



MPP RECONSIDERATION PROCEDURE

In accordance with Executive Order 1106: Reconsideration Procedures for Management Personnel Plan (MPP) Employees, the following procedure shall be used by a CSUMB MPP employee who requests reconsideration of personnel decisions that are adverse to the employee, including, but not limited to, those relating to retention, evaluation, promotion, demotion, assignment, reassignment and/or hours of work. It is the practice of CSUMB to encourage discussion and seek resolution of such requests.

Definitions

- **Day:** calendar day.
- **Employee:** an employee of CSUMB who is a member of the Management Personnel Plan (MPP) requesting reconsideration of an adverse personnel action.
- **Immediate Supervisor:** the first level supervisor (MPP) to whom the employee is accountable.
- **President:** President or designee.

General Provisions

- This procedure provides for two stages of review meetings: I) between the Employee and the Employee's Immediate Supervisor and, if not resolved, II) between the Employee and the President. In cases involving non-retention or demotion, the Employee may initiate the reconsideration request with the Associate Vice President (AVP) for University Personnel rather than the Immediate Supervisor. The decision of the President concerning requests for reconsideration shall be final.
- If at any time during this procedure, it is determined that 1) the Employee is not entitled to use this procedure, or 2) the matter complained of is outside the scope of this procedure, the Employee shall be so informed in writing and the proceedings terminated.
- The Employee is required to strictly comply with the time limits of this procedure and the failure to meet those time limits shall be cause for denying the request for reconsideration. Failure by the Immediate Supervisor or AVP for University Personnel, to issue a timely written response under this procedure shall permit the Employee to proceed to the second stage of review and submit a completed Request for Reconsideration Meeting form to the President.
- Time limits set in this procedure may be extended by agreement. In computing any period of time from a specific event, the day in which an event occurs shall be excluded and the last day in which any action is required to be taken shall be included. When the

last day for any action required by this procedure falls on Saturday, Sunday, or holiday, the time limit shall be extended to the next regular workday.

- An Employee may withdraw, in writing, a request for reconsideration at any time. The Employee shall not file any subsequent request for reconsideration on the same matter.

Procedure

Stage I – Immediate Supervisor

The Employee must provide a completed Request for Reconsideration Meeting form to the Immediate Supervisor within 14 days of the decision giving rise to the request. The request shall describe the nature of the reconsideration request and provide all pertinent information or documentation such as relevant dates, times, places, persons and other facts necessary for a clear understanding of the request.

If the Immediate Supervisor determines the Request for Reconsideration Meeting form is incomplete, the Immediate Supervisor shall advise the Employee in writing and return the form to the Employee without taking further action. The Employee shall then have one opportunity to resubmit a completed Request for Reconsideration Meeting form within the greater of: (a) 3 days from the date the Immediate Supervisor advised the Employee in writing that the form was incomplete; or (b) 14 days of the decision giving rise to the request. If the Employee resubmits the Request for Reconsideration Meeting form and the Immediate Supervisor determines it is still incomplete, the Immediate Supervisor shall advise the Employee in writing and return the form to the Employee without taking further action.

If the Employee submits a timely and complete Request for Reconsideration Meeting form, the Immediate Supervisor shall meet with the Employee to discuss the request within 14 days of the receipt of the completed Request for Reconsideration Meeting form.

The Immediate Supervisor shall provide the Employee a written response within 14 days of the meeting.

Stage I – Alternate Procedure - University Personnel

In cases involving non-retention or demotion, the Employee may initiate the reconsideration request with the University Personnel Department rather than the Immediate Supervisor. The Employee must provide a completed Request for Reconsideration Meeting form to the AVP for University Personnel within 14 days of the decision giving rise to the request. The request shall describe the nature of the reconsideration request and provide all pertinent information or documentation such as relevant dates, times, places, persons and other facts necessary for a clear understanding of the request.

If the AVP for University Personnel or designee determines the Request for Reconsideration Meeting form is incomplete, the AVP for University Personnel or designee shall advise the Employee in writing and return the form to the Employee without taking further action. The Employee shall then have one opportunity to

resubmit a completed Request for Reconsideration Meeting form within the greater of: (a) 3 days from the date the AVP for University Personnel or designee advised the Employee in writing that the form was incomplete; or (b) 14 days of the decision giving rise to the request. If the Employee resubmits the Request for Reconsideration Meeting form and the AVP for University Personnel or designee determines it is still incomplete, the AVP for University Personnel or designee shall advise the Employee in writing and return the form to the Employee without taking further action.

If the Employee submits a timely and complete Request for Reconsideration Meeting form, the AVP for University Personnel or designee shall meet with the Employee to discuss the request within 14 days of the receipt of the completed Request for Reconsideration Meeting form.

The AVP for University Personnel or designee shall provide the Employee a written response within 14 days of the meeting.

Stage II – President

If the matter is not resolved at Stage I, the Employee may request reconsideration with the President by providing a completed Request for Reconsideration Meeting form to the President within 10 days of the Employee's receipt of the Stage I written response. This written Stage II request shall describe the nature of the reconsideration request and provide all pertinent information or documentation such as relevant dates, times, places, persons and other facts necessary for a clear understanding of the request and shall include the results of the Stage I meeting.

If the President determines the Request for Reconsideration Meeting form is incomplete, the President shall advise the Employee in writing and return the form to the Employee without taking any further action. The Employee shall then have one opportunity to resubmit a completed Request for Reconsideration Meeting form within the greater of: (a) 3 days from the date the President advised the Employee in writing that the form was incomplete; or (b) 10 days of the Employee's receipt of the Stage I written response. If the Employee resubmits the Request for Reconsideration Meeting form and the President determines it is still incomplete, the President shall advise the Employee in writing and return the form to the Employee without taking further action.

If the Employee submits a timely and complete Request for Reconsideration Meeting form, the President shall meet with the Employee to discuss the request within 20 days of the receipt of the Request Form.

The President shall provide the Employee a written decision within 20 days of the meeting. Failure to provide a written decision within such 20 days shall be deemed a denial of the request. The decision of the President shall be final and binding.