

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: PROBLEM-SOLVING PROCEDURES FOR IDJC EMPLOYEES

CATEGORY: HUMAN RESOURCES

Policy

The Idaho Department of Juvenile Corrections (IDJC) strives to maintain a work environment in which employees are respected, valued, and appreciated—a work environment in which employees can conduct their work without unnecessary distractions. However, it is expected that conflicts may and will occur.

To facilitate resolution of job-related issues, the IDJC encourages employees to file for problem-solving as explained in this policy and as set forth in section 67-5315, Idaho Code. This procedure allows and encourages employees to resolve work-related issues at the lowest possible level.

It is therefore the policy of the IDJC that employees will utilize the problem-solving process to resolve issues in the workplace, except as identified below:

- 1) Compensation, except as it applies to alleged inequities within a particular agency or department;
- 2) Termination during the entrance probationary period;
- 3) Items set forth in section 67-5315(2), Idaho Code, (dismissals, demotions, and suspensions); and
- 4) Involuntary transfers.

Complaints alleging sexual harassment or other illegal discrimination based on race, sex, national origin, age, or disability should always be reported to a supervisor or IDJC Human Resources (HR) immediately. Such complaints will be addressed, investigated, and resolved using the procedures outlined in the Harassment and Discrimination (307) policy/procedure.

Employees and job applicants may also file a complaint alleging sexual harassment or other illegal discrimination with the Idaho Human Rights Commission and/or the Equal Employment Opportunity Commission.

Employees should carefully review the following procedures and contact HR with any questions.

Operating Procedures

I. Eligibility and Explanation

Classified employees with permanent, provisional, or entrance probationary status are eligible to use the formal conflict resolution process called problem-solving.

II. Intermediaries

A. Any qualifying member of management may volunteer to perform the duties of an intermediary when necessary and when called upon. For the purpose of this policy, an intermediary is an IDJC management employee who:

1. Is employed in a formal supervisory position with the IDJC,
2. Is located in a separate division and facility from the employee requesting problem-solving, and
3. Is employed in a classification which is at least one level higher than the employee who filed the problem-solving.

B. Role and Responsibilities

1. Act as a neutral party in the IDJC problem-solving process.
2. Guide communication between the parties involved.
3. Conveying messages, tracking information, communicating with necessary parties involved to make determinations.
4. Assessing options and aid with finding solutions to the issue submitted for problem-solving.

III. Problem-Solving Procedure

A. At the step that problem-solving is completed and the issue is resolved, the DJC-024 form, if applicable, is signed by all parties and distributed, as indicated.

B. Before actually filing for problem-solving, an eligible employee must first make a reasonable attempt at resolving the matter(s) at the lowest level, in accordance with IDJC values and policies. While not required, employees are encouraged to resolve work-related issues by first addressing issues and/or concerns with the involved coworker(s). If attempts to resolve the issue have been unsuccessful, the employee may proceed to Step One.

C. Step One: Meet with Immediate Supervisor

An eligible employee should first meet with their immediate supervisor in an attempt to resolve the matter(s). Representatives are not permitted at the informal meeting with the immediate supervisor. Employees and supervisors are strongly encouraged to engage in this informal problem-solving meeting in order to identify the precise matter(s) at issue, discuss ways to resolve the matter(s), and hopefully resolve the matter(s) at the lowest management level consistent with the intent of the problem-solving procedure.

D. Step Two: File Problem-Solving Request

1. Eligible employees complete the Problem-Solving Request Form (DJC-024) to file a request for problem-solving in writing no later than 10 working days after being notified of or becoming aware of any matter which may be handled through the problem-solving procedure. The DJC-024 form must be filed with the IDJC HR who will assign the matter to an available intermediary as well as alert the employee's Division Administrator of the filing and start of the process.
2. In cases where an intermediary is not readily available, the problem-solving process will follow the chain-of-command, with the IDJC Director having final authority, if necessary.
3. In cases where the subject of a filed complaint involves a member of IDJC HR, the Director, or designee, will oversee the problem-solving process, assigning an intermediary and tracking the progress of the process, as appropriate.
4. Should a delay in initial filing occur due to the employee's illness or other approved leave, the time limit for filing is extended up to 10 working days after returning to the job.

E. If the filing alleges an ongoing pattern of harassment, illegal discrimination or offensive action, timeframes will be waived and complaints will be addressed, investigated, and resolved using the procedures outlined in the 307 policy/procedure.

F. Step Three: Meet with Assigned Intermediary and Receive Response

1. The employee will meet with the intermediary no later than five (5) working days after filing for problem-solving. They may consult with the employee's immediate supervisor to determine how best to resolve the problem in an attempt to reach resolution during this meeting with the employee.
2. The intermediary will also consider the employee's suggestion of others who may be able to contribute relevant information that could aid in successful resolution and may contact them. As the goal of this procedure is to resolve problems at the lowest level possible, this

meeting may involve the immediate supervisor and any additional people who may be helpful in resolving the issue(s).

3. The intermediary may present their recommended solution to the issue at the time of the meeting, but no later than five (5) working days after the meeting is held. If the recommended solution is not acceptable to the employee, the employee has two (2) working days from the receipt of the proposed solution to request to move to Step Four. The matter will then be forwarded to the Human Resource Officer for review or to the Statewide Administrator of Facility Operations (where applicable) or the Director if there is mutual agreement of both parties to bypass intermediate steps.

