

In the following text, strikethrough indicates deleted text; underline indicates added text. Additionally, an asterisk (*) indicates omitted and unchanged text.

**California Code of Regulations, Title 15. Crime Prevention and Corrections,
Division 8, Chapter 1, Rules and Regulations of the California Prison Industry
Authority, Article 3**

Delete:

~~Section 8007~~

~~Inmate Appeals~~

~~Unless otherwise stated in these regulations, CALPIA inmate workers are to utilize the regular appeals process which provides a remedy for inmates with identified grievances, in accordance with Title 15, Division 3, Chapter 1, Article 8, of the California Code of Regulations.~~

~~[deleted]~~

~~Authority: Sections 2801 and 2808, Penal Code.~~

~~Reference: Section 2801, Penal Code.~~

In the following text, strikethrough indicates deleted text; underline indicates added text. Additionally, an asterisk (*) indicates omitted and unchanged text.

**California Code of Regulations, Title 15. Crime Prevention and Corrections,
Division 8, Chapter 1, Rules and Regulations of the California Prison Industry
Authority**

Article 5. Administrative Remedies for Incarcerated Individuals

8480. Implementation Date and Definitions.

(a) The provisions of this Article shall apply to all incarcerated individual grievances and appeals received by the California Prison Industry Authority ("CALPIA").

(b) For purposes of this article, the following definitions shall apply:

(1) "Administrative remedy" means the non-judicial process provided by CALPIA to address incarcerated individual complaints.

(2) "Allegation inquiry" refers to the process of gathering preliminary information concerning a claim that involves an allegation of staff misconduct.

(3) "Appeal" means a written request from a claimant for review by the Appeals Coordinator of a decision issued by the Grievance Coordinator for the claimant's grievance.

(4) "Appeals Coordinator" means the General Counsel, or designee, who is responsible for responding to incarcerated individual appeals.

(5) "Appeal package" means a CALPIA Form 602-2 (10/21) and all supporting documents.

(6) "CALPIA" refers to the California Prison Industry Authority and "CALPIA staff" refers to all CALPIA employees, volunteers, contractors, and vendors at CDCR Institutions, CALPIA regions, operations, locations, enterprises, and factories.

(7) "CDCR" refers to the Department of Corrections and Rehabilitation and to all employees, contractors, and volunteers associated with that Department.

(8) "Claim" means a single complaint arising from a unique set of facts or circumstances.

(9) "Claimant" refers to an incarcerated individual under the custody or control of CDCR who files a grievance or appeal with CALPIA.

(10) "Formal investigation" refers to a criminal or administrative investigation by the CDCR Office of Internal Affairs, another investigative or law enforcement entity, or CALPIA concerning a claim that involves an allegation of staff misconduct.

(11) "Grievance" means a written request from a claimant for review and response by a Grievance Coordinator.

(12) "Grievance Coordinator" means: (1) the Institutional, Regional, Enterprise, or factory Prison Industries Administrator or Prison Industries Manager, or designee, at the CDCR Institution where the incarcerated individual is incarcerated; (2) the Prison Industries Administrator or Prison Industries Manager, or designee, of the On-Time Delivery Branch; or (3) the Chief of the Business Services Department at Central Office.

(13) "Grievance package" means a CALPIA Form 602-1 (10/21) and all supporting documents.

(14) "Reviewing Authority" means the General Counsel, or designee, who is responsible for approving a decision on each claim raised in a grievance or appeal.

(15) "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; or serious disfigurement.

(16) "Staff misconduct" means an allegation that CALPIA staff violated a law, regulation, policy, or procedure, or acted contrary to an ethical or professional standard, which, if true, would more likely than not subject a staff member to adverse disciplinary action.

Authority Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8481. Claimant's Ability to Grieve and to Appeal.

(a)(1) A claimant has the ability to submit a written grievance containing one or more claims, subject to the requirements in section 8482, to dispute a policy, decision, action, condition, or omission by CALPIA staff that causes some measurable harm to their health, safety, or welfare. In response, a claimant shall receive a written decision as described in section 8483 from a Grievance Coordinator, clearly explaining the reasoning for the decision as to each claim.

(a)(2) A claimant has the ability to submit a written appeal concerning one or more claims, subject to the requirements in section 8485, to dispute the grievance decision. In response, a claimant shall receive a written decision as described in section 8486 from the Appeals Coordinator addressing each disputed claim.

