

**NCNMEDD NON-METRO AREA AGENCY ON AGING  
SEP GRIEVANCE and APPEAL PROCEDURES**

An applicant who has been determined ineligible for enrollment or placement in the SEP may request a reconsideration regarding ineligibility from the NMAAA Senior Employment Programs Staff, either in person, by telephone, or in writing, within five calendar days of receipt of the notice of ineligibility determination. The SEP Program staff shall then have ten calendar days from receipt of the request for reconsideration to review the documentation and make a second determination of eligibility.

- A. If the applicant still believes that the determination is incorrect, the applicant's next step is to contact the NCNMEDD – Non-Metro AAA Community Services Director in writing within ten calendar days of receipt of the SEP Program staff's ineligibility determination, challenging the reasons given for ineligibility, and providing accompanying documentation; and
- B. After reviewing the challenge and accompanying documentation, the NCNMEDD – Non-Metro AAA Community Services Director shall make a determination affirming or reversing the determination of eligibility by the SEP Program Staff within ten calendar days of receiving the challenge; the Community Services Director's determination shall be final.

Any participant who believes that he or she has been subject to unfair treatment, discrimination, or harassment by a supervisor, manager, co-worker or a host agency may proceed as follows:

- a. Step 1: The participant may discuss a problem or grievance with the participant's supervisor, either in person, by telephone, or in writing, within five calendar days of the occurrence of the problem. The supervisor shall then work with the participant to provide a solution or an explanation within ten additional calendar days. If more time is required for the supervisor to provide a meaningful response, the participant will be notified of this fact and advised of the anticipated response date. In no event shall the supervisor extend the response date by more than 30 days from receipt of first notice. If the participant finds it difficult to discuss the problem with the supervisor, the participant may proceed directly to step 2.
- b. Step 2: If the problem or grievance remains unresolved to the participant's satisfaction after following Step 1, or if the participant found it difficult to discuss the problem with the supervisor, the participant may proceed to the host agency's next level of authority. The participant may discuss the problem with this level of authority, either in person, by telephone, or in writing, within five calendar days of the event giving rise to the grievance or the response of the supervisor in step 1. This level of authority shall then work with the participant to provide a solution and/or explanation within ten additional calendar days. If the participant feels that the problem continues to remain unresolved, the participant may proceed to Step 3.

**NCNMEDD NON-METRO AREA AGENCY ON AGING  
SEP GRIEVANCE and APPEAL PROCEDURES**

- c. Step 3: If the participant is unable to receive a satisfactory answer or resolution to the problem from the host agency in Step 2, the participant may then submit a written grievance to the NCNMEDD – Non-Metro AAA Senior Employment Programs staff within five days after the participant receives the response from the host agency in Step 2. This written grievance shall include the following: the nature of the grievance, relevant facts and specific actions, and the requested relief or course of action. The SEP Program Staff shall contact the participant within ten calendar days after receiving the written grievance, to obtain additional information relevant to the grievance. The SEP Program Staff may investigate the grievance and shall provide a written determination. This shall be mailed to the participant within 20 calendar days after the SEP Program Staff's receipt of the grievance unless additional time is required for investigation. If additional time is required, the participant will be notified of that fact and advised of the response date. In no event shall the SEP Program Staff extend the response date by more than 30 days from receipt of first notice.

**SEP Right of Appeal**

A. Participants in the SEP have a right of appeal in the following circumstances:

1. When participation has been involuntarily terminated by written notification from the NCNMEDD Non-Metro AAA;
2. When a participant is deemed ineligible for continued enrollment by written notification from the NCNMEDD Non-Metro AAA; or
3. When, after following the grievance procedure previously outlined remains unresolved.

B. Appeal procedures for program participants who meet the criteria set forth in Subsection A above:

1. An appeal, pursuant to Subsection A, shall be submitted in writing to the NCNMEDD NMAAA Community Services Director within five working days following receipt of the notice of action using the following address:

Community Services Director  
North Central New Mexico Economic Development District  
Non-Metro Area Agency on Aging  
3900 Paseo Del Sol  
Santa Fe, New Mexico 87507

**NCNMEDD NON-METRO AREA AGENCY ON AGING  
SEP GRIEVANCE and APPEAL PROCEDURES**

2. The Community Services Director shall contact the participant within ten calendar days after receiving the written appeal to confirm receipt of the appeal and provide an opportunity to obtain additional information relevant to the appeal;
3. After affording the participant the opportunity to produce additional relevant information, the Community Services Director shall provide a written decision in response to the appeal within 25 calendar days following contact with the participant;
4. The Community Services Director's decision shall be final and binding.

Applicant/Enrollee

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Host Agency Staff

Signature: \_\_\_\_\_ Date: \_\_\_\_\_