G. Step Four: Meet with IDJC HR and Receive Response

1. After receipt of the DJC-024 form, the IDJC HR will schedule a meeting with the employee within five (5) working days. The meeting may involve the immediate and/or second-level supervisor and any additional people the IDJC HR feels may be helpful in resolving the issue(s). This step will be similar to Step Three, with the IDJC HR consulting with the employee, supervisor, second-level supervisor, and/or others to determine how best to resolve the issue(s).
2. The IDJC HR may present their recommended solution to the issue at the time of the meeting, but no later than five (5) working days after the meeting is held. If the recommended solution is not acceptable to the employee, the employee has two (2) working days from the receipt of the solution to request the matter be forwarded to Step Five or Step Six (as applicable based on the employee's chain of command) for review and/or final determination.

H. Step Five: Meet with Statewide Administrator of Facility Operations and Receive Response

This step applies for employees that fall under the Statewide Administrator of Facility Operations chain of command.

1. After receipt of the DJC-024 form, the Statewide Administrator of Facility Operations will schedule a meeting with the employee within five (5) working days. The meeting may involve the immediate and or second-level supervisor and any additional people the Statewide Administrator of Facility Operations feels may be helpful in resolving the issue(s). This step will be similar to Step Three, with the Statewide Administrator of Facility Operations consulting with the employee, supervisor, second-level supervisor, Division Administrator, Superintendent, and/or others to determine how best to resolve the issue(s).
2. The Statewide Administrator of Facility Operations may present their recommended solution to the issue at the time of the meeting, but no later than five (5) working days after the meeting is held. If the

recommended solution of the Statewide Administrator of Facility Operations is not acceptable to the employee, the employee has two (2) working days from the receipt of the solution to request the matter be forwarded to Step Six for review and determination.

I. Step Six: Final Decision from the Director

1. The Director may consult or meet with the employee, immediate supervisor, second-level supervisor, HRO, Division Administrator/Superintendent, Statewide Administrator of Facility Operations (where applicable), the assigned intermediary, or any others in order to determine how best to resolve the issue(s).
2. The employee will receive a final decision from the Director in writing no later than five (5) working days from the date of receipt of the request to advance to Step Six of the problem-solving procedure. The problem-solving procedure is completed with the decision of the Director.

IV. Waiver of Intermediate Steps and Time Limitations

- A. Time limits will normally not exceed five (5) working days between each step. The employee has two (2) working days after receipt of a suggested solution to make a written request for the next step. If the employee does not request the next step within two (2) working days, the matter may be considered resolved or dropped.
- B. The specified time limits or the intermediate steps of the problem-solving procedure may be waived by mutual agreement of the employee and management and is requested on the DJC-024 form.
- C. Time periods for the procedure may be extended when the employee, immediate supervisor, second-level supervisor, Division Administrator, and/or Director are not available due to illness or other approved leave, but in no case may they be extended longer than 10 working days after either party's return to work, unless expressly agreed upon by both parties.
- D. Time limits specified for the employee to request the next level of review cannot be extended except when the employee is absent from work due to illness or approved leave. The employee must request the next level of review within 24 hours of returning to work or the matter will be considered resolved or dropped.
- E. The employee is allowed regular work time for problem-solving resolution discussions. Other staff involved may be allowed regular work time for problem resolution discussions upon approval of their respective immediate supervisor and if shift coverage does not result in overtime and is not negatively impacted overall.

V. Optional Mediation Step

- A. The IDJC and employee may mutually agree to engage in mediation during problem-solving. Mediation may be requested at any step. However, mediation will only proceed following the agreement of both the IDJC and employee to do so.
- B. If mediation is pursued, the first session will be held as soon as possible, pending mediator arrangements and scheduling. All other time limits in the problem-solving procedure are placed on hold during mediation. The IDJC and employee must also agree upon a mediator. IDJC HR is responsible to select and facilitate the use of a mediator.
- C. If mediation is not successful in the resolution of an issue, the employee must request to continue problem-solving within two (2) working days of the conclusion of the mediation or the matter is considered resolved.

VI. Prohibitions

- A. No employee is disciplined or otherwise prejudiced in their employment for exercising their rights under the problem-solving procedure. No supervisor or any other official of the IDJC may retaliate against an employee for:
 - 1. Filing under this problem-solving procedure,
 - 2. Participating as a witness or representative, or
 - 3. Assisting another employee in preparing a filing.
- B. Any employee who believes they have been retaliated against due to their request for problem-solving or their participation in another employee's problem-solving request (such as a witness or representative) is instructed to notify either IDJC HR or their Division Administrator/Superintendent.

VII. Representation

Except for the initial discussion with their immediate supervisor, an employee seeking problem-solving has the right to be represented by anyone they choose at each step of the procedure. Employees are responsible for notifying representatives of the time and place of meetings. The schedule limitations of the employee's representative should not unreasonably delay the process. The employee is responsible for compensating a representative and for paying the representative's expenses.

VIII. Appeals

Following completion of the problem-solving process, decisions may be appealed to the Idaho Personnel Commission under the following, limited circumstances in accordance with Section 67-5316, Idaho code:

A classified employee may appeal a decision, if, during and within the scope of the problem-solving process, they experience failure by the IDJC to provide a right and/or a benefit to which the employee is entitled by law.

Reference: [Glossary of Terms and Acronyms](#)
 Sections 67-5303, 67-5315, 67-5316, Idaho Code
 IDAPA 15.04.01.200 and 201
 Idaho Human Rights Commission
 Equal Employment Opportunity Commission
 [Records Retention Schedules](#)
 [Records Destruction Logs](#)

Desk Manuals: *None*

Related Policies: [Equal Employment Opportunity \(302\)](#)
 [Harassment and Discrimination \(307\)](#)
 [Records Management Program \(117\)](#)
 [Public Records \(901\)](#)

Related Forms: [Problem-Solving Request Form \(DJC-024\)](#)
 [Records Destruction Worksheet \(DJC-279\)](#)