383D.31 DUTIES OF BOARD OF APPEALS.

Subdivision 1. **Jurisdiction.** A panel of three members of the personnel board of appeals shall meet upon call of its chair or the employee relations director to make findings and report to the county board within 60 days of the filing of an appeal by an applicant, employee, or appointing authority, unless the time is extended with the consent of the party filing the appeal, in the following circumstances:

(a) Alleged arbitrary or capricious action by the county board with respect to final establishment of rules under sections 383D.21 to 383D.35.

(b) Alleged discrimination by the employee relations director or the director's employees in examination procedures or preparation of lists of eligible candidates, or discriminatory use of them by the appointing authority under sections 383D.21 to 383D.35 or rules promulgated under them.

(c) Alleged misinterpretation or evasion by the director or the county board of a provision of sections 383D.21 to 383D.35 or the rules promulgated under them in a manner seriously detrimental to the party bringing the appeal.

(d) Other matters of grievance as provided for in rules promulgated under sections 383D.21 to 383D.35.

Subd. 2. **Procedures.** The personnel board of appeals shall establish procedures for appeals to the board. The procedures shall provide that its chair appoint the members of each panel convened pursuant to subdivision 1.

Subd. 3. **Appeal findings.** Findings and reports of the personnel board of appeals shall be submitted to the county board for consideration and action as deemed appropriate by the county board, but, to the extent required for employees of departments and agencies paid in full or in part by federal funds, the findings of the personnel board of appeals shall be final and binding if necessary to conform to a federal or state regulation affecting the department or position.

History: *1987 c 74 s 11; 1989 c 143 s 2; 2000 c 329 s 2*