(b)(1) Grievance Coordinators are authorized to grant or deny each claim in a grievance received by an incarcerated individual. In no case shall that official be of a classification lower than Prison Industries Manager.

(b)(2) The Appeals Coordinator and Reviewing Authority are authorized to render a decision regarding each claim in an appeal submitted by an incarcerated individual. In no case shall that official be of a classification lower than CALPIA Attorney.

(c) A claimant may choose to informally resolve a claim; however, any attempt to informally resolve a claim does not extend the time for submitting a grievance or appeal.

(d) Except for allegations of staff misconduct, the claimant may withdraw a grievance or appeal, verbally or in writing, at any point up to receiving a signed response.

(e) Staff shall not retaliate against a claimant for seeking to informally resolve a claim or for submitting a grievance or appeal.

(f) A claimant does not have the ability to submit a grievance or appeal to dispute a policy, decision, action, condition, or omission that was not made by CALPIA staff but instead was made by an entity or official outside of CALPIA, including, but not limited to CDCR. This does not preclude a claimant from filing a complaint with the outside entity or official.

(g) CALPIA Form 602-1 (10/21), "Grievance," hereby incorporated by reference, shall be made available to incarcerated individuals in all CALPIA operations, factories, enterprises, and locations.

(h) When submitting a grievance or appeal, or for purposes of a related interview, if a claimant requests assistance based on a disability, lack of literacy, or need for translation services, or CALPIA staff detect the need for such assistance, then CALPIA staff shall provide reasonable accommodations and utilize effective communication techniques as required by the Americans with Disabilities Act.

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8482. Preparation and Submittal of a Grievance.

(a) An incarcerated individual who wishes to submit a grievance shall do so in writing to the Grievance Coordinator at the location of that incarcerated individual's CALPIA assignment by submitting the grievance to the incarcerated individual's immediate supervisor or CALPIA lead staff. In the event an incarcerated individual submits a grievance to other CALPIA staff, that staff shall immediately notify their direct supervisor or lead staff.

(b) A claimant shall submit a claim within 30 calendar days of discovering an adverse policy, decision, action, condition, or omission by CALPIA. Discovery occurs when a claimant knew or should have reasonably known of the adverse policy, decision, action, condition, or omission. The deadline to submit a claim shall be extended for the period of time that a claimant is:

(1) in the custody of another authority for court proceedings;

(2) in the care of an outside hospital; or

(3) temporarily housed in a medical or mental health crisis bed.

(c) To submit a grievance, a claimant shall:

(1) type or print legibly on an official CALPIA Form 602-1 (10/21) or complete the form electronically, if available;

(2) fill in the portions of the CALPIA Form 602-1 (10/21) identifying the claimant's name, CDCR number, current housing/parole unit, and institution/facility/parole region;

(3) describe all information known and available to the claimant regarding the claim, including key dates and times, names and titles of all involved staff members (or a description of those staff members), and names and titles of all witnesses, to the best of the claimant's knowledge;

(4) describe any attempt to resolve the claim informally and, if there was such an attempt, provide the details of that attempt, including key dates and times, names and titles of all involved staff members (or a description of those staff members), and the results of that attempt, to the best of the claimant's knowledge;

(5) limit the descriptions required by subsections (c)(3) and (c)(4) to the space provided on the CALPIA Form 602-1 (10/21);

(6) include all supporting documents available to the claimant related to the claim or identify to the best of the claimant's ability all relevant records with sufficient specificity for those records to be located; and

(7) sign and date the CALPIA Form 602-1 (10/21).

(d) When completing a CALPIA Form 602-1 (10/21), a claimant shall not:

(1) use threatening, obscene, demeaning, or abusive language, except when quoting persons involved in the claim;

(2) include information or accusations known to the claimant to be false; or

(3) contaminate the grievance package by including organic, toxic, or hazardous materials that may present a threat to the safety and security of staff, in which case the grievance shall be safely discarded, and the entire grievance disallowed.

(e) The grievance package submitted by the claimant shall be stored electronically by CALPIA and the original documents returned to the claimant.

(f) In the event a claim against CALPIA is submitted to CDCR, the deadline to submit the claim is extended for the period of time it takes to route the claim to CALPIA. The time to issue a response by CALPIA begins when CALPIA receives the claim, regardless of where the claim was first submitted.

