

4670.3530 APPEAL FROM DISMISSAL, SUSPENSION, OR DEMOTION.

Subpart 1. **Appealable actions.** Any permanent employee who has not appealed such action under the provisions of a grievance procedure contained in a collective bargaining agreement may appeal any dismissal, suspension of more than five consecutive working days or ten working days in a calendar year, or reduction in pay or position to the council. The council shall review the action for compliance with the procedural requirements of parts 4670.2900 to 4670.2980 and for whether the action was taken for just cause.

Subp. 2. **Hearing.** The supervisor shall make every effort to establish a hearing date within 30 days of receiving an appeal. If scheduling conflicts prevent that from occurring, the supervisor shall establish a hearing date as soon as reasonably possible, but no more than 90 days from the date that the appeal was received.

Subp. 3. **Recommendation.** After the hearing, the council shall make a recommendation to the appointing authority. Within 30 days of receiving the recommendation, the appointing authority shall make the final decision.

Subp. 4. **Veterans.** Any veteran covered under the provisions of Minnesota Statutes, section 197.46 shall not be removed except for incompetency or misconduct shown after a hearing upon due notice including written stated charges.

Statutory Authority: *MS s 144.071*

History: *25 SR 487*

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