

Addendum to Grievance Policy and Procedures Manual

This addendum was created to address community feedback and additional information to be considered by the Nashville-Davidson County Continuum of Care, as necessary.

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A. FREQUENTLY ASKED QUESTIONS AND SUMMARIZED RESPONSE TO PUBLIC COMMENTS

1. What if I have a barrier with language or reading comprehension, or don't have internet access to see the additional information referenced to be access via link?

The Collaborative Applicant (Office of Homeless Services) support staff will be responsible to provide resources for written translation, verbal interpretation, and/or hard copy of all additional referenced resources upon request.

2. Will my grievance be anonymous and confidential? Can I speak on behalf of someone else or can I report something that may not be about me directly but is concerning?

We cannot guarantee that your grievance will be kept anonymous, confidential or decided upon without bias, even if requested or stated so, due to the public resolution process. It is within the philosophy of transparency and accountability that we recommend resolving matters that affect our CoC-affiliated community in an open and honest manner.

A revision has been made to the Grievance Manual under Section II Grievance Form Process regarding reporting a grievance on someone else's behalf as follows:

"The form should be completed by the aggrieved party and should not be completed on someone else's behalf, except in circumstances where a reasonable accommodation is needed or is submitting information as a direct witness to the grievance situation."

3. How can you assure that I won't be retaliated against for filing my grievance?

We cannot guarantee that retaliation won't occur despite our best efforts to deter these occurrences. The Anti-Retaliation Policy offers definitions, expectations and consequences, and an avenue of repair options once a retaliation may occur to reduce the occurrences and its affects.

4. What if the Office of Homeless Services (OHS) or the Homelessness Planning Council (HPC) is the source of my concern – who has oversight over them?

OHS holds multiple roles within the CoC so it is important to know which of these roles you are grieving against, or the grievance reviewing group can support identifying this and its appropriate process. The grievance process for their roles as Collaborative Applicant, CE Lead, HMIS Lead and a CoC-funded agency are detailed in the Grievance Manual.

OHS is a department within the Metropolitan Government of Nashville and Davidson County and thus the Mayor of Nashville-Davidson County serves as its ultimate oversight. The Homelessness Planning Council was created as a city government board/commission and therefore the Mayor of Nashville-Davidson County also holds authority over this entity as well, including the appointment of up to 5 voting members of the Council. Ways to contact the Mayor's Office can be found here: <https://www.nashville.gov/departments/mayor/contact-us>

5. Is this policy only applicable to CoC-funded organization? How do I keep up with knowing who I can and can't grieve against?

Updates have been made to the manual revisions under Section I Part D: Scope to reflect that this grievance manual is a guide for all members and connections to the CoC, regardless if they receive funding from the CoC or not. All organizations that engage in the CoC's Coordinated Entry, HMIS and committee processes are required to follow policy regardless of their funding source. It is to be noted that CoC-funded organizations are subject to additional, clearly-defined grievance processes and consequences that may go beyond this manual. Due to this, CoC-funded agencies have more avenues of accountability and enforcement than those that do not receive funding from the CoC. Nonetheless, non-CoC-funded organizations are strongly encouraged to participate in all aspects of grievance procedures to be fair and valuable participants of the Nashville-Davidson County Continuum of Care.

6. Can't I just go straight to Department of Housing and Urban Development (HUD) for my grievance?

Yes, anyone can report grievances directly to HUD at any time, with ways to contact here: <https://www.hud.gov/contactus#ReportIssue>

It is to be noted however that HUD most often first redirects the grieving party to resolve matters locally, and as close to the sources as possible before the state or federal HUD consider the matter. It is helpful to follow the processes as shared in this manual, including a

documentation trail, so that these prior steps can be presented to HUD if still not resolved locally and warrants a higher review.

7. Am I able to bring up past or recent grievances now? What if my situation isn't an option here?

It is recommended to not use this newly established process for past incidents or concerns in order for all parties to have a fair, informed understanding going forward. If the grievance is an ongoing harm that is still current and has not been addressed, then this can be submitted for review.

