Eight Northern Indian Pueblos Council, Inc.(ENIPC)
Grievance Procedure Policy

Purpose
To ensure compliance with 40 C.F.R. Part 7, Section 7.90(a), the ENIPC has established a grievance procedure for prompt and fair resolution of complaints alleging violations of 40 C.F.R. Parts 5 and 7 in the administration of the ENIPC programs and activities.

The grievance procedure is intended to address allegations of discrimination on the basis of:

Race;
Color;
Age;
National origin;
Disability; or
Sex

This grievance procedure provides a process for filing a timely complaint to the proper authority and describes the process that will be used to investigate and resolve the complaint. However, this procedure does not apply to administrative actions, to include employee complaints, that are handled under a separate process.

Submission of a Complaint

A. Filling a Complaint

An individual (or the authorized representative of an individual) who believes that he/she or a class of individuals has been excluded from participation in, denied the benefits of, or subjected to discrimination under any ENIPC program or activity on the basis of race, color, age, national origin, disability, or sex may file a complaint with the ENIPC. The complaint filed must:

1. Be in written form
2. Contain the complainant(s) contact information including name (or, for a group or association, an official representative), mailing address, daytime phone number, and email address (if appropriate);
3. Be filed within 90 days of an alleged violation (except as otherwise indicated in the following paragraph), unless for good cause;
4. Describe with specificity the action(s) by the ENIPC program or activity that allegedly resulted in discrimination in violation of 40 C.F.R. Parts 5 and 7;
5. Describe with specificity the discrimination that allegedly has occurred or will occur as the result of such action(s); and
6. Identify the parties impacted or potentially impacted by the alleged discrimination.

The ENIPC may request additional information from the compliant if this information is needed to meet the complaint requirements described above or otherwise contained in 40 C.F.R. Parts 5
and 7. The ENIPC may waive requirement two (2) in its discretion, in order to address allegations of potential discrimination caused by pending actions at the earliest appropriate and feasible juncture; or, for good cause, to address complaints filed more than 90 days after an alleged violation.

All written complaints shall be submitted in one of the following manners:

**MAIL:**
Phillip Perez  
Executive Director (Interim)  
Eight Northern Indian Pueblos Council, Inc.  
327 Eagle Drive  
Ohkay Owingeh, NM 87566

**FAX:**
505-747-1599

**EMAIL:**
ExecutiveDirector@enipc.org

For questions, please call 505-747-1593

Within 10 days of receiving a written complaint, ENIPC will provide the complainant with written notice of receipt.

**B. Determination of Jurisdiction and Investigative Merit**

ENIPC, based on information in the complaint and other information available, will determine if it has jurisdiction to pursue the matter and whether the complaint has sufficient merit to warrant an investigation. A complaint shall be regarded as meriting investigation unless:

1. It is not under the ENIPC jurisdiction;
2. It clearly appears on its face to be frivolous or trivial;
3. Within the time allotted for making the determination of jurisdiction and investigative merit, ENIPC voluntarily concedes noncompliance and agrees to take appropriate remedial action or reaches an informal resolution with the complainant:
4. Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint; or
5. It is not timely and good cause does not exist for waiving the timing requirement under section A.2.

**Disposition of Complaints**

Within 120 days of accepting a written complaint, ENIPC will respond in writing to the complainant with a resolution. If ENIPC determines at this time that additional time is needed for
its investigation, ENIPC will notify the complainant of this determination. The resolution will be determined based on the preponderance of the evidence.

**Intimidation or Retaliation Prohibited**

ENIPC or any other person may not intimidate, threaten, coerce, or discriminate against any individual or group for the purpose of interfering with any right or privilege guaranteed under applicable state and federal law. ENIPC or any other person also may not intimidate, threaten coerce, or discriminate against any individual or group because the individual has filed a complaint; has testified, assisted, or participate in any way in an investigation, proceeding, or hearing related to a ENIPC matter; or has opposed any practices made unlawful by ENIPC’s nondiscrimination policy. Accordingly, any such intimidation or retaliation on the part of ENIPC or any ENIPC representative would be grounds for a complaint pursuant to these procedures and will be handled in the same manner as any other complaint of discrimination.