**Section 102.25 Grievance Rights of Clients**

a) When clients feel that they have not been treated with courtesy, consideration or respect by a Department employee, they or their representative may file a written grievance. The client may file a written grievance in any Department office, even if the grievance is against a staff person not working in that office.

b) The Department will investigate any written grievance which is filed within 60 days after the grieved occurrence. A client grievance filed more than 60 days after the grieved occurrence will not be investigated by the Department.

c) Responsibility for Handling a Grievance

1) When the client is in the local office and files a grievance against a local office staff person, the intermediary will handle the grievance.

2) When the client is in the local office and files a grievance against the local office administrator, the local office administrator or designee will accept the grievance and notify the next higher level supervisor.

3) When the client is in the local office and files a grievance against other agency personnel, the worksite manager will accept the grievance and notify the appropriate intermediary.

4) When the client is in any other Department office and files a grievance against a local office staff person or other agency personnel, the worksite manager will accept the grievance and notify the appropriate intermediary within 48 hours.

d) Intermediary

1) An intermediary is a designated staff person who investigates and decides the merits of a client grievance. If necessary, the intermediary decides about disciplinary action.

2) For local office personnel, the intermediary is:

A) The local office administrator;

B) A management person designated by the local office administrator; or

C) The next higher level supervisor if the grievance is filed against the local office administrator.

3) For other agency personnel, the intermediary is:

A) The Bureau Chief of the employee against whom the grievance has been filed; or

B) A management person designated by the Bureau Chief.

e) Investigation and Conference

1) The intermediary registers all grievances in a log. The information on the log contains:

A) The name of the grievant;

B) The name of the worker or workers against whom the grievance is directed;

C) The person who heard the grievance, if a hearing was held;

D) The issue or issues involved; and

E) The resolution of the grievance and any appropriate effective dates.

2) The intermediary will investigate the grievance. If necessary, the intermediary will determine the merits of the grievance and any disciplinary action that may be indicated.

3) When the intermediary determines that the investigation indicates a need for action, the intermediary will send a copy of the grievance to the employee against whom the grievance was filed. Within ten days after the receipt of the grievance, the intermediary will arrange a conference between:

A) The client who filed the grievance;

B) The representative of the client who filed the grievance, if any;

C) The employee against whom the grievance was filed;

D) A representative designated by the employee, if any; and

E) The intermediary.

4) For a bargaining unit employee, the representative of the bargaining unit may be the representative. The representative is allowed to:

A) Be present to make sure that a bargaining unit employee's rights under the contract are not violated and that the collective bargaining agreement is not violated; and

B) Be present to make sure a non-bargaining unit employee's rights under the Personnel Rules (80 Ill. Adm. Code 310) are not violated.

5) The meeting to hear a client's grievance is an informal conference controlled by the intermediary to obtain information from the client and the employee in order to determine the facts about the issue. The meeting should be conducted so as to protect both the client and the employee from abuse.

6) Within 15 calendar days after the conference, the intermediary will advise the client who filed the grievance in writing of any action being taken. The client will not be informed of disciplinary action taken against Department staff.

f) The Department will take corrective action when just cause is shown in accordance with the Agreements between the State of Illinois and the American Federation of State, County and Municipal Employees or Personnel Rules of the Department of Central Management Services (80 Ill. Adm. Code 302: Subpart K), whichever is applicable.

(Source: Amended at 19 Ill. Reg. 1108, effective January 26, 1995)