

Purpose

A Personnel Board of Appeals shall be established and maintained for Department Heads of Cottonwood County and shall conduct any hearing requested as a result of an unresolved complaint filed by a Cottonwood County Department Head. Hearings shall be conducted according with the hearing procedures outlined in Policy Number 340 "Grievance". The Personnel Board of Appeals shall conduct such a hearing only after all previous steps of the Appeals Procedure (Policy Number 340) have been exhausted.

Appointment of the Personnel Board of Appeals

The County Board shall appoint by majority vote three persons, initially for terms of one, two and three years. The County Board shall appoint members to the Personnel Board of Appeals by resolution and according to procedures established by them for appointment to advisory bodies. As the term of each initially appointed member expires, the County Board shall fill the vacancy occurring for a three-year term. Vacancies occurring within a term shall be filled for the balance of the unexpired portion of the term.

Persons appointed to the Board of Appeals shall not serve while holding any Cottonwood County office or while standing as a candidate for any Cottonwood County office, or while employed by Cottonwood County. Each member shall be a resident of Cottonwood County and shall forfeit office on becoming a nonresident.

Compensation

Compensation for members of the Personnel Board of Appeals shall be set by the County Board and each member shall be paid actual and necessary expenses.

Organization

The Personnel Board of Appeals shall organize by electing a Chair and Vice-Chair and shall develop rules of procedure for matters brought before it.

Duties

The Board of Appeals shall meet on call of its Chair or County Coordinator to make findings and report to the County Board within thirty calendar days of the filing of an appeal by a Department Head applicant, or Department Head.

- Alleged arbitrary or capricious action or discrimination on the part of the County Board with respect to the establishment of personnel rules and regulations.
- Alleged discrimination by the County Department Heads in the conduct of selection procedures or rules related to the recruitment and selection of employees.
- Alleged misinterpretation or evasion by the County Board of provisions of these Personnel Policies.
- Other matters of grievance as provided for under Policy Number 340.

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 Department Heads 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.

Decisions shall be made within ten calendar days after the completion of the hearing. The County Coordinator shall notify the interested parties of the findings.

Judicial Review

The Department Head may appeal from an order of the Personnel Board of Appeals in accordance with relevant statutory provisions of the laws of the State of Minnesota.