

Requests for Reconsideration

from Management Personnel Plan (MPP) Employees

The following procedure shall be utilized by an employee of California State Polytechnic University, Pomona (hereinafter referred to as "Cal Poly Pomona") who is a member of the Management Personnel Plan (MPP) and who requests reconsideration of a personnel decision that is adverse to the employee, including those relating to retention, evaluation, promotion, demotion, assignment, and reassignment. It is the policy of Cal Poly Pomona to encourage discussion and seek resolution of such requests.

Purpose

To provide MPP employees a procedure to request reconsideration of an adverse personnel decision that was taken with respect to the employee, pursuant to Executive Order 1106 and Section 42728 of Title 5 of the California Code of Regulations (CCR).

Applicability

The reconsideration procedure prescribed herein applies only to those Cal Poly Pomona employees who are members of the Management Personnel Plan (MPP), as defined in Title 5, Section 42720 of the CCR. The Procedure shall apply to MPP requests for reconsideration of personnel decisions affecting the MPP employee, including those concerning promotion, retention, evaluation, assignment, and reassignment.

References

- [Reconsideration Procedures for Management Personnel Plan \(MPP\) Employees - Executive Order 1106](#)
- Sections [42728](#) and [42720](#) of Title 5 of the California Code of Regulations

General Provisions

This procedure provides for two stages of review.

If at any time during this procedure, it is determined that, (a) the employee is not entitled to use this procedure, or (b) the matter is outside the scope of this procedure, the employee shall be so informed in writing and the proceedings shall be terminated.

The employee's request for reconsideration is null and void and any subsequent consideration of the employee's request is barred if the employee fails to comply with the time limits of this procedure. Meetings and communications (including written responses) to the employee seeking reconsideration of a personnel decision must be completed in a timely manner. If the individual conducting the Level 1 review fails to timely respond under this procedure, the employee shall be permitted to submit a request for reconsideration at the next level.

If the last day for any action required by this procedure falls on a Saturday, Sunday, or Cal Poly Pomona holiday observance, the time limit shall be extended to the next regular Cal Poly Pomona workday. Time limits set forth in this procedure may be extended by mutual agreement.

Cal Poly Pomona will not take any reprisals against an employee because of the employee's utilization of this procedure. Complaints regarding allegation of reprisals should be submitted to the President and/or designee.

An employee may withdraw, in writing, a request for reconsideration at any time. The employee shall not file any subsequent request for reconsideration on the same matter. The appropriate administrator(s) will be apprised of all reconsideration requests at each level of the procedure.

Stages of Review

Stage One:

If an employee wishes to request reconsideration of personnel decision(s), he or she must notify the immediate supervisor within five (5) working days from the occurrence of the event(s) giving rise to the request. In cases involving non-retention or demotion, the employee may initiate the reconsideration request with the Human Resource Services (HRS) designee, Kimberly Allain, Sr. AVP, Employee & Organizational Development & Advancement, rather than the employee's immediate supervisor. The request shall be in writing and shall describe in detail, the personnel action(s) to be reconsidered, the reason for the request to reconsider, and the employee's suggested remedy/solution. The Stage One review consists of a meeting between the employee and the employee's immediate supervisor or HRS designee. The immediate supervisor or HRS designee will, within ten (10) working days from receipt of the request for reconsideration, seek to schedule the Stage One meeting with the employee. The immediate supervisor or HRS designee will notify the appropriate administrator and meet with the employee to discuss the matter. The immediate supervisor or HRS designee will respond in writing to the employee within 21 working days from the date of the Stage One meeting with the employee.

Stage Two:

If the matter is not resolved at Stage One, the employee may request a Stage Two review by submitting a written request to the President or designee, describing the nature of the reconsideration request and the results of the Stage One meeting. This written request must be submitted within five (5) working days of the employee's receipt of the Stage One response. The President or designee shall meet with the employee to discuss the request. Following this meeting, the President or designee shall make a final decision concerning the request and will respond in writing to the employee within 21 working days of the date of the Stage Two meeting. The President's or designee's decision shall be final and binding.