

DHHS POLICIES AND PROCEDURES

Section V-(a)	Human Resources
Title:	Division of Health Benefits, Appeals Procedure Policy
Current Effective Date:	04/01/19
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Purpose

The Division of Health Benefit's (DHB) Appeals procedure is designed to provide a structured appeals process to ensure that employees are treated fairly and receive prompt responses. For this reason, DHB provides an appeals procedure to promote prompt and responsible resolution. This procedure may be used freely without fear of retaliation, and Human Resources is available to assist throughout the procedure. The procedure outlined below should be used if an individual disagrees with a supervisor's action to discharge an employee. If the individual believes that the discharge was a result of discrimination, harassment, or retaliation, reference to those policies should be made to initiate a complaint. When unsure which policy applies, contact should be made with DHB Human Resources for assistance.

This policy applies to all DHB employees.

Policy

The Division of Health Benefits' recognizes the dignity and value of the individual employee. The Division encourages the prompt and fair resolution of employee appeals through an orderly process consistent with applicable laws and policies.

Implementation

Step 1: Prepare and Submit Appeal Procedure Form to Human Resources for review by Second-Level Supervisor.

DHB encourages mutual resolution of appeals. If an individual would like to appeal the decision to terminate employment by a supervisor, the individual must prepare and submit a formal written appeal for review by the person to whom the employee's immediate supervisor reports ("second-level supervisor"). To do so, the individual should prepare an Appeal Procedure Form and submit it to Human Resources within seven (7) business days of the decision to terminate employment. HR will review the appeal, send a copy to the second-level supervisor and the immediate supervisor (if appropriate), and schedule a meeting for the individual, the second-level supervisor, and Human Resources to discuss the appeal. The meeting will ordinarily be held within five (5) business days of Human Resources receipt of the Appeal Procedure Form. The second-level supervisor will issue a written decision,

generally within five (5) business days of the meeting. If the complaint is not resolved to the individual's satisfaction, the individual may proceed to Step Two.

Note: If the individual's second-level supervisor is a Director or Division Director, the Appeal procedure is complete at the conclusion of Step One. If the individual's second-level supervisor is a Manager Level or below, the individual should proceed to Step Two (Director or Division Director level review) at the conclusion of Step One.

Step 2: Submit Appeal Procedure Form for Final Appeal to the Appropriate –Level Director or Division Director.

If the individual is not satisfied with the Step One decision, they must complete and submit the Appeal Procedure Form to HR for the appropriate level Director or Division Director within seven (7) business days of receipt of the Step One decision. The Director or Division Director will provide the Division's final written response, within fourteen (14) business days. The individual's supervisor will be notified as well.

General Information

The time limits above are subject to modification on a case-by-case basis due to operational requirements and in-depth investigations, etc. The Division Director shall have final authority to resolve any dispute regarding the implementation of this Appeals Procedure, including determination of the appropriate decision makers.

For questions or clarification on any of the information contained in this policy, please contact the DHB Human Resources Manager. For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).