

# Report of Investigation



**Arizona Ombudsman-Citizens' Aide  
Final Report of Investigation  
Case # 2106031  
Department of Economic Security  
June 20, 2022**



Arizona Ombudsman-Citizens' Aide  
Final Report of Investigation  
Case # 2106031  
June 20, 2022  
Arizona Department of Economic Security

## Summary

On August 20, 2021, a woman (hereinafter, “the Complainant”) filed a complaint with our office that the Arizona Department of Economic Security (hereinafter, “DES”) had not responded to a request she had made to DES four months earlier for records concerning unemployment insurance she received in 2018 and 2019.

We find that DES acted contrary to law by failing to provide the Complainant with the requested records in a timely manner. We also find that DES acted unreasonably and performed in an inefficient or discourteous manner by failing to respond to the Complainant’s request in a timely manner. The Complainant submitted her request as DES instructed; however, DES did not respond to the Complainant’s request for over four months and did so only after our agency became involved in the matter. DES did not provide the Complainant with a copy of her DES tax records until over six months after she requested them and over two months after our office became involved.

## Background

On April 19, 2021, the Complainant sent an email to the DES public records request email address<sup>1</sup> in which she said, “I need W2’s for tax years 2018 and 2019 for all unemployment benefits received. I have not yet filed taxes for these years and need to do so. Thank you!”

Four months later, on August 20, 2021, the Complainant contacted our office to file a complaint. She asserted that she had not received a response to her request from DES. She also said she would get nowhere when she called DES to inquire about it.

On August 20, 2021, we reached out to the DES Ombudsman Office about the matter. We provided the DES Ombudsman Office with a copy of the records request email the Complainant said she submitted to DES. We asked DES to confirm whether the agency received her request and, if so, what the status is.

On September 1, 2021, having not received a response from DES, we reached out to two employees at the DES Ombudsman Office and asked that they look at the matter. Later that day, one of the employees (hereinafter, “the DES Ombudsman Office employee”) sent us an encrypted email in which she said,

This concern was sent to the UI Client Advocates on 08/20/2021. We have not yet received a response, but have ensured that the case is

---

<sup>1</sup> publicrecordsrequest@azdes.gov.

flagged so that you will receive an update when we receive the response from the UI Client Advocates.

On September 13, 2021, having heard nothing further from DES, we followed up with the DES Ombudsman Office employee. We asked, “Do you have any way of getting these records to her or finding out what the status is of her request?” On the same day, the DES Ombudsman Office employee elevated the request to a DES supervisor and asked that they take quick action. She apprised us of her actions with this response,

I do not have an update for this case. I have sent a message to the Supervisor for the UI Client Advocates requesting that someone contact and assist the claimant ASAP.

On September 23, 2021, we again reached out to the DES Ombudsman Office employee and asked whether she had learned anything regarding the Complainant’s request.

On September 27, 2021, having received no substantive response from DES about the Complainant’s complaint, we sent a formal notice of investigation to DES Director Michael Wisheart and to the DES Ombudsman Office. In the notice letter, we asked the Director to appoint a primary point of contact for the matter and have that person contact our office.

The DES Ombudsman Office employee followed up with us. She said the UI Client Advocate sent her a response “confirming that she has sent this to the correct department and that she emailed the claimant informing her that her request has been provided to the correct department.” The DES Ombudsman Office employee also said she asked the UI Client Advocate to provide her with updates on the matter and “why responding to the request for records has taken so long.”

On September 30, 2021, the DES Ombudsman Office employee wrote us. She said, “I did receive a response that confirmed that the 1099 was placed in the mail today.” She said she informed the Complainant and told her she could follow up with the DES Ombudsman Office if she did not receive the records within 10 days.

On October 6, 2021, we followed up with the Complainant to see whether she had indeed heard from DES and whether she had received the records. She confirmed that DES said it had mailed her the records, but she said she had yet to receive the records.

