

## Contractor Complaint Process

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**Purpose** The purpose of this procedure is to describe the process that AAA staff will implement in the event that a complaint that is NOT a potential violation of contract terms is received by AAA staff.

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**Policy** The Agency is committed to open, honest, direct and respectful communication with each other, our clients and the community believing that each individual is responsible for effective communication to establish and maintain an environment of trust, personal satisfaction and healthy relationships.

In keeping with this policy, persons who file complaints will be encouraged to communicate their complaints and attempt problem solving directly with the agency or agency staff against whom the complaint is filed. AAA staff will assist and intervene in the resolution process when attempts to resolve the issue directly with the agency have not been successful.

For this reason, AAA staff shall refer any complaints that are NOT potential noncompliance with contract terms, legal issues or issues involving the performance of the Contractor's Director to the contractor against whom the complaint was made for resolution. Complaints regarding Contactor's Directors will be forwarded to the AAA Director and/or Chair of the Board of Directors.

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**Confidentiality** All complaints will be handled in a confidential manner. However, consultation with County Counsel and/or AAA Board members may be necessary if there are legal issues involved in the complaint, or if the complaint is in regards to the performance of the Contractor's Director.

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## Contractor Complaint Process, Continued

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**Process**

Any staff shall refer any person who wishes to file a complaint Against an AAA Contractor to AAA staff.

AAA staff shall:

- Record any complaints received about the contracting agency on the AAA Contractor Complaint Form.
- Follow Sanction Policy and Appeals Procedure for Contractors with the Area Agency on Aging if the complaint is a potential issue of non-compliance with contract terms.
- If the complaint is NOT a potential issue of non-compliance with contract terms, legal issue or complaint involving the Contractor's Director, send a copy of the completed AAA Contractor Complaint Form to the Contractor for resolution.
- If the complaint involves legal issues or if the complaint involves Performance of the Contractor's Director, refer to AAA Management before taking further action.
- After two weeks follow-up with person who made the complaint, and Contractor and record resolution on AAA Contractor Complaint Form.

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## Contractor Complaint Process, Continued

**Procedure**      The following is the contractor complaint procedure:

| Step   | Who  | Action  |        |          |  |  |                                  |   |   |  |
|--|--|---|--------|----------|--|--|----------------------------------|---|---|--|
| 1  | Any Staff  | Refer person making complaint to AAA Clerical or Program Coordinator.   |        |          |  |  |                                  |   |   |  |
| 2  | AAA Staff  | Record complaint on <a href="#">Contractor Complaint Form</a> : <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">If ...</th> <th style="width: 50%;">Then ...</th> </tr> </thead> <tbody> <tr> <td>Complaint is of a serious nature AND a potential issue of contract noncompliance</td> <td>Follow Sanction Policy and Appeals Procedure for Contractors with the Area Agency on Aging</td> </tr> <tr> <td>Complaint involves a legal issue</td> <td> <ul style="list-style-type: none"> <li>• Consult with AAA Management to determine need for consultation with County Counsel before taking further action</li> <li>• In consultation with County Counsel, Contractor and/or Complainant determine most appropriate next-steps</li> </ul> </td> </tr> <tr> <td>Complaint is in regards to performance of the Contracting Agency's Director</td> <td> <ul style="list-style-type: none"> <li>• Consult with AAA Management to determine if complaint should be sent to Director and/or Chair of the Board of Directors of the Contracting Agency</li> <li>• In consultation with Contracting Agency's Board of Directors, Contractor and/or Complainant determine most appropriate next-steps and action to take to resolve issue</li> </ul> </td> </tr> </tbody> </table> | If ... | Then ... | Complaint is of a serious nature AND a potential issue of contract noncompliance | Follow Sanction Policy and Appeals Procedure for Contractors with the Area Agency on Aging | Complaint involves a legal issue | <ul style="list-style-type: none"> <li>• Consult with AAA Management to determine need for consultation with County Counsel before taking further action</li> <li>• In consultation with County Counsel, Contractor and/or Complainant determine most appropriate next-steps</li> </ul> | Complaint is in regards to performance of the Contracting Agency's Director | <ul style="list-style-type: none"> <li>• Consult with AAA Management to determine if complaint should be sent to Director and/or Chair of the Board of Directors of the Contracting Agency</li> <li>• In consultation with Contracting Agency's Board of Directors, Contractor and/or Complainant determine most appropriate next-steps and action to take to resolve issue</li> </ul> |
| If ...   | Then ...   |   |        |          |  |  |                                  |   |   |  |
| Complaint is of a serious nature AND a potential issue of contract noncompliance | Follow Sanction Policy and Appeals Procedure for Contractors with the Area Agency on Aging   |   |        |          |  |  |                                  |   |   |  |
| Complaint involves a legal issue   | <ul style="list-style-type: none"> <li>• Consult with AAA Management to determine need for consultation with County Counsel before taking further action</li> <li>• In consultation with County Counsel, Contractor and/or Complainant determine most appropriate next-steps</li> </ul>  |   |        |          |  |  |                                  |   |   |  |
| Complaint is in regards to performance of the Contracting Agency's Director      | <ul style="list-style-type: none"> <li>• Consult with AAA Management to determine if complaint should be sent to Director and/or Chair of the Board of Directors of the Contracting Agency</li> <li>• In consultation with Contracting Agency's Board of Directors, Contractor and/or Complainant determine most appropriate next-steps and action to take to resolve issue</li> </ul> |   |        |          |  |  |                                  |   |   |  |

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## Contractor Complaint Process, Continued

### Procedure (continued)

| Step               | Who       | Action  |  |
|--------------------|-----------|---|--|
| 2,<br><i>con't</i> | AAA Staff | <i>...Continued</i>   |  |
|                    |           | <b>If ...</b>   | <b>Then ...</b>  |
|                    |           | Complaint is of a serious nature, but NOT a potential issue of contract noncompliance   | <ul style="list-style-type: none"> <li>Consult with AAA management to determine if a face-to-face contact and intervention is needed with the complainant and/or the Contractor</li> <li>In consultation with Contractor and/or Complainant determine most appropriate next-steps and action to take to resolve issue</li> </ul> |
|                    |           | Complaint is NOT of a serious nature and NOT a potential issue of contract non-compliance   | <ul style="list-style-type: none"> <li>Advise person making complaint that the Complaint Form will be forwarded to the Contractor for resolution</li> <li>Make and keep copy of Complaint Form and send original to Contractor</li> </ul>  |
| 3                  | AAA Staff | Determine complaint resolution:   |  |
|                    |           | <b>If ...</b>   | <b>Then ...</b>  |
|                    |           | Resolution cannot be achieved after consultation and intervention with County Counsel, and/or Agency Board of Directors, AND contract noncompliance is now an issue | Follow Sanction Policy and Appeals Procedure for Contractors with the Area Agency on Aging   |
|                    |           | Complaint is resolved   | Record resolution on AAA Contractor Complaint Form and file  |

**Authority** This document is written under the authority of Sanction Policy and Appeals Procedure for Contractors with the Area Agency on Aging.

**Attachment** The "[Contractor Complaint Form](#)" is an attachment to this document.

