

# Salt Lake County Human Resources Policy 3-500(A): CSC Appeals

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## **Purpose**

This policy provides the rules, regulations, and procedure for Career Service Council Appeals.

## **I. Policy**

It is the policy of Salt Lake County to provide administrative remedies for eligible employees and applicants to file Career Service Council (CSC) Appeals.

## **II. Procedures**

### **A. Jurisdiction**

1. The CSC shall hear timely appeals of suspension, demotion, and termination.
2. The CSC shall hear timely appeals of applicants rejected for the competitive examination process and report final binding written appeal decisions to the County Council.
3. The CSC does not have jurisdiction to hear untimely grievance appeals.
4. Failure to exhaust administrative remedies shall result in the appeal being settled at the last level of review.
5. The CSC shall not hear any other matter.
6. The CSC shall not conduct independent investigations and are strictly limited to the evidence presented to them on appeal.
7. The CSC does not have jurisdiction over the legality of County policy or ordinance.

### **B. Standard of Review**

1. The CSC shall use a “clearly erroneous” standard of review. This means that the Agency’s disciplinary decision was not supported by substantial or competent evidence. It is not enough that the CSC may have weighed the evidence and reached a different conclusion; the agency’s decision will only be reversed if it is implausible considering all the evidence.

### **C. Pre-Hearing Outlines**

1. A Pre-Hearing Outline shall be filed by appellant within 14 calendar days of filing their CSC appeal. Failure of the Appellant to timely submit a Pre-Hearing Outline, that meets all requirements below, shall result in dismissal of the appeal.
2. Appellant’s outline shall include the following:
  - i. Appellant’s name, Agency, and contact information;
  - ii. Short statement of the appeal;
  - iii. Statement of facts or occurrences surrounding the appeal;
  - iv. Statement of the remedy requested;
  - v. Statement regarding any other issues; and
  - vi. Witnesses list.
3. Appellee’s outline shall be filed within 14 calendar days of receipt of Appellant’s outline and shall include the following
  - i. Appellant’s Agency;
  - ii. Disciplinary action imposed or applicant rejected for examination;
  - iii. Statement of any previous discipline issued to the appellant or statement of previous application rejection;
  - iv. Statement of facts or occurrences surrounding the disciplinary action or application rejection;
  - v. Statement regarding any other issues; and
  - vi. Witness List.

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- D. Pre-Hearing Conference
  - 1. A Pre-Hearing Conference shall be held within 14 days after the filing of Appellee's outline.
  - 2. A Pre-hearing Conference shall not be held if both parties have not submitted a timely pre-hearing outline.
  - 3. The purpose of the conference is to define issues to be heard, identify witnesses, determine stipulations of fact, schedule hearing dates, and resolve any pre-hearing issues.
- E. Appeal Hearings
  - 1. Hearings shall be held within 30 calendar days of the Pre-Hearing Conference.
  - 2. The purpose of the hearing is to determine if the Agency action was clearly erroneous.
  - 3. Hearings are informal and do not adhere to the Rules of Civil Procedure or Evidence.
  - 4. Hearings provide both parties with an opportunity to present exhibits, call witnesses, confront adverse witnesses, and provide opening and closing statements.
    - i. Exhibits and a final witness list must be filed with the CSC and given to the opposing party seven (7) calendar days before the hearing.
  - 5. The CSC has the subpoena power to compel attendance of witnesses, and to authorize witness fees where it deems appropriate, to be paid at the same rate as in justice courts.
- F. Decision
  - 1. Within 14 calendar days of the conclusion of the appeal hearings, the CSC shall issue a written decision.
  - 2. The decision shall be based upon a majority vote of the CSC.
  - 3. There is no administrative appeal of a CSC decision for either party.
  - 4. A person adversely affected by a decision of the CSC may appeal the decision to the district court pursuant to Utah Code Ann. § 17-33-4(d)(i).
- G. The parties may waive or extend any of the time limits by written agreement.

### III. References

- A. County Personnel Management Act, [Utah Code 17.33](#) et seq.
- B. Career Service Council - Powers and Duties, Salt Lake County Code of Ordinances, 2.80.30
- C. Career Service Council's Guidelines and Operating Procedures
- D. Human Resources Policy:
  - 1. 1-200, General Definitions
  - 2. 3-300, Standards of Conduct
  - 3. 3-400, Discipline
  - 4. 3-500A, Career Service Council Appeals
  - 5. 6-100, Performance, Development, and Improvement Plans

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APPROVED and ADOPTED this 16<sup>th</sup> day of July, 2024.

SALT LAKE COUNTY COUNCIL

By Laurie Stringham  
Laurie Stringham, Chair

ATTEST:

Lannie Chapman  
Lannie Chapman, County Clerk

**Reviewed and Advised as to  
Legality and Form**  
Salt Lake County  
District Attorney's Office  
Zachary Lancaster  
Digitally signed by Zachary  
Lancaster  
Date: 2024.07.10 08:44:25 -0600'

Voting:

Council Member Alvord  
Council Member Bradley  
Council Member Bradshaw  
Council Member Granato  
Council Member Harrison  
Council Member Theodore  
Council Member Stewart  
Council Member Stringham  
Council Member Winder Newton

"Aye"  
"Aye"  
"Aye"  
"Aye"  
"Aye"  
"Aye"  
Absent  
"Aye"  
"Aye"