



## PNAVA Policies and Procedures

### Complaint and Grievance Policy

Policy Number: 9.2 Reviewed: 10/2021 Revised: Adopted from PNAA EB Reviewed & Approved: 03/2022 Original Date: 10/2021
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#### **PURPOSE**

1. Establish specific guidelines that will guide members to comply with the PNAVA Ethical Standards and Rules of Conduct
2. Provide a mechanism for identifying, analyzing, and resolving ethical conflicts and issues presented to PNAVA EB and the Ethics Committee.
3. Identify policies and procedures for reporting, reviewing, fact-finding and recommending course of action needed to resolve ethical issues.
4. Foster ethical leadership behavior by transparent and ethical decision-making.

#### **POLICY**

##### **Misrepresentation**

- A. PNAVA Members shall not make any statement or make public reference in the name of the organization that is in conflict with and/or constitute a misinterpretation of a policy or position established by the PNAVA Executive Board.
- B. PNAVA Members shall not give the impression of representing PNAVA when speaking in public or adapting the position of another organization without official authorization from PNAVA.
- C. PNAVA Executive Board Members shall not use his/her membership or position in any manner, such as the unauthorized use of PNAVA logo, letterhead or any other official publication or document.

##### **Conflict of Interest (COI):**

- A. Every member, elected or appointed to a leadership position, has a commitment of loyalty to and must serve in the interests of PNAVA. A COI is a "situation that exists when someone's loyalty maybe divided between the first organization and a second person or organization". A complication arises if the member takes measures related to the conflict. A member in a COI situation may "act appropriately by respecting his/her duty of loyalty, or inappropriately by violating it".
- B. As part of an officer's duty of loyalty to PNAVA, members of the Executive Board and authorized decision-makers have an obligation and responsibility:



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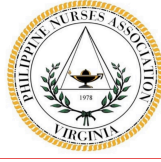
1. To promptly disclose any conflict or potential COI on any relevant issue as conflict arises.
  2. To abstain from making unauthorized public comment upon that issue.
  3. To abstain from participation in FINAL deliberations and decisions concerning the issue.
- C. A COI situation exists “when the interest or concerns of any member or said member’s immediate family, or any interested party, group or organization to which said member has allegiance, may be seen competing with the interests or concerns of PNAVA”.
- D. Members of the Executive Board are responsible for self-identifying those individuals who the member considers to be “immediate family members” in this policy.
- E. This policy applies to all members of PNAVA, including members of the Executive Board authorized to vote or involved in decision-making on behalf of PNAVA.

### **III. Unethical Behavior and Conduct:**

- A. Violation of the PNAVA Standards and Rules of Conduct as described in the Ethics Policy and Procedure 9.1\* shall constitute “unethical behavior and conduct.”

1. Failure to recuse in the event of possible conflict of interest.
2. Exhibits disruptive and inappropriate behaviors towards any member.
3. Failure to abide by the PNAVA Bylaws and Policies.
4. Unauthorized disclosure and/or sharing of any PNAVA proprietary data/document such as: directory and personal information outside the purpose for which it is intended.
5. Failure to follow time frame of prescribed response time to communication exchanges during an investigative process.
6. Unauthorized disclosure of confidential information to other members of PNAVA and others outside of the organization.
7. Inappropriate and irresponsible disclosure and/or dissemination of hearsay information.
8. Unauthorized and/or inappropriate posting on social media.

- B. PNAVA members who violate the PNAVA Standards and Rules of Conduct shall follow the review process and procedures described in this policy.



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### **RESPONSIBILITIES of the ETHICS COMMITTEE**

The Ethics Committee shall

1. Review policies and procedures, review and analyze issues presented by the involved parties to identify ethical issues that may have caused the potential problem, and provide guidance needed to resolve the issue.
2. Oversee and enforce compliance with the Ethical Standards & Rules of Conduct and Policy & Procedures, the ANA Code of Ethics and PNAVA Code of Ethics.
3. Protect the dignity, rights, safety and well being of all involved parties with the ethical issues at hand.
4. Address unresolved ethical issues at the chapter, regional and national level. The process shall be conducted objectively and fairly with opportunity to hear from all parties involved.
5. Include additional members as necessary to assist in fact-finding and resolution of ethical issues.