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8483. Grievance Review.

(a) Grievance Coordinators will assess each written grievance within one business day of receipt to determine if it contains any information concerning personal safety, institutional security, or sexual misconduct, including acts of sexual misconduct as defined by the federal Prison Rape Elimination Act and the California Sexual Abuse in Detention Elimination Act. In those instances, the Grievance Coordinator shall immediately commence an appropriate response as required by all applicable laws and regulations.

(b) Grievance Coordinators shall ensure that a request for records pursuant to the California Public Records Act or the California Information Practices Act shall be redirected to the CALPIA Public Records Act coordinator or General Counsel.

(c) Grievance Coordinators shall ensure that a claim is reassigned to another Grievance Coordinator if a majority of the facts and circumstances that gave rise to the claim occurred at a different CALPIA enterprise, operation, location, or factory. The Grievance Coordinator presented with the reassigned claim shall treat the claim as received on the date that the grievance was originally received by CALPIA when the sending Grievance Coordinator, supervisor, lead, or CALPIA staff received it.

(d) Grievance Coordinators shall refer claims alleging staff misconduct to the General Counsel for a determination of the appropriateness of an allegation inquiry or formal investigation pursuant to section 8484.

(e) A claim may be rejected as described in section 8488.

(f) Grievance Coordinators shall ensure that an acknowledgment of receipt of a grievance is completed within 14 calendar days of its receipt indicating the date the grievance was received, whether it was disallowed pursuant to subsection 8482(d)(3), whether any particular claim was redirected or reassigned pursuant to this section, whether any particular claim was rejected pursuant to section 8488, and the deadline for the CALPIA's response to all remaining claims.

(g) A claimant or witness shall be interviewed if it is determined that it will assist in addressing the claim. The interview shall be conducted in a manner that provides as much privacy for the claimant as operationally feasible. If a claimant is unavailable to be interviewed or refuses to be interviewed, then those facts shall be documented in the written response.

(h) Grievance Coordinators shall ensure that any individual identified as the subject to the claim is excluded from involvement in the grievance process as to that claim, including any interview of the claimant conducted as part of the grievance process.

(1) If the Grievance Coordinator is identified in the grievance, the Grievance Coordinator shall refer the claim to the Legal Unit to determine whether the Grievance Coordinator is the subject of the claim. If it is determined that the subject of the claim is the Grievance Coordinator, then the appropriate Branch Manager shall serve as the Grievance Coordinator for that claim.

(2) If subject of the claim is a Branch Manager, then an Assistant General Manager or designee shall serve as the Grievance Coordinator for that claim.

(3) Participating in a committee meeting (i.e., classification committee) to discuss a claimant or that includes a claimant in attendance does not, by itself, constitute personal interaction.

(i) Grievance Coordinators shall ensure that a written response to the grievance is completed no later than 60 calendar days after receipt of the grievance, unless other statutory or regulatory authority requires a response in less than 60 calendar days or the Grievance Coordinator determined that additional time is reasonably necessary to fully and fairly evaluate the grievance, and approve one of the following decisions as to each claim in the grievance:

(1) "Denied," meaning that the Grievance Coordinator found by a preponderance of the evidence available that all applicable policies were followed and that all relevant decisions, actions, conditions, or omissions by CALPIA or CALPIA staff were proper (whether substantively, procedurally, or both);

(2) "Granted," meaning that the Grievance Coordinator did not find by a preponderance of the evidence available that all applicable policies were followed or that all relevant decisions, actions, conditions, or omissions by CALPIA or CALPIA staff were proper (whether substantively, procedurally, or both), in which case the Grievance Coordinator shall grant the requested remedy;

(3) "Granted in Part," as described in subsection 8483(i)(2) but with modification to the requested remedy;

(4) "Redirected," as described in subsection 8483(b);

(5) "Rejected," as described in subsection 8488(a);

(6) "Disallowed," as described in subsection 8482(d)(3);

(7) "Withdrawn," as described in subsection 8481(d);

(8) "Under Investigation," meaning that the claim is under an allegation inquiry or formal investigation; or

(9) "Additional Time Required," meaning that CALPIA was not able to respond to the claim in the time required pursuant to subsection 8483(i).

(j) The Grievance Coordinator's written decision shall be provided to the claimant and a copy placed in the claimant's grievance file. Claimant's original grievance package shall be returned to the claimant with the written decision.

