Employee Inclusion/Exclusion Appeal Process

I. If an employee has been included or excluded as a participant in the Employee Organization certification election, the employee must file an appeal of their status within three (3) business days of the receipt of either their notice of exclusion or their election ballot.

II. The employee will first submit to the Director of Human Resources of the Department a written request asking to be either included or excluded from the upcoming election or partnership agreement coverage. The request will include:

- a. Employee's Contact Information:
  - i. Name
  - ii. Work location
  - iii. Work telephone number
  - iv. Work email address
- b. Job title
- c. Job classification and level
- d. Department and Division where employed
- e. PDQ/job description
- f. Narrative explaining request for inclusion/exclusion
- g. Any documentation necessary to substantiate their request

III. The Director of Human Resources of the Department will forward the original request along with their recommendation complete with any documentation necessary to substantiate their recommendation to the Office of the Governor's Designee for Employee Partnerships within two (2) business days of receipt.

IV. The Governor's Designee will, within three (3) business days of receipt:

- a. Review:
  - i. The employee's request
  - ii. The recommendation of the Director of Human Resources of the Department
  - iii. The Governor's Designee will decide if a personal interview is required
- b. Either approve the employee's request and notify in writing:
  - i. The employee
  - ii. The Director of Human Resources of the Department involved
- c. Or reaffirm their original decision and forward the original request plus their rationale for the sustainment of their original decision to the Director of the Division of Labor for final determination.
- d. The Governor's Designee will also notify in writing the following as to the status of the request:
  - i. The employee
  - ii. The Director of Human Resources of the Department involved

V. The Director of the Division of Labor or his designee will, within five (5) business days of the date of receipt:

- a. Review:
  - i. The employee's request
  - ii. The recommendation of:
    1. The Director of Human Resources of the Department involved
    2. The Governor's Designee
- b. Determine if there is enough material available to make a decision or call upon the Executive Order Advisory Panel for advice.
- c. If the Director or his designee decides that assistance is needed in making a decision, they will forward the appeal packet to either select individuals on the Advisory Panel or the Advisory Panel as a whole. Those selected individuals or the Advisory Panel will return their recommendation to the Director or his designee.
- d. The Director or his designee will then make a final determination and notify in writing all parties involved of his decision.

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