### **PROCEDURE**

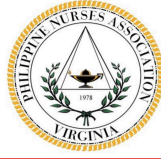
Conflict resolution begins with “directly communicating” to the individual or group to clarify perceived issue of concern. This process begins with articulating the issue of concern clearly, listening to the other point of view, and focusing on specific issues. If the concern is not clarified or resolved in the member’s one to one discussion with the individual or group then the next step is to complete a Complaint Form.

#### **1. Complaint.**

The dispute resolution process is initiated with an identified issue with a **complaint**. A complaint is defined as a formal allegation against a party. A Complaint Form must be completed. It should be an appropriate articulation of the issue by the member. The Complaint Form may be obtained from the PNAVA Policy and Procedure website. The Complaint Form must be filed within 14 calendar days if the issue of concern is not resolved. If the complaint is not resolved in 30 calendar days a Grievance Form may be filed.

#### **2. Grievance.**

A **grievance** is an official written statement of a complaint over something believed to be wrong, unfair, or conduct, which undermines ethical principles. The Grievance



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Form may be obtained from the PNAVA Policy and Procedure website. The following should be observed when a member or a group files a complaint or grievance.

**STEP 1:** Directly communicate with the individual or group to clarify the perceived issue of concern.

### **STEP 2: CHAPTER LEVEL. Process for Complaint and Grievance**

1. A Complaint Form must be completed and submitted to the Chapter President and Chapter Ethics Committee for resolution. If the chapter does not have an Ethics Committee the Chapter Executive Board will review the complaint. A Complaint Form should be completed in 14 calendar days. If there is no resolution to the complaint, a formal grievance must be completed using the Grievance Form and signed by the member involved. The grievance must:
  - a. Be timely
  - b. Concise
  - c. Include the facts and date the complaint occurred.
  - d. State the policy, procedure, rule or regulation involved.

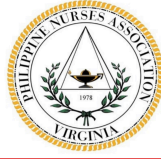
**Time limit.** The completed Complaint Form must be filed with the Chapter President within 30 calendar days of occurrence.

**Response.** The member will be notified by the chapter president upon the receipt of the form and will notify the member the timeline for tracking.

2. The Chapter Ethics Committee will assess and review the Complaint Form. If the chapter does not have an Ethics Committee, the Chapter Executive Board will assess and review the Complaint Form. A written answer within 14 calendar days after receiving the Complaint Form will be provided once a recommendation is reached. If the member agrees with the recommendation and the complaint is resolved, the member will respond in writing and no further action is needed. The case will be officially closed. The Chapter's Ethics Committee or Secretary will file the completed complaint form for record keeping.

### **STEP 3: REGIONAL VICE PRESIDENT (RVP) LEVEL.**

1. If the complaint is not resolved in step two, the member may appeal (grievance) to the RVP within 14 calendar days after receiving the written response from the Chapter President and Chapter Ethics Committee. If the chapter does not have an



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Ethics Committee, the Chapter Executive Board will work with the Chapter President. The Chapter President will also provide the recommendation approved by the Chapter's Ethics Committee or Chapter Executive Board if the chapter does not have an Ethics Committee to the RVP.

2. The RVP or his/her designee shall arrange a meeting with the parties involved, within 14 calendar days after the appeal is received, using the best available technology.

3. Within 30 calendar days after the meeting, the RVP shall communicate an answer in writing to the involved parties. Due to the complexity of the issue, these timelines are recommended and may change upon the discretion of the RVP.

### **STEP 4: PNAA ETHICS COMMITTEE LEVEL**

1. If the grievance is not resolved at step three, the RVP shall notify the PNAA President and Chairperson of the PNAA Ethics Committee within ten (10) calendar days.
2. The PNAA Ethics Committee and PNAA President shall conduct an investigation of the grievance, report findings, and recommend a decision within 60 calendar days to the PNAA Executive Board.
3. The PNAA Ethics Committee Fact Finding Team may add additional members as needed by PNAA Ethics Committee Chairperson. If a solution is not reached, additional unbiased members from the advisory council will serve as arbitrators in the investigation as agreed upon by the parties.

### **STEP 5: NATIONAL EXECUTIVE BOARD LEVEL**

IF the issue is not resolved in Step four, the PNAA Ethics Committee will share findings and recommendations with the PNAA President and PNAA Executive Board who shall make the final decision and communicate their findings to the appropriate parties.