We relayed what the Complainant said to the DES Ombudsman Office employee. We also asked the DES Ombudsman Office employee whether she knew if the DES Director had appointed someone to function as a point of contact with our office regarding the investigation. The next day, she said, “Unfortunately I do not know who the formal investigation was assigned to. I do know that it was not assigned to anyone at the Ombudsman's Office.” We did not receive any response from the Director’s office, and, as far as we can tell, the Director did not appoint a primary contact for the matter as we requested in the notice letter or provide any guidance on the matter to the DES Ombudsman office. As a result, we continued interacting with the DES Ombudsman Office.

On October 12, 2021, the Complainant reached out to our office and said she had still not received any of the records from DES and had left DES a message about it. Later that same day, we relayed what the Complainant told us to the DES Ombudsman Office employee.

On October 13, 2021, the DES Ombudsman Office employee said she reached out to the Complainant. The DES Ombudsman Office employee said she confirmed the Complainant's address with her. She said the Complainant told her DES had been sending her mail to her current address. The DES Ombudsman Office employee also said she "would be reaching out to the Supervisor for the UI Client Advocates to see if they can confirm the address that the documents were sent to."

On November 5, 2021, we followed up with the Complainant and the DES Ombudsman Office employee. The DES Ombudsman Office employee said,

UI reported that they did receive the change of address form from the claimant on 10/22/2021. They also reported that on the same day they sent a request to have the 2020 form reprinted and sent by mail to the current address. They also reported that they were able to email the 2019 form to the claimant.

I spoke to [the Complainant] yesterday and was able to confirm that she did receive the 2019 form by email. She also reported that she has not seen the 2020 form come through the mail yet, but she asked me to call her back next week to see if it has come in by then.

The Complainant confirmed that DES sent her the 2019 records she requested but said she had not yet received the 2020 records.

On November 11, 2021, the DES Ombudsman Office employee followed up with us and said she had spoken to the Complainant. She also said, "[The Complainant] was able to get the last [requested tax record] by email because it never showed up by mail. She states that she has no other concerns at this time as everything has been addressed." The Complainant confirmed to our office that DES provided her with all the records she requested.

On February 11, 2022, our office issued a confidential preliminary report of our findings<sup>2</sup> on the matter to DES. On April 1, 2022, DES provided our office with its written response to the preliminary report. Along with its response, it provided us with a copy of an April 19, 2021 email DES sent to the Complainant in response to her initial request, which she had made earlier that same day. In this email, DES instructed the Complainant to email the DES Unemployment Insurance custodian of records "a signed letter and social security number requesting a copy of [her] Unemployment Insurance (UI) Records." DES also informed her about fees for the records.

As DES had not mentioned this initial response to the Complainant's request in the more than seven months our office had been in communication with DES regarding this matter, we asked DES for clarification as to whether the Complainant complied with DES's instructions and whether there was any additional communication between the Complainant and the agency regarding the request.

---

<sup>2</sup> See A.A.C. R2-16-501.

On April 14, 2022, DES said that the Complainant had "followed the instructions" and emailed the DES Unemployment Insurance custodian of records her request on April 19, 2021, the same day she made her initial request. DES also said:

The request was forwarded to the DERS staff person assigned to work these requests types, and there is no record of further communication between the staff person and [the Complainant]. The staff person is no longer employed with the Department of Economic Security, limiting the Department's ability to interview the staff person to obtain any additional details.

## Authority

The Ombudsman – Citizens' Aide (hereinafter, "OCA"), pursuant to Title 41, Chapter 8, Article 5 of the Arizona Revised Statutes and Title 2, Chapter 16 of the Arizona Administrative Code, has authority to investigate and issue reports on administrative acts of agencies.

Upon receiving a complaint, the OCA "may investigate administrative acts of agencies that the ombudsman-citizens aide has reason to believe may be . . . [c]ontrary to law, . . . [u]nreasonable, . . . [or] [p]erformed in an inefficient or discourteous manner . . . ." <sup>3</sup> After completing an investigation and consulting with the agency about the OCA findings and recommendations, the OCA may present its opinions and recommendations to the Governor, the Legislature, an appropriate prosecutor, and the public. <sup>4</sup>

## Allegations:

The Complainant alleges that DES acted improperly by failing to respond to her request or provide her with requested records in a timely fashion.

