

APPEALS PROCESS

Purpose

The Appeals Process is provided to eligible employees to provide them with an appeals avenue to have further review of the following actions taken against them: suspension without pay; demotion; or involuntary termination. The Appeals Process is in place to ensure that employment laws, county policies and ordinances are implemented fairly and consistently. This Appeals Process is a voluntary process that is instigated by the employee.

Eligibility to Participate

Any regular employee in the classified service of the County who is suspended without pay, demoted, or involuntary terminated shall have the right to appeal the action in accordance with the Appeals Procedures outlined below.

Appeals Procedure

- (1) The employee must present his/her appeal in writing to his/her Department Head within seven (7) business days after the date upon which the employee received notice of the disputed action. The appeal must specify the County policy or procedure alleged to have been violated, or the nature of any alleged discrimination or other alleged violation of the employee's legal rights, and it must specify the relief requested. The employee shall provide a copy of such appeal to the Director of Human Resources.
- (2) The Department Head shall review the appeal, outlined in paragraph 1 herein, and shall provide to the employee in writing within seven (7) business days after the date upon which the Department Head received the appeal from the employee, his/her decision and shall also provide a copy of that decision to the Director of Human Resources. The Department Head may uphold the action complained of, or may modify the action complained of in the Department Head's reasonable discretion. The Department Head's response shall be mailed to the employee using certified mail, return receipt requested.
- (3) If the employee is dissatisfied with the decision of the Department Head, the employee may obtain further review of the appeal by requesting such review in writing directed to the Director of Human Resources within seven (7) business days after the date upon which the employee received the response from the Department Head.
- (4) The Director of Human Resources thereupon shall obtain and consider relevant evidence in the matter. The Director shall provide a written report and any supporting evidence to the Chairperson of the Board of Commissioners and provide a recommendation to the Chairperson within ten (10) business days after the date upon which the Director of Human Resources received the appeal from the employee, as outlined in paragraph 3 herein.

- (5) The Chairperson shall review the written report and any supporting evidence presented by the Director of Human Resources and within fifteen (15) business days after the date upon which the Chairperson received the report from the Director of Human Resources, provide to the Director of Human Resources a written decision to uphold or not uphold the action taken by the County or to otherwise modify the action taken with respect to the employee. *(During this period, the employee will have the option to request a meeting with the Chairman and the Director of Human Resources for the final appeal. Such a meeting shall not in any way be deemed a formal hearing, but rather is intended permit the employee to express the employee's position directly to the Chairman and explain the employee's contentions).* The Director of Human Resources shall notify the employee of such decision, which shall be deemed the final decision of the County with respect to the matter that is the subject of the appeal. The Director of Human Resources shall notify the employee of the final decision by mail to the employee using certified mail, return receipt requested.
- (6) The employee shall have the right to representation at his/her own expense at all stages of the appeal process.
- (7) If at any level of the appeal process, the employee does not respond within the time limits established, any response or objection shall be considered waived on the basis of employee being satisfied with the previous decision and the appeal shall not be subject to further review. Provided however, that this appeal procedure shall not be interpreted or intend, in any way, to limit the rights of the employee that may otherwise be provided for under federal or state law or in separate County policies.

No employee shall be disciplined or discriminated against in any way because of the proper use of this policy.

Policy Changes

The County reserves the right to delete, modify, amend or terminate this policy at any time, with or without prior notice.

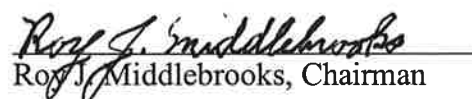
Approved this 14th Day of October, 2008

ATTEST:



Jennifer O. Rutledge, County Clerk

Board of Commissioners
Rockdale County, Georgia



Roy J. Middlebrooks, Chairman