

9575.1150 APPEALS AND HEARINGS IN GENERAL.

Subpart 1. **Council hears appeals.** The council or appeal board or referee appointed by the council shall hear all appeals under parts 9575.1150 to 9575.1200.

Subp. 2. **Written notice.** A written notice of appeal, specifying the reason or reasons for the appeal, must be submitted to the supervisor within 30 days of the action appealed or within 30 days of the date notification of the action was mailed to the affected party, whichever is later.

Subp. 3. **Response to appeal.** Except for appeals under part 9575.1180, the supervisor shall reply to the appeal, interpreting the merit system rules and applicable law relative to the issues in the appeal. All affected parties will receive copies of the response.

Subp. 4. **Appeal of resolution.** Any affected party who is dissatisfied with the supervisor's resolution may appeal that resolution and the appeal will be placed on the agenda of the next council meeting.

Subp. 5. **Collective bargaining agreement.** Any permanent employee under a collective bargaining agreement who appeals a dismissal, suspension, or a reduction in pay or position under the provisions of a grievance procedure in such agreement may not subsequently appeal the same action to the council.

Subp. 6. **Timing and copies of decisions.** All decisions shall be given within a reasonable time following the hearing and shall be in writing. Copies shall be sent to all parties involved and the merit system where final decisions are made by the appointing authority.

Subp. 7. **Rules governing appeals.** Appeals shall be pursuant to the Administrative Procedure Act, Minnesota Statutes, chapter 14, and contested case rules of the Office of Administrative Hearings in parts 1400.5010 to 1400.8400.

Statutory Authority: *MS s 256.012*

History: *26 SR 391*

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