

SECTION 25C
PROCEDURES FOR CAREER SERVICE EMPLOYEE APPEALS

A. PURPOSE: To establish a uniform method of appealing decisions to the Career Service Council within Tooele County government.

B. PROCEDURES:

1. Hearings by the Career Service Council

- a. The Career Service Council shall hear appeals not resolved at lower levels regarding concerns by merit employees regarding matters relating to dismissal, demotion, reduction in pay, or suspension. The Career Service Council has no jurisdiction to hear or decide any other personnel matters. However, a right of appeal to the District Court under the provisions of the Utah Rules of Civil Procedure shall not be abridged.
- b. Employees shall have the right to appeal to the Career Service Council following a department hearing as detailed in this policy. Such appeals shall be filed in writing with the Human Resource Department not later than six (6) calendar days after the employee has received the Administrator's decision or after the decision was due. The Career Service Council shall arrange a formal hearing not more than thirty (30) calendar days after receipt of such appeal.
 - (1) Upon receipt of an appeal, the Career Service Council shall make a determination as to its jurisdiction over the appeal as provided in Subsection B.1.a above.
- c. Upon receipt of a notice of appeal from an employee, the Career Service Council shall notify the interested department or elected office of the notice no later than four (4) calendar days after receipt of the notice.
- d. The Career Service Council will notify the Appellant and the department or elected office of the date, time, and place of the scheduled appeal pre-hearing and the procedures to be followed at the hearing. The Career Service Council shall require the Appellant to submit a statement (brief) or a pre-hearing outline, which should include statements of denial of charges, mitigating and/or extenuating circumstances or other information, and statements or claims that may lend support to the appeal. This statement (brief) or pre-hearing outline must be received by the Career Service Council and the department or elected office within nine (9) calendar days following the notification to the Appellant of the date of the hearing.
 - (1) The appellant shall advise the Career Service Council and the department of any witnesses whom he or she expects to introduce at the hearing in support of the appeal and whether he or she intends to present the case personally or through a representative. The Appellant shall be responsible for notifying such witnesses of the date, time, and place of the hearing.

- e. Following receipt of the Appellant's statement (brief) or pre-hearing outline, the department or elected office shall, in no less than two (2) working days before the hearing, submit to the Career Service Council and the Appellant a rebuttal (brief). The statement should be concise but in sufficient detail as to present all of the pertinent facts. Within this period, the department or elected office shall also advise the Career Service Council and the Appellant of any witnesses it expects to introduce at the hearing in support of its action. The department or elected office shall be responsible for notifying such witnesses of the date, time, and place of the hearing.
 - f. The scheduling of hearings and continuances is at the discretion of the Career Service Council.
 - (1) Continuances of hearing dates or filing of pleadings shall be for good and justifiable cause outside the control of the requesting party.
 - (2) Rescheduled hearing dates must be set and the hearing convened no later than thirty (30) calendar days following the initial set date.
2. **Procedure at the Career Service Council Hearings:** Appellants, departments, and elected offices shall follow the Career Service Council's guidelines in presentation of the appeal and any rebuttals.
3. **Decision of the Career Service Council:** The Career Service Council shall, within fifteen (15) calendar days after the date of the hearing, make its decision in writing and provide copies of the decision to the interested parties.