

RESOLUTION NO. 1988 - 164

A RESOLUTION AMENDING THE APPEALS PROCEDURE FOR
EMPLOYEES SUBJECT TO THE MERIT SYSTEM RULES BUT NOT
REPRESENTED BY A RECOGNIZED LABOR UNION

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

WHEREAS, the Board of Trustees has determined an arbitration provision in the Merit System Rules for employees who are subject to the Merit System Rules but are not represented by a recognized labor union is in the best interest of the Authority and its employees.

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:

15.2(b) Mandatory arbitration for employees subject to the Merit System Rules but who are not represented by a recognized labor union.

Notwithstanding the provisions contained herein, this section shall establish the procedure for appealing personnel decisions for those employees who are subject to the Merit System Rules but are not represented by a recognized labor union.

The appeals procedure for these employees shall be as follows:

The employee shall appeal a decision subject to the Merit Systems Rules by stating his objections in writing within ten (10) working days 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 (10) 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 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 a standing arbitrator appointed by the General Manager for the purpose of hearing appeals under this section. Appointment may only be rejected by a majority of the Board of Trustees. Such appeal must be accompanied by a certified check or money order in the amount of \$200 made payable to the Greater Cleveland Regional Transit Authority for the purpose of defraying the cost of arbitration.

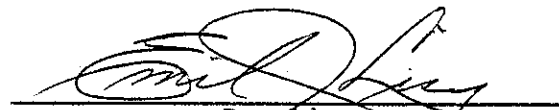
The arbitrator shall hear the appeal within 15 working days of receipt of the appeal.

The decision of the arbitrator shall be final.

Upon an employee's successful appeal to an arbitrator, the General Manager, upon request of the employee, may authorize a refund of the \$200 advance payment made by the employee for arbitration costs.

Section 2. That this resolution shall become effective immediately upon its adoption.

Adopted: August 16, 1988



President

Attest: 

Assistant Secretary-Treasurer