

Appeals of Classified Employee Personnel Actions

In the types of classified employee personnel actions identified below, the President may elect to either:

delegate to the Office of Administrative Hearings the authority to conduct a hearing (in accordance with the procedures set forth herein and in the Personnel Procedures for Classified Employees) and issue a proposed decision for approval by the Secretary of Budget and Management, or

where a hearing is provided for in sections 14-204 through 14-208 of the Education Article of the Annotated Code of Maryland, the President may hold the hearing in accordance with the Board of Regents procedures provided herein and the Personnel Procedures for Classified Employees. .

Appeal Procedure for Involuntary Demotion of a Classified Employee

A classified employee may appeal a proposed involuntary demotion by appealing the proposed demotion to the President in accordance with the following procedures:

1. Within five (5) working days of the employee's receipt of the Charges for Demotion, the employee may appeal the proposed demotion by filing with the Director of Human Resources a written request for a hearing. The written request shall state the issues of fact and law that the employee believes would warrant a reconsideration of the proposed demotion. If the employee fails to appeal within the time frame and in proper form, the demotion shall be final.
2. If the employee files a timely and proper appeal, the Director of Human Resources shall coordinate with the President (or designee) a hearing to determine whether there is cause for demotion. The hearing shall be held within 90 calendar days after the written charges for demotion were submitted to the President. The burden of proving cause for demotion rests with the University by a preponderance of the evidence. If the hearing is conducted by the President's designee, the designee shall prepare written findings and submit them and a recommendation for action to the President. The President shall make findings and issue a proposed written decision on an appeal for approval by the Secretary of Budget and Management within 45 calendar days after the later of:
 - the conclusion of the hearing, or
 - the day when all briefs or memoranda have been submitted.
3. The Secretary of Budget and Management shall provide a copy of findings and decision to each party.
4. The decision of the Secretary of Budget and Management is final.