

THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
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Long Beach, California 90802
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Date: October 16, 1984

To: Presidents

From: W. Ann Reynolds
Chancellor

W Ann Reynolds

Subject: Reconsideration Procedures for CSU Employees Not Represented
by an Exclusive Representative -- Executive Order No. 446

The advent of collective bargaining and the adoption of the Management Personnel Plan have raised the question of the appropriate method to address requests to reconsider specific personnel actions of employees not represented by an exclusive representative under the Higher Education Employer-Employee Relations Act.

I am transmitting to you five (5) copies of Executive Order No. 446 which provides that Presidents develop and publish campus reconsideration procedures consonant with minimum guidelines prescribed in the Executive Order.

In accord with this policy, the campus President has the responsibility for implementing this Executive Order, maintaining the campus repository and index for all Executive Orders, and maintaining records of the disposition of requests for reconsideration made pursuant to this Executive Order.

WAR:mw

Attachments

Distribution: Chancellor's Office Staff

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THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
400 Golden Shore
Long Beach, California 90802-4275

Executive Order No. 446
Title: Reconsideration Procedures for CSU
Employees Not Represented by an Exclusive
Representative
Effective Date: November 1, 1984
Supersedes: Executive Order No. 262

This Executive Order is issued pursuant to Sections 42728 and 43775 of Title 5 of the California Administrative Code. The reconsideration procedures prescribed herein apply only to those California State University employees who are members of the Public Employees' Retirement System or the State Teachers' Retirement System and who are not represented by an exclusive representative under the Higher Education Employer-Employee Relations Act.

This Executive Order supersedes Executive Order No. 262 except that any prior proceeding commenced but not concluded by the effective date of this Executive Order may continue under Executive Order No. 262.

This Executive Order prescribes guidelines for development of reconsideration procedures. Presidents shall develop and publish reconsideration procedures which conform to these guidelines.

An employee included in these procedures may request reconsideration of personnel actions concerning retention, evaluation, promotion, assignment, reassignment and hours of work. It is the policy of the California State University to encourage discussion and seek resolution of such requests.

Each campus procedure shall contain at least two stages of review, except for individuals reporting directly to the President, and shall specify that all meetings and responses shall be provided in a timely fashion. Additional stages of review may, at the discretion of the President, be included in the campus procedure. An employee may initiate a request for reconsideration by asking in writing for an appointment with

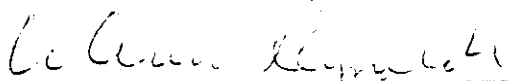
his/her immediate supervisor. The supervisor and employee shall meet to discuss the request for reconsideration. In the event the matter is not resolved, the employee may notify the President or designee in writing describing the nature of the reconsideration request and the results of the first meeting. The President or designee shall meet with the employee to discuss the request. The decision of the President shall be final.

In the event the request for reconsideration involves the interpretation of systemwide policy or involves matters of systemwide concern, the President or designee is encouraged to seek advice and consult with appropriate Chancellor's Office staff.

Prior to implementation, the proposed campus reconsideration procedures shall be forwarded to the Office of General Counsel for legal review and approval. An information copy of the approved and implemented procedures shall be forwarded to the Office of Faculty and Staff Relations in the Chancellor's Office. Pursuant to Title 5, California Administrative Code, Section 43775 the Office of Faculty and Staff Relations shall report to the Board of Trustees on the procedures developed or revised by the campuses.

Attachment A of this Executive Order is an example of how the minimum guidelines established herein might be articulated in a campus procedure.

Should a campus not have an approved reconsideration procedure in place by November 1, 1984, the procedures of Executive Order No. 262 shall apply to all requests for reconsideration until a campus procedure is approved and implemented.


W. Ann Reynolds, Chancellor

Date: October 12, 1984

Procedure Governing Requests for Reconsideration
From Employees Not Represented by an
Exclusive Representative

The following procedure shall be utilized by an employee of (campus' name) who is a member of the Public Employees' Retirement System or the State Teachers' Retirement System and who is not represented by an exclusive representative under the Higher Education Employer-Employee Relations Act who requests reconsideration of personnel actions concerning promotion, retention, evaluation, assignment, reassignment, and hours of work. It is the policy of (campus' name) to encourage discussion and seek resolution of such requests.

This procedure provides for two stages of review, except for individuals reporting directly to the President. Each review consists of a meeting between the employee and an administrator designated by the President.

The first stage of review shall be initiated within 30 calendar days of the decision giving rise to the request by a written request from the employee to his/her immediate supervisor seeking to arrange an appointment. The supervisor and employee shall meet to discuss the matter.

Should the matter remain unresolved, the employee may, within 15 calendar days after the first meeting, request reconsideration at a second stage of review by the President or designee. Such a request shall be made in writing and describe the nature of the reconsideration request and the results of the first stage meeting. The President or designee and the employee shall meet to discuss the request. The decision of the President or designee shall be final and binding.