### **\*STANDARDS AND RULES OF CONDUCT**

A. See PNAVA Standards and Rules of Conduct (PNAVA P&P 9.1)

### **REFERENCE (S)**

Adopted from PNAA Policy & Procedures 2021



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### ATTACHMENT(S)

1. PNAVA Complaint Form
2. PNAVA Grievance Form
3. Process Flowchart
4. Conflict Resolution Defined
5. Revision History



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### Attachment 1: PNAVA Complaint Form

Name of Complainant	
Position	
Work Phone	
Home/Cell Phone	
Home Address	
E-Mail	

Complaint Date:
Detailed Description of Complaint and other persons involved:

State the Policy, Procedure, Regulation Involved

Proposed Solution to the Complaint

Complainant: File copy with your chapter's President and retain a copy for filing at the next step if needed. If you do not receive a response within the time frame or disagree with the action taken, you may file a copy of the complaint at the next step.

Complaint filed with (Name and Position)	
Submitted by: Printed Name & Signature	



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### Attachment 2: PNAVA Grievance Form

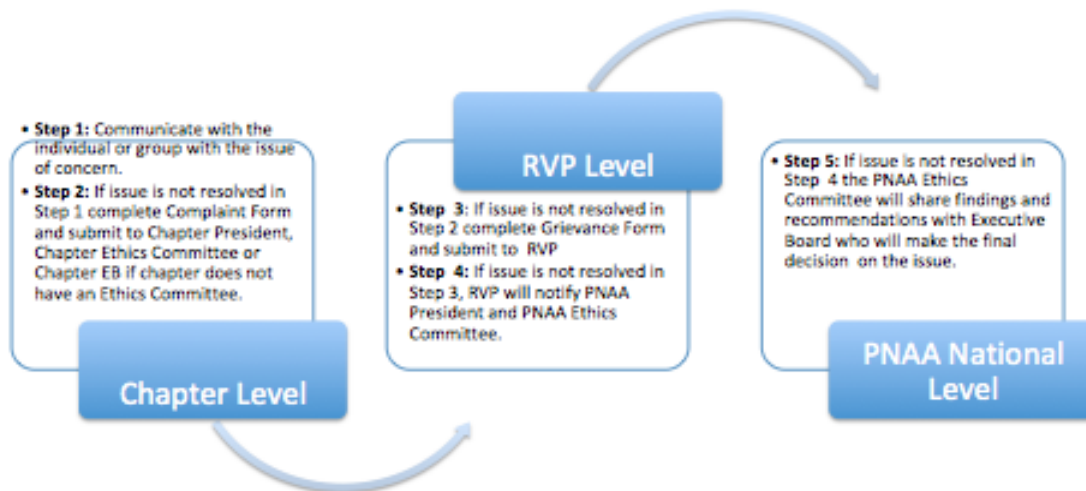
Name of Grievant: Position:	Work Phone: Home/Mobile Phone:
Mailing Address: Street or PO Box: City:                      State:    Zip:	Email (work): Email (home):
Date of event leading to grievance:	Date you became aware of the event, (if different):

Detailed description of grievance including names of other persons involved:		
State the policy, procedure, rule or regulation involved (i.e. applicable sections of local chapter's or PNAVA Bylaws)		
Proposed solution to grievance:		
Grievant: File a copy of this form with your chapter's president and retain a copy for filing at the next step or steps if necessary. If you do not receive a response within the time frame or disagree with the action taken, you may file a copy of the grievance at the next step.		
Step	Grievance Filed with (Name and Position)	Date
1		
2		
3		
4		
Submitted by (Print Name): _____ Signature _____ Date: _____		



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### Attachment 3: Complaint and Grievance Process Flowchart



### Attachment 4: Conflict Resolution Defined

#### WHAT IS CONFLICT RESOLUTION?

Conflict, arguments, and change are natural parts of our lives, as well as the lives of every agency, organization, and nation.

Conflict resolution is a way for two or more parties to find a peaceful solution to a disagreement among them. The disagreement may be personal, financial, political, or emotional.

When a dispute arises, often the best course of action is negotiation to resolve the disagreement.

The goals of negotiation are:

- To produce a solution that all parties can agree to
- To work as quickly as possible to find this solution



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- To improve, not hurt, the relationship between the groups in conflict

Conflict resolution through negotiation can be good for all parties involved. Often, each side will get more by participating in negotiations than they would by walking away, and it can be a way for your group to get resources that might otherwise be out of reach.

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### Attachment 5: Revision History

Created 10/2021 Adopted from PNAA Policy & Procedures  
Reviewed: 10/2021 P&P Committee  
President: 2020-2022 Catherine Paler