

GRIEVANCE APPEAL INFORMATION

(OAR Division 109 may be reviewed in its entirety in your legal library)

291-109-0205 - Grievance and Appeal Timelines

- (3) Initial appeals must be received by the institution grievance coordinator or designee within 14 calendar days from the date the initial grievance response was sent to the AIC unless the AIC can satisfactorily demonstrate why the initial appeal could not be timely filed. Untimely initial appeals will be denied and returned to the AIC with a statement of the rule.
- (5) Final appeals must be received by the institution grievance coordinator or designee within 14 calendar days from the date the initial appeal response was sent to the AIC unless the AIC can satisfactorily demonstrate why the final appeal could not be timely filed. Untimely final appeals will be denied and returned to the AIC with a statement of the rule.

291-109-0230 - Initial Appeals

- (1) An AIC may appeal the initial grievance response using the grievance appeal form.
 - (a) The appeal must include the original grievance, attachments, and staff response(s).
 - (b) The appeal must comply with the timeframes set forth in OAR 291-109-0205.
 - (c) The scope of the original grievance cannot be expanded on appeal.
 - (d) No new information may be submitted with the appeal unless the information was unavailable to the AIC at the time the original grievance was filed or if the initial grievance response noted that the information was missing and the submitted information is directly related to the alleged issue or incident being grieved.
 - (e) After the appeal has been date stamped and recorded, the AIC will be issued a return receipt. If accepted, the grievance appeal will be forwarded to the functional unit manager or designee for review and response.
 - (f) If a grievance appeal is returned to the AIC because it does not comply with these rules, the AIC may elect to resubmit the grievance appeal to the institution grievance coordinator. In order to be accepted, the grievance appeal must be received by the institution grievance coordinator within 14 calendar days from the date it was sent back to the AIC for correction and have the required corrections to bring the document into compliance with this rule. The returned receipt must accompany the resubmission. If rewritten, the original grievance appeal and complete packet must also be attached. Multiple resubmissions may not exceed the initial 14 day timeline.
 - (g) A denied initial grievance or appeal cannot be appealed.
 - (h) The functional unit manager or designee shall respond to the AIC's grievance appeal within the timeframes set forth in OAR 291-109-0205.

291-109-0235 - Final Appeals

- (1) An AIC may appeal the functional unit manager's or designee's response using the grievance appeal form.
 - (a) The appeal must include the original grievance, grievance appeal, attachments and staff responses.
 - (b) The appeal must comply with the timeframes set forth in OAR 291-109-0205.
 - (c) The scope of the original grievance cannot be expanded on appeal.
 - (d) No new information may be submitted with the appeal unless the information was unavailable to the AIC at the time the original grievance was filed or if the initial grievance response or initial appeal response noted that the information was missing and the submitted information is directly related to the alleged issue or incident being grieved.
 - (e) After the appeal has been date stamped and recorded, the AIC will be issued a return receipt. If accepted, the appeal will be forwarded to the Assistant Director or designee having authority to review and resolve the issue.
 - (f) If a grievance appeal is returned to the AIC because it does not comply with these rules, the AIC may elect to resubmit the grievance appeal to the institution grievance coordinator. In order to be accepted, the grievance appeal must be received by the institution grievance coordinator within 14 calendar days from the date it was sent back to the AIC for correction and have the required corrections to bring the document into compliance with this rule. The returned receipt must accompany the resubmission. If rewritten, the original grievance appeal and complete packet must also be attached. Multiple resubmissions may not exceed the initial 14 day timeline.
 - (g) A denied initial grievance or appeal cannot be appealed.
 - (h) The Assistant Director or designee shall respond to the AIC's grievance appeal within the timeframes set forth in OAR 291-109-0205.