## Findings:

### Finding 1: Substantiated.

#### **DES acted contrary to law by improperly denying the Complainant's request for public records.**

Under the Arizona Public Records Law, members of the public are entitled to inspect<sup>5</sup> or obtain copies of public records,<sup>6</sup> unless an exception applies.<sup>7</sup> In other words, public records are presumed to be subject to public disclosure.<sup>8</sup> Public officials bear the burden of "overcom[ing] the

---

<sup>3</sup> A.R.S. § 41-1377(A).

<sup>4</sup> See A.R.S. §41-1376(B).

<sup>5</sup> A.R.S. §39-121.

<sup>6</sup> A.R.S. §39-121.01(D)(1).

<sup>7</sup> Scottsdale Unified Sch. Dist. No. 48 of Maricopa County v. KPNX Broad. Co., 191 Ariz. 297, 300, ¶ 9 (1998).

<sup>8</sup> Carlson v. Pima County, 141 Ariz. 487, 491 (1984).

legal presumption favoring disclosure.”<sup>9</sup> When a member of the public requests copies of public records from an agency or official, the agency or official must provide them “promptly.”<sup>10</sup> Similarly, “Access to a public record is deemed denied if a custodian fails to promptly respond to a request for production of a public record . . . .”<sup>11</sup>

It is not reasonable that DES was silent for more than four months and took more than six months to produce the records.

In the Complainant’s case, she framed her request as a request for public records. She made her request to the DES public records request email address, and she requested records that are likely public records.<sup>12</sup> She made her request to DES on April 19, 2021, for records of unemployment insurance she received in 2018 and 2019.<sup>13</sup> More than four months later, she complained to our office that she had not received the records or a response to her request.

Between August 20, 2021 and September 23, 2021,<sup>14</sup> we contacted our main point of contact at DES four times about the Claimant’s request. The DES Ombudsman Office said multiple times that it has reached out to the “UI Client Advocates” about the matter. The UI Client Advocates did not communicate with us, nor did anyone at DES resolve the problem for the Complainant.

As a result, on September 27, 2021, we sent a formal notice of investigation to the DES Director and the DES Ombudsman Office. That same day, the DES Ombudsman Office said it referred the matter to the correct department within DES for resolution and that the office would continue to monitor the matter and try to find out why it had taken so long. Three days later, on September 30, 2021, the DES Ombudsman Office said the agency had mailed the requested records to the Complainant. Unfortunately, 12 days later, the Complainant asserted that she had still yet to receive anything. It was not until November 5, 2021, that the DES Ombudsman Office and the Complainant said that DES had produced some of the requested records. Further, it was not until November 11, 2021, that the DES Ombudsman Office told us the agency had provided the remaining records to the Complainant.

Based on email evidence provided by DES, the agency responded to the Complainant’s request the same day she made it by instructing her to provide additional information and submit her request to a particular DES email address. According to DES, the Complainant complied the same day. DES did not respond to or acknowledge receipt of the request and the additional information requested by DES until after our office contacted DES about the matter. This acknowledgement was more

<sup>9</sup> *Cox Arizona Publications, Inc. v. Collins*, 175 Ariz. 11, 14 (1993).

<sup>10</sup> A.R.S. §39-121.01(D)(1).

<sup>11</sup> A.R.S. §39-121.01(E).

<sup>12</sup> As the Arizona Supreme Court has said, records that have a “substantial nexus” to government activity are public records. See *Griffis v. Pinal County*, 215 Ariz. 1, 4, ¶ 10 (2007). It is the “nature and purpose” of a record that determines its status as a public record. *Id.* at ¶ 11. As the records at issue are government records in government custody and concern the distribution of government unemployment insurance benefits, they have a substantial nexus to government activity and are likely public records.

<sup>13</sup> As previously noted, the Complainant provided us with a copy of her records request to DES.

