

**City of Cleveland**  
**Supplement to Discussion**  
**Concerning Recommended Change No. 7**  
**to the Civil Service Provisions of the Cleveland Charter -**  
**amending the appeal section and moving it to the Civil Service**  
**Chapter**

**April 10, 2008**

The City proposed amendments to existing Charter 121 concerning appeals of disciplinary action to the Civil Service Commission. The City's April 3, 2008 document discussed changing the type of suspension that may be appealed (changing it from ten days to three) and extending the time by which the Commission must hear an appeal from ten days to thirty. It should be noted that the State Civil Service laws similarly provide for an appeal if the suspension of an employee who is required to be paid overtime compensation is greater than twenty-four hours, which, assuming an eight hour day, is three days. The State Civil Service laws provide that an employee who is not required to be paid overtime compensation may appeal a suspension of forty or more work hours, which, assuming an eight hour days, is five days.

The City also proposed clarifying that the appointing authority may take required actions in an appeal.

The proposed amendment also included a provision providing that the appointing authority may review the findings and recommendations of the Civil Service hearing officer to make a final decision, which final decision may be affirmed, disaffirmed or modified by the Civil Service Commission after a hearing. This proposed amendment reflects the current practice as described in the Civil Service Rules involving appeals before the Commission. Currently, when an employee appeals the decision of an appointing authority concerning discipline to the Civil Service Commission, the Civil Service Commission appoints a hearing officer. The hearing officer, after hearing, then makes findings and recommendations that are directed to the appointing authority. The appointing authority reviews the findings and recommendations and makes a final decision concerning a course of action. The Commission then holds a public hearing at a regularly scheduled meeting to affirm, disaffirm or modify the decision of the appointing authority.