

	CITY OF DECATUR PERSONNEL POLICY		
Chapter 05	Conduct		
Section 09	Appeals		
Revised By:	Nate Mara, City Manager	Revised Date:	December 08, 2025
Approved By:	Nate Mara, City Manager	Effective Date:	January 1, 2026

05.09 Appeals

In the interest of employee efficiency and morale, City employees shall have the opportunity to discuss appeals with his or her employer and to find, whenever possible, mutually satisfactory solutions to problems which arise.

It is the intent of this policy to settle matters on the lowest administrative level as possible within the time frame outlined herein to facilitate an expeditious resolution of an employee’s concerns. This policy does not provide, nor guarantee, an employee any rights that would change the employee’s “AT-WILL” employment status.

- A. Eligibility.** All employees that have successfully completed the employee’s New Hire Probationary Period.

- B. Definitions**
 - a. **Appealable Action:** an allegation that a benefit or right expressly provided by law, policy, or personnel rule has been denied or improperly applied.

 - b. **Chain of Command:** Supervisory structure within each department up to the department director.

- C. Unlawful Discrimination Complaint.** Any employee who feels that he or she has been unlawfully discriminated against in matters relating to working conditions or other conditions of employment, because of the employee’s age, sex, sexual orientation, color, race, religion, national origin, genetics, veteran’s preference, or disability shall have the right to file a discrimination complaint with their supervisor or directly with Human Resources. All other complaints should be filed as outlined herein.

D. Procedures. Any appeal filed shall refer to the provision or provisions of the Personnel Policies alleged to have been violated, and such appeal shall be limited to an application or non-application of the Personnel Policies.

The Appeal Procedure shall follow the process as outlined:

1. The employee shall present the employee's appeal in writing to their Chain of Command. Discussions will be informal for the purpose of resolving differences in the simplest and most direct manner. The supervisor shall reach a decision and communicate it in writing to the employee within five (5) working days from the date the appeal was received. The Supervisor shall also send a copy of the appeal and decision made to Human Resources for the purpose of record keeping.

In presenting the written appeal the following information must be provided:

- A complete statement of the appeal and facts upon which it is based;
- The section or sections of the Personnel Policies claimed to have been violated;
- The date of the act or acts of commission or omission;
- The remedy or correction requested; and
- Date and signature of the employee.

If the appeal is not resolved, the employee will follow the above procedure for each level of supervision. At each level, the supervisor has five (5) working days from receipt of the appeal to respond and the employee then has five (5) working days from receipt of the response to appeal to the next level on up to the Department Director.

A copy of each response shall be forwarded up through the chain of command to the Department Director and Human Resources.

If Step 1 was addressed with the Department Director or pertains to the Department Director or the employee's Chain of Command, then the aggrieved may proceed to Step 2.

2. If the appeal is not resolved at Step 1, the employee shall, within five (5) working days of receiving the response, forward the written appeal to the Human Resources Director. The Human Resources Director shall obtain the facts and forward a recommendation to the City Manager. The City Manager or designee shall have five (5) working days to consult with any parties involved and render a decision in writing to the employee.

3. The decision of the City Manager shall be final and binding on the parties without further appeal. In complaints made against the City Manager by a direct report, complaints should go back to Human Resources and the City Attorney will be contacted by Human Resources.

E. Rules of Appeal Processing.

1. Forms/Formats – Forms to submit an appeal are available through Human Resources.
2. Timely Initiation – An appeal must be brought forward within fifteen (15) working days of the date the employee knew or should have known of the event or series of events giving rise to his or her appeal.
3. Right to Representative – An employee who chooses to exercise the appeal procedure may have one representative assist, accompany, or provide representation at any step during the process.
4. Extensions of Time Limits – The time limit at any stage of the appeal procedure may be extended by mutual agreement of the parties involved in the step. Extensions may be approved by the Department Director or the Human Resources Director and must be in writing.
5. Withdrawn Appeal – An appeal not advanced to the higher step within the time limit provided shall be deemed to have been settled on the basis of the decision most recently given. Without an approved extension, failure on the part of the City's representative to answer within the time limit established will entitle the employee to proceed to the next step.

- F. Freedom from Retaliation.** Employees wishing to file a complaint or appeal under this procedure shall be assured of freedom from restraint, interference, or retaliation from his or her supervisors or other employees.