<sup>14</sup> We reached out to the DES Ombudsman Office on August 20, September 1, September 13, and September 23.



than four months<sup>15</sup> after the Complainant submitted her request to the specified DES email address and provided the additional information. Additionally, more than six months passed from when the Complainant submitted her request and the additional information to DES to when DES finally provided her with the records she requested.

It is not reasonable that DES was silent for more than four months and took more than six months to produce the records. This does not constitute a “prompt” response to the Complainant’s request.

“By failing to respond promptly to the Complainant, the law treats the matter the same as if DES had outright denied her request.”

The Complainant’s request was narrow and relatively simple: She requested tax documents for two years of unemployment benefits she herself received from DES. At DES’s instruction, she submitted a signed request, submitted her social security number, and sent it to a particular DES email address. The records should have been readily available and required minimal, if any, review and redaction because they directly concern her benefits and related tax liabilities. By failing to respond promptly to the Complainant, the law treats the matter the same as if DES had outright denied her request.<sup>16</sup> As public records are presumed to be subject to disclosure under the public records law, and DES has provided no legally sufficient

explanation to the Complainant or our office for denying the request, we find that DES improperly denied her request for public records in violation of the Arizona Public Records Law.

**Finding 2: Substantiated.**

**DES acted unreasonably and performed in an inefficient or discourteous manner by failing to properly respond to the Complainant’s request or provide her with the requested records in a timely manner. Similarly, DES acted unreasonably by failing to provide a timely explanation for its actions to the OCA.**

As we noted, it took DES over six months to produce the requested records to the Complainant. Additionally, DES responded the day the Complainant made her request by instructing her to send her request to a particular DES email address and provide more information. According to DES, the Complainant complied on the same day. DES did not communicate with the Complainant again about her request for at least four months. DES provided no explanation to the Complainant for the delays. For more than seven months, DES provided no explanation to our office for the delays, despite a statement from the DES Ombudsman Office that it would try to find out the reason for the delays. We find that it is unreasonable, inefficient, and discourteous that DES did not provide the requested records for over six months and that it took DES over four months to respond to the Complainant once she sent her request and additional information to the DES email address instructed by DES. Additionally, we find that it is unreasonable that DES did not provide a timely explanation to the OCA for the conduct in this matter. We did not receive an explanation for the delay until more than seven months after we first contacted DES about the matter. DES explained that the agency “did not respond to the Complainant’s request timely due to the

<sup>15</sup> From we can tell, it may have been more than five months from when the Complainant made her request to DES to when DES first contacted her about it.

<sup>16</sup> A.R.S. §39-121.01(E).



significant increase in workload in the ADES Division of Employment and Rehabilitation Services' (DERS) Unemployment Insurance (UI) Program” due to the pandemic.<sup>17</sup>

Members of the public have a reasonable expectation that state government agencies like DES will address and respond to lawful records requests and reasonable communications within a reasonable amount of time. On its face, it is unreasonable and discourteous for an agency not to respond to a request for records from a member of the public for over four months and only after a legislative oversight agency becomes involved.

“Members of the public have a reasonable expectation that state government agencies like DES will address and respond to lawful records requests and reasonable communications within a reasonable amount of time.”

The request, in this case, was for tax records concerning the unemployment insurance benefits provided by DES to the Claimant for a two-year period. It is not reasonable for DES to take more than half a year to produce important tax records for a member of the public, particularly, when the records should be readily available to the agency. It took sustained and repeated interventions from a legislative oversight agency to facilitate the completion of the request. The six-month time frame indicates that the agency's process for fulfilling records requests is inefficient.

As noted above, we reached out to DES about the Complainant's matter on many occasions. We tried to learn DES's perspective on the matter but received no explanation for more than seven months, despite the DES Ombudsman Office directing the complaint to the proper DES parties to try to uncover the reason for the delays. We provided formal written notice of the matter and our investigation to DES Director Michael Wisheart and provided a copy to the DES Ombudsman Office. The DES Ombudsman Office confirmed receipt; however, we never received a response, an explanation, or any engagement from the Director's office until after we produced a formal, preliminary report of our findings to the agency. Our agency is charged with investigating the administrative acts of state agencies. It is unreasonable for an agency to fail to provide an explanation for what occurred and why in a timely manner during an OCA investigation.