If you are not sure if your situation is applicable to be grieved about, it is recommended that you still file a grievance and the reviewing body will inform you if it's applicable or help refer to the appropriate party.

8. What is the purpose or rules of the public comment period now at all meetings?

The purpose of public comment is to give the public a voice in the decision-making process by allowing them to share opinions, expertise and concerns on proposed agenda items or other relevant issues. This allows committee and council members to understand the public's perspective and consider potential impacts. This can lead to better-informed decisions and foster a spirit of transparency and accountability.

Public comment is not a time of direct discussion between council/committee members and speakers, nor should immediate action or answers for information requests be expected. While public comments are an exercise of free speech, the speech should be limited to relevant topics and remain respectful. The Chair has the discretion to end a speaker's time if speakers are disruptive, off topic or violating committee codes of conduct.

Our CoC Governance Charter currently states that public comments are only open for action items on agendas, meaning public comments are only for matters being voted on in the meeting and not general commentary. However, through the process of developing these grievance procedures, it has been recommended that public comment periods be available for not only action items but any agenda items, as well as made available for all committees, and not just the HPC that are subject to the law within Tennessee Codes.

Similar to current public comment protocols, up to 10 minutes should be reserved for every meeting for a public comment period, with 2 minutes for each person to speak. It is the discretion of the committee chair as to the order or time extension of the public comment

period. Until these recommended public comment additions are codified in our Charter, the implementation of this recommendation is at the discretion of the HPC or committee chair.

9. What if I still have more questions or comments regarding the Grievance Policies and Procedures?

You may submit your questions or comments via the grievance form or public comment period of a relevant committee. The Grievance Policy and Procedures Manual will be subject to review and revisions on an annual basis, and/or along with future CoC Governance Charter revision periods.

10. What are the next steps?

Once the CoC General Membership approves the adoption of the Grievance Policy and Procedures, the Governance Charter committee will meet to issue a charter revision to include these updates and render them official policy of the CoC.

Additional steps to update new practices due to the grievance policy and procedures include:

- Referenced online links and resources updated in manual.
- Online Grievance Form Link made available
- Grievance Form and manual available at all meetings
- Code of Conduct language updates
- Public comment time requirements added to all committee expectations
- Collaborative Applicant Planning funding for alternative procedures and future trainings
- Further development of grievance review entity and process.

B. ALTERNATIVE GRIEVANCE RESOLUTION METHODS

I. Third Party Mediation

Third-party Mediation is a flexible dispute resolution process in which an impartial third party helps disputing parties negotiate a mutually acceptable solution for a civil matter. Unlike an arbitrator, a mediator does not have the power to impose a decision but instead facilitates communication and guides the parties toward a collaborative, self-determined agreement. Mediation is not legally enforceable and comes with no guaranteed settlement however it does bring confidentiality, time-efficiency and creative solutions to situations that both parties wish to resolve. Mediation services often comes with a cost, that can be covered within the Collaborative Applicants funding, if desired. Nashville Conflict Resolution Center, or agreed-upon private mediation consultants, are options for this service.

II. Grievance Review Panel

This solution involves a small panel of neutral reviewers to facilitate the process and resolutions of the grievance. This would be a special called workgroup that is separate from any other current CoC committee tasked with hearing and mediating grievances brought within the CoC. These members may also serve as navigators or advocates for those who are unfamiliar with these formal processes and are seeking support outside of the Collaborative Applicant. To avoid conflicts of interest and model best practice, grievance review panels should include at least one lived experience leader who is unaffiliated with the potential agency in question, and a rotating community member trained in trauma-informed governance. This workgroup should include, but not limited to, people with skills in the fields of: lived experience of homelessness, mediation, human resources, conflict management, legal services, counseling, and advocacy work. The Nominating and Membership Committee may assist with recruiting and selecting voluntary representatives for this workgroup, and the CoC GM will approve its members. It is advised that this panel to hold public-facing summaries of grievance outcomes that protect the confidentiality of the grieving parties where possible. Public comment should be available at these grievance outcome summaries to foster community trust and transparency. The CoC GM will be asked to deliberate on the roles and responsibilities of this panel.