(k) Exhaustion.

(1) Completion of the review process by Grievance Coordinators resulting in a decision found in subsections 8483(i)(1) through 8483(i)(7) and 8483(i)(9) does not constitute exhaustion of all administrative remedies available to a claimant within CALPIA. Exhaustion requires a claimant to appeal such decisions as provided in section 8485.

(2) Completion of the review process by Grievance Coordinators resulting in a decision found in subsections 8483(i)(8) does constitute exhaustion of all administrative remedies

available to a claimant within CALPIA, and no appeal is available because the claim was exhausted at the conclusion of the review by a Grievance Coordinator.

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8484. Allegations of Staff Misconduct.

(a) All claims alleging staff misconduct shall be forwarded by the Grievance Coordinator to the General Counsel who shall review the claim and determine whether the subject of the claim is staff misconduct or about an underlying issue.

(1) If the claim qualifies as a staff complaint, the Grievance Coordinator shall provide a grievance response pursuant to section 8483(i)(8), and a staff complaint shall be opened.

(2) If the claim does not meet the criteria for assignment as a staff complaint, it shall be reassigned back to the Grievance Coordinator at the institution or region where the majority of the facts and circumstances that gave rise to the claim occurred and processed as a standard grievance.

(b) Once the General Counsel has determined a valid allegation of staff misconduct exists, the General Counsel and General Manager will determine if:

(1) The claim warrants a request for an allegation inquiry, in which case CALPIA may refer the matter to the CDCR Office of Internal Affairs, Allegation Inquiry Management Section. An allegation inquiry shall be conducted whenever the claim meets the definition of staff misconduct, but the General Manager does not have a reasonable belief that the misconduct occurred.

(2) The claim warrants a request for a formal investigation, in which case CALPIA may refer the matter to the CDCR Office of Internal Affairs, Central Intake Unit. A formal investigation shall be conducted whenever the claim meets the definition of staff misconduct and the General Manager has a reasonable belief that the misconduct occurred.

(c) The General Counsel or designee shall ensure that an acknowledgment of receipt of the staff complaint is completed within 14 calendar days of opening the staff complaint, indicating the date the staff complaint was received, the date the claim was accepted as a staff complaint, and whether the matter will be referred for an allegation inquiry or formal investigation.

(d) If the staff misconduct in question involves a person who is employed by a hiring authority other than CALPIA, it shall be the responsibility of CALPIA's General Manager to confer with the other hiring authority before making the referral to the CDCR Office of Internal Affairs in order to avoid duplicative referrals.

(e) When the allegation of staff misconduct concerns a use of force incident, allegations of use of force resulting in serious bodily injury, or the alleged use of force was not reported in accordance with Title 15, Sections 3268.1 or 3268.3, the claim shall be referred to the CDCR Office of Internal Affairs or other law enforcement or investigative agency.

(f) During an allegation inquiry or formal investigation, the claimant and as many witnesses as necessary may be interviewed to help determine if the allegation is true. The subject of the allegation of staff misconduct may also be interviewed or referred to the CDCR Office of Internal Affairs and shall be given notice of the interview at least 24

hours in advance. If the subject chooses to waive the 24-hour notice requirement then the subject may be interviewed immediately.

(g) A confidential report shall be prepared for CALPIA upon the completion of a formal investigation summarizing all of the evidence that was gathered, including all significant factual findings. This confidential report shall not be provided to the claimant and no other copies shall be kept or maintained except as needed by the General Counsel, the General Manager, or a Grievance Coordinator in order to respond to a claim.

(h) The General Counsel or designee shall ensure that a written response to the staff complaint is completed and approve one of the following decisions as to each claim in the complaint:

(1) "Unsubstantiated," meaning that there was no evidence to substantiate the allegations against the staff member; or

(2) "Substantiated," meaning that there was sufficient evidence to substantiate the allegations against the staff member.

(i) The General Counsel or designee's written decision shall be mailed to the claimant and a copy placed in the claimant's staff complaint file. Claimant's submitted documents shall be stored electronically by CALPIA and the original documents shall be returned to the claimant with the written decision.

(j) Completion of the staff complaint review process constitutes exhaustion of all administrative remedies available to a claimant within CALPIA.

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8485. Preparation and Submittal of an Appeal.