We believe that DES's failures in this matter are indicative of systemic issues within DES. This belief is bolstered by DES's admission that its shortcomings in this matter were “due to the significant increase in workload in the ADES Division of Employment and Rehabilitation Services' (DERS) Unemployment Insurance (UI) Program.” Since early 2020, our office has seen a significant increase in the number of complaints/inquiries our office receives regarding DES, particularly regarding benefits like unemployment insurance and pandemic unemployment assistance. Three aspects common to many of these complaints / inquiries are that DES's processes are

“We believe that DES's failures in this matter are indicative of systemic issues within DES.”

<sup>17</sup> DES provided this explanation in its April 1, 2022 response to our office issuing DES a preliminary report of our findings on the matter.

opaque, the agency is unresponsive to members of the public, and the agency does not properly address issues raised by the public, including when supported by proper documentation.

The public often asserts that DES will not respond to them, fails to follow up with them as promised, and directs them to incorrect phone numbers, email addresses, and websites. Many also assert that it is often all but impossible, despite dozens of attempts at contacting DES, to reach a human being at DES, let alone someone who can assist with their issues. Lastly, many assert that DES does not address or remedy issues in a timely fashion when they produce documentation or evidence requested by DES. This all seems to cause members of the public to repeatedly bring the same matters to DES's attention to have the matters properly reviewed, thus creating otherwise unnecessary burdens on DES's limited resources and a growing discontent with DES among the public.

Similarly, our agency has faced difficulty with DES when investigating complaints. While the DES Ombudsman office usually engages our office in a timely manner, other parts of DES, to which the DES Ombudsman office must go for case-specific information and action, do not seem to address our matters in a timely manner. As a result, our experience in this matter has become the norm: DES did not provide substantive information or explanation to our office in a timely manner despite multiple attempts by our office at soliciting information over weeks or months.

## **Recommendations**

### **Recommendation 1:**

We recommend that DES review and take action to improve its response times for fulfilling records requests.

### **Recommendation 2:**

**2A:** We recommend that DES review and take action to improve its communication with members of the public and its handling of issues raised by the public, particularly those with significant and/or time-sensitive issues.

**2B:** We recommend that DES review and take action to improve its communication with the Ombudsman-Citizens' Aide's office regarding constituent complaints about DES.

**2C:** We recommend that the Legislature consider investigating or auditing DES regarding the agency's communication with constituents, including how the agency receives and addresses requests and complaints.

# Agency Response



DEPARTMENT OF ECONOMIC SECURITY  
*Your Partner For A Stronger Arizona*

Douglas A. Ducey  
Governor

Michael Wisehart  
Director

May 27, 2022

Mr. Dennis Wells  
Ombudsman-Citizens' Aide  
7878 North 16th Street, Suite 235  
Phoenix, Arizona 85020

Re: Investigation of Case # 2106031

Dear Mr. Wells:

The Arizona Department of Economic Security (ADES/Department) appreciates the opportunity to provide a response to the final report relating to the investigation of Case # 2106031.

ADES strives to ensure that complaints are addressed and resolved in a timely and professional manner, and is committed to continuous quality, improvement, transparency, and accountability.

Enclosed is the Department's response to your final report and recommendations. We appreciate your partnership and look forward to our continued collaborative efforts to improve service to Arizonans.

If you have any questions, please contact Lane Organ, ADES Ombudsman, at (602) 364-2820 or [LOrgan@azdes.gov](mailto:LOrgan@azdes.gov).

