

Residential and Student Service Programs/Flexible Work Arrangements Program

**REQUEST FOR AN IMPARTIAL APPEAL**

*(Attach Flexible Work Arrangements Request)*

Date Submitted \_\_\_\_\_

Name \_\_\_\_\_

Unit \_\_\_\_\_ Job Title \_\_\_\_\_

Telephone \_\_\_\_\_ Best time to reach you \_\_\_\_\_

Reason for appeal \_\_\_\_\_

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The Impartial Appeals Panel will meet and submit a recommendation to the director of your unit within 10 working days of receiving this request.

Panel recommendation \_\_\_\_\_

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The director will review recommendation and return a final decision to both requester and appeal panel within 5 working days of receiving panel's recommendation.

Director's decision     Approved     Denied

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Send form to Dee Palacios, Human Resources 2610 Channing Way, Berkeley, CA 94720-2272.

Residential and Student Service Programs/Flexible Work Arrangements Program  
**Impartial Appeals Panel Procedure**

- There will be nine staff members from all levels of RSSP on the Appeals Panel
- Five panel members will be required to meet to review each case
- Employee must appeal within 10 working days of receiving the denial from their supervisor (working days are M - F)
- Employee submits a copy of the Flexible Work Arrangement Request form and Request for an Impartial Appeal form to Dee Palacios in Human Resources
- Dee forwards the appeal to the panel
- Panel logs appeal into notebook and assigns it a number
- Panel schedules interviews with employee, supervisor and/or manager
- Panel member may not sit on a panel for an employee who is a direct report or in direct chain of reports

1) Panel interviews employee

**Questions include:**

- Why do you want a Flexible Work Arrangement?
- How will this benefit you/your unit/the department?
- What is the impact on operations/your co-workers/your customers?
- Why do you think you were denied a Flexible Work Arrangement?
- Can you suggest ways this schedule could work in your situation?

2) Panel interviews supervisor and/or manager

**Questions include:**

- Why was this Flexible Work Arrangement denied?
- Was the denial due to job performance?
- Does this schedule increase the workload for other employees within the unit?
- Do other employees in that unit have a Flexible Work Arrangement? If so, what is it?
- Is there any way you could meet this employee half way?
- Would you consider a three month trial schedule?

3) Panel discusses and reviews

- Interviews
- Current schedule
- Job description
- Determines core duties and essential job functions
- How many other employees perform same job function at the same time within their unit
- Impact on current operations positive/negative

4) Panel votes whether to recommend the approval or denial of the FWA, writes up a recommendation and forwards it to the director of employee's unit within 10 working days of receiving their request for an appeal.

5) Director responds with final decision to requester and panel within 5 working days of receiving the panel's recommendation.