(a) A claimant who wishes to appeal a decision made by a Grievance Coordinator concerning one or more claims they previously submitted in a grievance shall do so in writing by regular mail sent to the "Appeals Coordinator, CALPIA, Legal Unit, 560 E. Natoma St., Folsom, CA 95630." Correspondence directed to this address shall not be opened by any staff other than those in the Legal Unit.

(b) A claimant who wishes to appeal a decision found in subsections 8483(i)(1) through 8483(i)(5) shall submit an appeal within 30 calendar days of discovering the decision by the Grievance Coordinator. Discovery occurs when a claimant knew or should have reasonably known of the decision. The deadline to submit an appeal of a claim shall be extended for the period of time that a claimant is:

- (1) in the custody of another authority for court proceedings;
- (2) in the care of an outside hospital; or
- (3) temporarily housed in a medical or mental health crisis bed.

(c) To submit an appeal, a claimant shall:

- (1) type or print legibly on an official CALPIA Form 602-2 (10/21), "Appeal of Grievance," hereby incorporated by reference, or complete the form electronically, if available;
- (2) fill in the portions of the CALPIA Form 602-2 (10/21) identifying the claimant's name, CDCR number, current housing/parole unit, and institution/facility/parole region;
- (3) describe in detail why the decision provided by the Grievance Coordinator is inadequate;
- (4) limit the description required by subsection (c)(3) to the space provided on the CALPIA Form 602-1 (10/21); and
- (5) sign and date the CALPIA Form 602-2 (10/21).

(d) When completing a CALPIA Form 602-2 (10/21), a claimant shall not:

- (1) use threatening, obscene, demeaning, or abusive language, except when quoting persons involved in the claim;
- (2) include information or accusations known to the claimant to be false;
- (3) include new claims that were not included in the original grievance, in which case the new claim(s) shall be rejected pursuant to subsection 8488(a)(4); or
- (4) contaminate the appeal package by including organic, toxic, or hazardous materials that may present a threat to the safety and security of staff, in which case the appeal shall be safely discarded, and the entire appeal disallowed.

(e) The appeal package submitted by the claimant shall be stored electronically by CALPIA and the original documents returned to the claimant.

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8486. Appeal Review.

(a) The Appeals Coordinator shall designate at least one official to assess each written appeal within one business day of receipt to determine if it contains any information concerning personal safety, institutional security, or sexual misconduct, including acts of sexual misconduct as defined by the federal Prison Rape Elimination Act and the California Sexual Abuse in Detention Elimination Act. In those instances, the official shall immediately commence an appropriate response as required by all applicable laws and regulations.

(b) If the General Counsel determines that a claim involves staff misconduct and that claim was not referred to the CDCR Office of Internal Affairs, a law enforcement agency or other entity for an allegation inquiry or formal investigation, then the General Counsel shall confer with the General Manager to consider whether completion of an allegation inquiry or formal investigation is required pursuant to section 8484.

(c) The Appeals Coordinator shall ensure that an acknowledgment of receipt of the appeal is completed within 14 calendar days of its receipt indicating the date the appeal was received, whether it was disallowed pursuant to subsection 8485(d)(4), whether any particular claim was rejected pursuant to section 8488, and the deadline for CALPIA's response to all remaining claims.

(d) The full record of each claim shall be made available to the Appeals Coordinator for purposes of conducting the appeal review. The record shall include the claimant's grievance, the claimant's appeal, both acknowledgment letters, all related interviews conducted for Grievance Coordinator or CALPIA staff, any relevant documentation prepared for the evaluation and response to the claim and grievance, any allegation inquiry reports prepared, any records contained in CALPIA's information technology system, and CALPIA policies, rules and memoranda. The record shall not include any new information provided by the claimant to the Appeals Coordinator on appeal that was not made available to the Grievance Coordinator for their review of the claim or grievance at the first level.

(e) The Appeals Coordinator shall ensure that a written response is completed no later than 60 calendar days after receipt of the appeal, unless other statutory or regulatory authority requires a response in less than 60 calendar days or the Appeals Coordinator determines that additional time is reasonably necessary to fully and fairly evaluate the appeal, and approve one of the following decisions as to each claim in the appeal:

(1) "Denied," meaning that the Appeals Coordinator, or designee, found by a preponderance of the evidence available that the decision of the Grievance Coordinator was appropriate.

