



DISCIPLINARY ACTION APPEALS

I. PURPOSE

To provide a process for employees to appeal disciplinary actions.

II. SCOPE

This policy applies to all regular City employees.

III. POLICY

The affected employee shall first be provided the opportunity to discuss the action with the employee's immediate supervisor. After such discussion, or attempted discussion, the affected employee may initiate this appeals procedure.

All City employees have the right to appeal adverse disciplinary actions to the next level supervisor up to and including the City Manager. If a disciplinary action is overturned, at any level, the employee shall be granted back-pay or be re-instated to previous position with back-pay. The decision of the City Manager shall be the final authority to the disciplinary appeal process.

IV. PROCEDURE

Adverse disciplinary action is a personnel action that would result in suspension, demotion, involuntary termination or other loss of employment status, benefits or compensation.

A. Appeals to Department Head and/or Division Director

1. Employees have the right to appeal a disciplinary action taken by his or her supervisor to the next level of management as follows:
 - a. Appeals must be requested in writing within two working days of the employee's receipt of a decision by his or her supervisor.



- b. Department Heads and/or Division Directors shall render a written decision to:
 - Reject the disciplinary action. Decision must include a written explanation.
 - Uphold disciplinary action.
 - Take a different disciplinary action. This decision requires a written explanation.
 - c. Department Heads/Division Directors shall render a decision within two working days of receipt of the request to appeal, and shall provide the employee with a copy of the written decision. The period allowed for making a decision may be extended by mutual agreement of the Department Head/Division Director and the employee.
2. If the first appeal was the Department Head, and the appeal decision made by Department Head is not satisfactory, the employee may appeal to the Division Director following the above procedure.

B. Appeals to the Assistant City Manager

1. If disciplinary action is taken against an employee, and the appeal decision made by Division Director is not satisfactory, the employee has the right to appeal the decision to the Assistant City Manager. A request to appeal to the Assistant City Manager must be made in writing within two working days of the employee's receipt of the decision by the Division Director.
2. The Assistant City Manager shall render a written decision within five working days of receipt of the request to appeal. The period allowed for making a decision may be extended by mutual agreement of the Assistant City Manager and the employee.
3. The Assistant City Manager shall provide a copy of his or her written decision to the affected employee, and to the supervisor, Department Head, and Division Director.



C. Appeals to the City Manager

1. If disciplinary action is taken against an employee, and the appeal decision taken by the Assistant City Manager is not satisfactory, the employee has the right to appeal the decision to the City Manager. A request to appeal to the City Manager must be made in writing within two working days of the employee's receipt of the decision by the Assistant City Manager.
2. The City Manager shall render a written decision within five working days of receipt of appeal. The period allowed for making a decision may be extended by mutual agreement of the City Manager and the employee.
3. The City Manager shall provide a copy of such written decision to the affected employee, the supervisor or Division Director, and to the Assistant City Manager.