Sincerely,

Michael Wisehart  
Director

Enclosures

cc: Kathy Ber, Public Affairs Director, ADES  
Leah Landrum Taylor, Assistant Director, Office of Community Engagement, ADES

**Response to Arizona Ombudsman-Citizens' Aide Investigation  
Case # 2106031**

**Allegation:**

*The Complainant alleges that ADES acted improperly by failing to provide them with requested records in a timely fashion.*

**Arizona Ombudsman-Citizens' Aide Findings:**

**Finding 1: Substantiated.**

*ADES acted contrary to law by improperly denying the Complainant's request for public records.*

**Arizona Ombudsman-Citizens' Aide Recommendation 1:** *We recommend that ADES review and take action to improve its response times for fulfilling records requests.*

**ADES Response to Finding and Recommendation:**

The Arizona Department of Economic Security (ADES/Department) does not agree with the finding of the Arizona Ombudsman-Citizens' Aide, but will take action that differs from the recommendation to address the finding. ADES did not deny the Complainant's request for public records. The Department acknowledges an unintentional and lengthy delay during the COVID-19 Pandemic from the date the initial request for client tax documents was received to the date that the request was processed. ADES has already reviewed and improved its response times for fulfilling records requests as outlined below.

The Department seeks to be responsive to the concerns outlined and has already made several improvements to ensure we are responsive to complainants in a timely manner. To streamline the 1099-G tax document request process, ADES implemented an [online request form](#) specific to 1099-Gs in January 2021. Request forms received from the online form are processed by a dedicated team. The Department also published a web page specific to 1099-G tax information, including a [frequently asked questions](#) section to better communicate with the public about information pertaining to 1099-G tax documents.

ADES is currently undertaking various system modernization efforts for the Unemployment Insurance (UI) Program to better serve all customers and stakeholders, and, in February 2022, initiated the implementation of case-tracking software to better support the processing of claimant inquiries and ensure timely resolution. The new case tracking software is intended to be deployed to all areas of the UI Program, including requests for client information.

The ADES Division of Employment and Rehabilitation Services has improved the process by establishing a specialized work queue, supported by a specialized team, to receive and resolve complaints and other records requests.

**Arizona Ombudsman-Citizens' Aide Finding 2: Substantiated.**

*DES acted unreasonably and performed in an inefficient or discourteous manner by failing to properly respond to the Complainant's request or provide her with the requested records in a timely manner. Similarly, DES acted unreasonably by failing to provide a timely explanation for its actions to the OCA.*

**Arizona Ombudsman-Citizens' Aide Recommendation 2A:** *We recommend that ADES review and take action to improve its communication with members of the public and its handling of issues raised by the public, particularly those with significant and/or time-sensitive issues.*

**Arizona Ombudsman-Citizens' Aide Recommendation 2B:** *We recommend that ADES review and take action to improve its communication with the Ombudsman-Citizens' Aide office regarding constituent complaints about ADES.*

**Arizona Ombudsman-Citizens' Aide Recommendation 2C:** *We recommend that the Legislature consider investigating or auditing ADES regarding the agency's communication with constituents, including how the agency receives and addresses requests and complaints.*

**ADES Response to Finding 2 and Recommendations 2A, 2B, and 2C:**

The Department agrees that we did not respond to the Complainant's request timely due to the significant increase in workload in the ADES UI Program during the COVID-19 Pandemic. The Department has already implemented the Arizona Ombudsman-Citizens' Aide recommendations as outlined below.

ADES provides communication to the public utilizing its public website and social media platforms, including the following pertaining specifically to UI and the federal pandemic unemployment programs:

**FAQs**

- [General UI FAQs](#)
- [PUA/PEUC/FPUC FAQs](#)
- [PUA FAQs](#)
- [PEUC FAQs](#)
- [ID.me FAQs](#)
- [1099-G FAQs](#)

**Videos**

- [How to apply for UI](#)
- [How to file a UI claim](#)
- [Work Search Requirements for Unemployment Insurance and Pandemic Emergency Unemployment Insurance](#)
- [What to expect after applying for UI](#)
- [What is PUA?](#)

Additionally, the ADES Office of Community Engagement holds regular informational forums with community partners and tribal governments to discuss and provide valuable information about ADES Programs. These forums have provided an important format for collaboration between ADES, community partners and Tribal Nations, and have assisted the Department in sharing information to the public through these partnerships.

As a result of the COVID-19 Pandemic, ADES experienced an unprecedented increase in demand in Fiscal Years (FY) 2020 and 2021. In the two years since the start of the pandemic, between March 2020 and March 2022, the Department distributed over \$16 billion in UI and federal pandemic unemployment benefits to over 2.2 million Arizonans in need.

