

RESOLUTION NO. 1988-42

A RESOLUTION AMENDING THE APPEALS PROCEDURE FOR  
CERTAIN CLASSIFIED POSITIONS SUBJECT TO THE MERIT  
SYSTEM RULES

WHEREAS, the Board of Trustees wishes to establish policies and procedures to assure the efficient and orderly operation of the Greater Cleveland Regional Transit Authority; and

WHEREAS, a simplified appeals procedure for certain senior managerial positions will enhance the efficient and orderly operation of the Greater Cleveland Regional Transit Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the Merit System Rules of the Greater Cleveland Regional Transit Authority be and they are hereby amended by the adoption of the following language as an addition to Rule 15 - APPEALS:

"15.2a Procedure for Appeal for Certain Managerial Positions: In all matters regarding the positions enumerated below, and notwithstanding the provisions of Rule 15.1, Rule 15.2, or Section 4 of Resolution 1981-59, this provision shall establish the procedure for appealing personnel decisions for managerial employees holding the following positions:

Directors of:

Training Services and Career Development  
Bus Equipment  
Schedules  
Facilities Maintenance  
Rail Transportation  
Bus Transportation  
Safety  
Planning  
Data Systems  
Public Relations  
Finance  
Budget  
Accounting  
Office Administration  
Revenue Collection  
Technical Services  
Service Development  
Marketing  
Procurement

Superintendents of:  
Rail Equipment  
Power and Signals  
Maintenance of Way and Signals  
Traffic  
Administrator of Inventory  
Chief Adjuster  
Deputy General Counsel

The appeals procedure for these positions shall be as follows:

The employee shall appeal decisions by stating his objections in writing to his Department Head or Assistant General Manager, unless the decision complained of is the decision of such Department Head or Assistant General Manager, in which case the employee may within ten (10) working days appeal the decision in writing to the General Manager.

If the employee does not appeal the decision complained of within ten (1) working days, it shall be final.

If the appeal is to the employee's Department Head or Assistant General Manager, then the Department Head or Assistant General Manager shall hear the appeal within ten (10) working days.

If the appeal is to the General Manager, then the General Manager or his Designee shall hear the appeal within ten (10) working days of the receipt of the appeal.

If the General Manager denies the appeal, or if the General Manager initiated the disciplinary action, the employee may within ten (10) working days appeal the decision, in writing to the General Manager, by requesting a hearing before the Merit System Appeals Board.

If the employee does not appeal the decision within ten (10) working days, it shall be final.

If the appeal is to the Merit System Appeals Board, the General Manager will, within ten (10) working days, notify in writing the President of the Board of Trustees, who shall direct the Merit System Appeals Board to convene and initiate the appeal within thirty (30) days of being so notified.

The Merit System Appeals Board will hear and decide all such complaints. The Board must find against the General Manager if it finds the General Manager acted in an arbitrary or capricious manner, or acted out of bias relating to race, religion, color, sex, or national origin.

The decision of the Appeals Board shall be final."

Section 2. That notwithstanding the provisions and procedures outlined in this Resolution, the rights of the individual employees currently occupying the positions named in Section 1 of this Resolution shall not be abridged or modified by this Resolution, so long as those individual employees remain in the positions they hold at the time this Resolution is adopted.

Section 3. That this Resolution shall become effective immediately upon its adoption.

Adopted: February 16, 1988

  
\_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Assistant Secretary-Treasurer