, the Board Chair first shall request a written response by the CEO to each of the points in the complaint or communication. The CEO's response shall be provided to the Board Chair and the Executive Committee. Upon receipt of the CEO's response, the Executive Committee shall meet with the Board to review the complaint or communication and response filed by the CEO. The need for action or further investigation shall be determined by the Executive Committee and the Board.

3. *Complaints or Communications Warranting Confidential Investigation.* For Complaints or Communications Warranting Confidential Investigation, the Board Chair shall contact the Board's general legal counsel to assist in the investigation as needed on a confidential basis.

Examples of these types of complaints or communications include:

- (a) Complaints or communications involving criminal misconduct for which the integrity of the investigation would be comprised in the event of disclosure,
- (b) Complaints or communications concerning personal misconduct that could impact the interests of the Board in which disclosure would involve privacy issues or other personal information of a confidential nature, and

(c) Complaints or communications involving medical, mental health or other matters which must be kept confidential under Federal or State law.

The investigation upon completion together with findings and recommendations shall be reported to the Executive Committee for review. Findings and recommendations by the Executive Committee shall be reported to the Board for review and action. The Board may take appropriate action in accordance with applicable policies, rules and regulations, and if not applicable, then according to statute or administrative law, including but not limited to referral to the appropriate legal authorities for investigation.

4. *Time Frame to Investigate Complaints or Communications Classified as Warranting General or Confidential Investigation.* The Board Chair shall commence an investigation as soon as practical and shall attempt to conclude the investigation within a time frame not to exceed sixty (60) days from date of classification of the complaint or communication. In no event shall such time frame limit the discretion of the Board Chair to extend the time frame.

Abuse of Process

In the event that the Executive Committee believes that a person submitting anonymous complaints or communications is abusing the process or making such filings in bad faith in an attempt to disrupt the operations of the Board or its contractors, the Executive Committee may refer the anonymous complaints or communications to appropriate legal authorities for investigation.

Report to Council of CEOs - The Board Chair shall provide a report of the anonymous complaints or communications filed and disposition of the same to the Council of CEOs at its regularly held meetings.

V. RELATED POLICY INFORMATION: N/A

VI. RESPONSIBILITIES: N/A

VII. FORMS AND INSTRUCTION: N/A

VIII. DISTRIBUTION:

Board of Directors Board Staff Contracted Service Provider Staff

V. SIGNATURES

Reviewed by EO Officer

Date

President/CEO

Date