



EMPLOYEE ADMINISTRATIVE APPEAL POLICY

OFFICE OF THE MAYOR

POLICY NUMBER: 405.0 **ISSUE DATE:** 1/25/18 **LAST REVIEW:** 1/25/18
SCOPE: All City Employees Not Covered By Written Contract **PAGES:** 3 **LAST REVISION:** 1/25/18
ATTACHMENTS: Administrative Appeal Form (PF407)
REFERENCES: Section 4.01 (a) (1) of the City Charter
ISSUED BY: Ashton J. Hayward III, Mayor
SIGNATURE: 

I. AUTHORITY

Sec. 4.01 (a) (1) of the Charter provides that the Mayor shall have the power to appoint, discipline, and remove all officers and employees, unless otherwise provided in the Charter.

II. PURPOSE

In order to provide all City employees with a workplace that encourages pride in civic service, professionalism, and a productive work environment, there must be an available process for employees to communicate with supervision without fear of reprisal and seek resolution of non-disciplinary complaints and problems expeditiously. This administrative appeal policy is established to provide employees with such a process.

III. POLICY

All City employees not covered by a collective bargaining agreement or an individual written contract specifying the terms or conditions of employment may file an administrative appeal for non-disciplinary matters, utilizing the procedures described below. These matters may include, but are not limited to, questions or disputes concerning the application of personnel policies, wages, hours, working conditions, or performance evaluations.

IV. PROCEDURES

A. STEP ONE – IMMEDIATE SUPERVISOR MEETING

1. An employee seeking to file an administrative appeal must complete, date and sign an Administrative Appeal Form and present it to his or her immediate supervisor within five (5) working days after the date of the occurrence or the date on which the employee knew or should have known of the action or issue giving rise to the appeal.
2. The supervisor must acknowledge the receipt of the appeal by signing and dating it.
3. Unless more information is required by the supervisor, the supervisor and the employee shall discuss the matter and the supervisor must provide a written decision immediately if possible, but in no event later than three (3) working days from the date of receipt. If the supervisor is unable or lacks authority to grant the relief requested, that position should be noted on the appeal form at that step.
4. The employee must be given a copy of the supervisor's written response.

B. STEP TWO – DEPARTMENT DIRECTOR/DIVISION ADMINISTRATOR MEETING

1. The employee may submit a written request for review by the department director/division administrator by filing a written request with the department director/division administrator for review within five (5) working days of receipt of the supervisor's decision. The employee must include with the request a copy of the information from Step 1, above.
2. A meeting between the employee and the department head/division administrator or his or her designee must be held within three (3) working days of the request.
3. The Chief Human Resources Officer or his or her designee may be requested by the department head/division administrator to attend the Step 2 meeting in order to serve as recorder of the meeting and subject matter expert, where appropriate.
4. A written decision must be made within three (3) working days of the meeting and the employee shall be provided with a copy of the decision.

C. STEP THREE – CITY ADMINISTRATOR MEETING

1. The employee may submit a written request to review the decision of the department head/division administrator within three (3) working days of receipt of the decision, to the City Administrator. The employee must include in the request all of the information provided and received in Step 1 and 2, above. The City Administrator may appoint a designee to

fulfill this responsibility, and the City Administrator may request the input and participation of the Chief of Human Resources Office in resolving the request for review.

2. The meeting must be held between the employee and the City Administrator/designee within five (5) working days of receipt of the request.
3. A written decision must be made within five (5) working days of the meeting and a copy of it must be provided to the employee.
4. The City Administrator or designee's decision is final.

D. TIME LIMITS

1. The time limits provided in this policy may be extended by consent of the City official and the employee for good cause.
2. If an employee declines to pursue a review of the supervisor's decision to the next available level within the time provided, the appeal will be deemed to be resolved and no further action shall be taken.
3. Working days are defined as days upon which the appealing employee would normally be scheduled to work, and are inclusive of days of leave which the employee has elected to take.

V. RESPONSIBILITY

1. The Chief Human Resources Officer is responsible for the creation and distribution of training materials related to this policy, as well as for annually reviewing the policy and recommending changes.
2. Department heads/division administrators are responsible for ensuring supervisors are familiar with the policy procedures and that they respond to appeals in a timely and effective manner.

VI. REVIEW

This policy shall be reviewed annually in the month of November and recommended updates shall be reported to the City Administrator for review and approval by November 30.