For some additional perspective regarding the workload increase in UI, in March 2020, initial UI applications surged from fewer than 3,000 applications per week to nearly 129,000 applications in one single week. Additionally, in March 2020, the Department experienced a significant increase in call volume for UI, with a peak of over 490,000 calls received in a single day, compared to receiving fewer than 1,000 phone calls per day prior to the start of the pandemic. For additional context, the Department publishes a [UI Data Dashboard](#), available to the public on the ADES UI Benefits webpage.

The ADES Ombudsman's Office is based on the Organizational Ombudsman Program and adheres to the Standards of Practice and Code of Ethics set by the International Ombudsman Association. The ADES Ombudsman's Office is responsible for assisting and handling complaints that are received on behalf of the ADES Office of the Director and from the Governor's Office of Constituent Services, the Arizona Ombudsman-Citizens' Aide, and clients of ADES who feel they are unable to resolve their issues working directly with the program(s). When an issue is identified, the ADES Ombudsman's Office shares the information with the ADES Leadership Team which treats each case as a priority for the Department. Currently, the ADES Ombudsman's Office is working to improve its communication with leadership on issues that are identified. Communication will include monthly trending reports on complaints that are received by the ADES Ombudsman's Office, timeliness of the response, and if applicable, recommendations from the ADES Ombudsman's Office.

During the pandemic, the ADES Ombudsman's Office received an unprecedented number of complaints, averaging over 3,000 complaints per month during FY 2021. Prior to the pandemic, the average number of complaints received by the ADES Ombudsman's Office was approximately 400 per month. The current total of complaints received by the ADES Ombudsman's Office has significantly reduced to around 600 complaints per month.

In addition, the ADES Ombudsman's Office is re-evaluating its current processes and implementing new metrics that will further address issues identified during the pandemic and help the ADES Ombudsman's Office become more efficient in processing complaints while meeting the Organizational Ombudsman standards.

The current process for the ADES Ombudsman's Office is to respond and take action on a complaint within 24 hours (excluding weekends and holidays) upon receipt. If the complaint is then sent to a Division Client Advocate for review and resolution, the Division Client Advocate then has 72 hours (excluding weekends and holidays) to address and resolve the complaint, and respond back to the ADES Ombudsman's Office. If a complaint is flagged in the system as urgent or time-sensitive, the Division Client Advocates are given 24 hours (excluding weekends and holidays) to respond to the ADES Ombudsman's Office. Once the Division Client Advocates respond to a complaint from the ADES Ombudsman's Office, ADES Ombudsman's Office staff review the complaint to ensure it was addressed and handled thoroughly and appropriately. Due to the volume of complaints received by both the ADES Ombudsman's Office and the Division Client Advocates during the pandemic, the timeframes of 24 and 72 hours became difficult to meet.

**As noted above, the ADES Ombudsman's Office reports to the Office of Community Engagement which is part of the Office of the Director. The ADES Ombudsman's Office is responsible for taking complaints on behalf of the ADES Director and is the point of contact for complaints that are raised to the Office of the Director.** In order to ensure timely responses to the Arizona Ombudsman-Citizens' Aide, the ADES Ombudsman's Office has



implemented new metrics to track the timeliness of responses back to the Arizona Ombudsman-Citizens' Aide, with the goal of responding within 96 hours (not including weekends or holidays) after receipt of a complaint. The ADES Ombudsman's Office will also work with the ADES Division of Technology Services (DTS) to implement reminders in the system at 60, 72 and 96 hours (excluding weekends and holidays).

Additionally, the number of duplicate complaints that the ADES Ombudsman's Office received created a significant amount of work to consolidate. The ADES Ombudsman's Office will work with DTS to update its complaint management system and website to better manage a higher volume of complaints, including duplicate complaints that come to the ADES Ombudsman's Office from various channels. Moreover, the ADES Ombudsman's Office will continue to work closely with the Office of Continuous Improvement to implement reporting on complaints to the ADES Executive Leadership Team.