III. Restorative Justice Practitioner/Coach

Restorative Justice is a new paradigm that seeks to reframe the way we conventionally think about wrongdoing and justice. This is done so by seeking resolution that affords healing, reparation and reintegration, and prevents future harm. Restorative justice is a principle-based approach that does not serve the purpose of minimizing the conflict and maximizing corporate interests, but rather it accepts the situation of conflict and extensively deals with the negative consequences for the people involved. Restorative justice philosophy expands beyond typical mediation formats by focusing on identifying needs and repairing harm, active accountability, and centering relationships and community. This can be an ideal solution for situations that don't have clear policy and are more of a personal transgression that is still worthy of repair and restoration in order to be a healthy functioning CoC body.

A restorative justice practitioner is a professional who leads structured, facilitated dialogues between those harmed and those responsible for harm, along with community members, to address the impact of an offense and find ways to repair it. They are trained in restorative principles to promote accountability, healing, and conflict resolution, working in community organizations and systems to foster empathy, understanding, and reintegration into the community. This can be in the form of circles or groups, conference trainings or one to one coaching. Potential costs associated may be covered and monitored by the Collaborative Applicant, if desired.



Robert's Rules of Order is a manual of parliamentary procedure to be used as a guide for conducting meetings and making decisions as a group. It is helpful to use Robert's Rules to bring order, fairness, and productivity to group meetings by providing a standardized framework for discussions and decision-making. Follow this condensed quick view of common procedures and how to handle them:

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Introduce business	"I move that..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Postpone consideration	"I move that we postpone this matter until..."	No	Yes	Yes	Yes	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Alert urgent matters effecting participation	"Point of Privilege."	Yes	No	No	No	Chair Decides
Object to procedure or personal offense	"Point of order"	Yes	No	No	No	Chair Decides
Request of information	"Point of Information"	Yes	No	No	No	None needed
Confused about parliamentary rules	"Point of parliamentary inquiry"	Yes	No	No	No	None needed
Vote on a disagreed ruling by the chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority
Express serious concern and disapproval of a member's decision or behavior*	"I move for a vote of no confidence towards the Chair due to..."	No	Yes	Yes	Yes	Majority

*Not a formal Robert's Rule of Order procedure but can be used as a motion for the body to document sentiments about serious concerns and encourage reconciliation.

Remember: 1. Listen to the other side 2. Focus on issues, not personalities 3. Avoid questioning motives 4. Be polite

IV. ROBERT'S RULES OF ORDER CHEAT SHEET

V. PROCEDURE FOR HANDLING A MAIN MOTION

NOTE: Nothing goes to discussion without a motion being on the floor.

Obtaining and assigning the floor

A member raises hand when no one else has the floor

- The chair recognizes the member by name

How the Motion is Brought Before the Assembly

- The member makes the motion: *I move that (or "to") ...* and resumes their seat.
- Another member seconds the motion: *I second the motion* or *I second it* or *second*.
- The chair states the motion: *It is moved and seconded that...Are you ready for the question?*

Consideration of the Motion

1. Members can debate the motion.
2. Before speaking in debate, members obtain the floor.
3. The maker of the motion has first right to the floor if he claims it properly.
4. Debate must be confined to the merits of the motion.
5. Debate can be closed only by order of the assembly (2/3 vote), or by the chair if no one seeks the floor for further debate.

The chair puts the motion to a vote

1. The chair asks: *Are you ready for the question?* If no one rises to claim the floor, the chair proceeds to take the vote.
2. The chair says: *The question is on the adoption of the motion that ... As many as are in favor, say 'Aye'.* (Pause for response.) *Those opposed, say 'Nay'.* (Pause for response.) *Those abstained please say 'Aye'.*

The chair announces the result of the vote.

1. *The ayes have it, the motion carries, and ...* (indicating the effect of the vote) or
2. *The nays have it and the motion fails*