(2) "Granted," meaning that the Appeals Coordinator or designee, found by a preponderance of the evidence available that the decision by the Grievance Coordinator was erroneous, in which case the Appeals Coordinator or designee, shall set aside the decision of the Grievance Coordinator and grant the requested remedy; a decision is

deemed erroneous when the Appeals Coordinator or designee, upon reviewing the entire record is convinced by a preponderance of the evidence that a mistake has been committed.

(3) "Granted in Part," as described in subsection 8486(e)(2) but with modification to the requested remedy;

(4) "Rejected," as described in subsection 8488(a);

(5) "Disallowed," as described in subsection 8485(d)(4);

(6) "Withdrawn," as described in subsection 8481(d);

(7) "Under Investigation," meaning that the claim is under an allegation inquiry or formal investigation; or

(8) "Additional Time Required," meaning that CALPIA was not able to respond to the claim in the time required pursuant to subsection 8486(f).

(f) The Appeals Coordinator or designee's written decision shall be mailed to the claimant and a copy placed in the claimant's grievance and appeal files. Claimant's original appeal package shall be returned to the claimant with the written decision. If the Appeals Coordinator grants a claim, then a copy of the decision shall be simultaneously sent to the Grievance Coordinator who rendered the grievance decision for implementation.

(g) Completion of the appeals review process by the Appeals Coordinator constitutes exhaustion of all administrative remedies available to a claimant within CALPIA. A claim is not exhausted if it was disallowed pursuant to subsection 8485(d)(4), rejected pursuant to section 8488, or withdrawn pursuant to subsection 8481(d).

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8487. Implementation of Remedy.

(a) If a claim is granted, then the corresponding remedy shall be implemented no later than 30 calendar days after the decision was sent to the claimant. If the remedy requires budget authorization outside CALPIA's existing authority, then it shall be implemented no later than one year after the decision was sent to the claimant.

(b) If the remedy has not been implemented and the applicable deadline has passed, then a claimant may submit a CALPIA Form 602-3 (10/21), "Request to Implement Remedies," hereby incorporated by reference, directly to the General Counsel by regular mail sent to "CALPIA Legal Unit – General Counsel, 560 E. Natoma St., Folsom, CA 95630." Correspondence directed to this address shall not be opened by any staff other than those in the Legal Unit. In the event the CALPIA Form 602-3 is submitted to CDCR and then forwarded to CALPIA, it will be deemed submitted on the date received by CALPIA.

(c) To submit a request for implementation of remedies, a claimant shall:

(1) type or print legibly on an official CALPIA Form 602-3 (10/21) or complete the form electronically, if available;

(2) fill in the portions of the CALPIA Form 602-3 (10/21) identifying the claimant's name, CDCR number, current facility/parole district, current area/bed/parole unit, information about the granted remedy, and verification that 30 days have passed from the due date for implementation of the granted remedy; and

(3) sign and date the CALPIA Form 602-3 (10/21).

(d) The General Counsel or designee shall ensure that a request to implement a remedy shall be sent to the Grievance Coordinator at the institution where the claim was granted. The Grievance Coordinator presented with the request to implement a remedy shall confirm within 14 calendar days of receipt that the remedy has been implemented or provide an estimated date for implementation and the reason for the delay. If the remedy cannot be immediately implemented, the Grievance Coordinator will inform the General Counsel once it has been completed.

(e) The General Counsel or designee shall ensure that a written response to the request for implementation is completed with 15 calendar days of its receipt indicating the date the request was received and confirmation that the remedy has been implemented or provide an estimated date for implementation. If an estimated date for implementation is provided, the General Counsel or designee shall ensure a subsequent written response is completed once the remedy has been implemented.

(f) The General Counsel or designee's written decision and any subsequent written decision shall be mailed to the claimant and a copy placed in the claimant's grievance and implementation file.

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

8488. Rejection of a Claim.

(a) A claim shall only be rejected by a Grievance Coordinator or Appeals Coordinator for one or more of the following reasons:

(1) the claimant did not submit the claim within the timeframe required by subsection 8482(b) for grievances or subsection 8485(b) for appeals;

(2) the claimant did not use an official CALPIA Form 602-1 (10/21) or CALPIA Form 602-2 (10/21) as required by subsections 8482(c)(1) and 8485(c)(1);

(3) the claimant did not print legibly on the CALPIA Forms 602-1 (10/21) or 602-2 (10/21) as required by subsections 8482(c)(1) and 8485(c)(1), and the grievance or appeal is unreadable;

(4) the claim submitted for appeal review has not been reviewed under the grievance process;

(5) the claim concerns a policy, decision, action, condition, or omission by an entity other than CALPIA;

(6) the claim is substantially duplicative of a prior claim by the same claimant, except when the prior claim was rejected pursuant to subsection 8488(a)(5);

(7) the claim concerns harm to a person other than the person who signed the grievance or appeal; or

(8) the claim concerns the regulatory framework for the grievance and appeal process itself.

(b) If a claim is rejected as untimely under subsection (a)(1), then the claimant shall be notified of the following dates as determined by the Grievance Coordinator, Appeals Coordinator, or designee: the date the claim was discovered, the date the claim was received, and the deadline for receipt of the claim pursuant to either subsection 8482(b) or 8485(b), whichever is applicable.

(c) A claim that is rejected under subsections (a)(1), or (a)(5) through (a)(7) may be appealed for review by the Appeals Coordinator pursuant to the procedures in section 8485. No appeal is available if a claim is rejected under subsections (a)(2) through (a)(4), and a new CALPIA Form 602-1 (10/21) shall be required pursuant to section 8482.

Authority: Sections 2801 and 2808, Penal Code.

Reference: Sections 2801 and 2808, Penal Code.

STAFF USE ONLY

Grievance #: _____ **Date Received:** _____

Date Due: _____

Categories: _____

Claimant Name:_____ **CDCR #:**_____ **Current Housing/Parole Unit:**_____

Institution/Facility/Parole Region:_____

- *What is the nature of your complaint?*
- *When and where did the complaint occur?*
- *Who was involved?*
- *Which specific people can support your complaint?*
- *Did you try to informally resolve the complaint?*
- *What rule or policy are you relying on to make your complaint?*
- *Are there documents that would be helpful to support your position? List the documents if you do not have them. Please note that documents submitted with this form will not be returned.*
- *What specific action would resolve your complaint?*

GRIEVANCE**CALPIA 602-1 (10/21)**

Page 2 of 2

Requested Remedy:**Reminder:** Please attach all documents in your possession that support your claim(s).

Please note that this form and supporting documents will not be returned to you.

Claimant Signature: _____**Date Signed:** _____

APPEAL OF GRIEVANCE

CALPIA 602-2 (10/21)

Page 1 of 2

STAFF USE ONLY

Appeal #: _____ Date Received: _____

Date Due: _____

Categories: _____

Grievance #: _____

Claimant Name: _____ CDCR #: _____

Current Housing/Parole Unit: _____ Institution/Facility/Parole Region: _____

☐ There are no claims that can be appealed.☐ The following claims cannot be appealed:

Claim #s:

This is the process to appeal the decision made regarding a claim that is not listed above.

Claim #: _____

Explain the reason for your appeal of any claims not listed above. Be as specific as you can.

I am dissatisfied with the response I was given because _____

Are there documents that would be helpful to support your position? Attach copies of those documents, if you don't have the documents, identify them as best you can below:

Page 2 of 2

I am dissatisfied with the response I was given because

Claimant Signature:_____ **Date Signed:**_____

REQUEST TO IMPLEMENT REMEDIES

CALPIA 602-3 (10/21)

Page 1 of 1

STAFF USE ONLY

Grievance or Appeal #: _____ Date Received: _____

Date Due: _____

Categories: _____

This is the process to ask for a granted or approved remedy to be provided to you.

Claimant Name: _____ CDCR #: _____

Current Facility/Parole District: _____ Current Area/Bed/Parole Unit: _____

Claim #: _____

Decision: APPROVED [or] GRANTED

Institution/Parole Region of Origin: _____ Current Facility/Parole District of Origin: _____

Housing Area/Parole Unit of Origin: _____

Category: _____ Sub-Category: _____

Remedy Approved [or] Granted: _____ Due Date for Implementation: _____

This form shall be submitted by mail to:CALPIA Legal Unit – General Counsel
560 E. Natoma St.
Folsom, CA 95630

I, _____, assert that 30 days has passed from the due date for implementation of the
Name of Claimant
remedy approved (or granted) for the claim referenced above. As a result, I am hereby submitting a request to implement
the outstanding remedy.

Please note that this form will not be returned to you.

Claimant Signature: _____ Date Signed: _____