



MERIT EMPLOYEE COMPLAINT
State Form 27916 (R7 / 1-08)

Indiana State Personnel
Department

OFFICE USE ONLY Complaint #

Instructions: Please complete all required information and state exact nature of complaint and desired remedy **PRINT OR TYPE LEGIBLY**
Steps in complaint procedure are on reverse side.

Full name of employee		Name of agency	Contact telephone #
Home address (number & street, city, state, ZIP code)		Employee ID#	
Classification Title		Job Code	Last 4 digits of Social Security Number

STEP 1

Date of discussion with immediate supervisor	*The oral answer of the immediate supervisor must be given within two (2) consecutive working days from date of discussion.	Initials of Supervisor
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STEP 2

Statement of Complaint (<i>Attach additional pages if necessary</i>)	
Signature of employee	
Date complaint form was presented to intermediate supervisor	*Answer of intermediate supervisor (must be given in writing within four (4) consecutive working days).
Signature of intermediate supervisor	Date
Signature of employee if Step 2 answer is satisfactory	Date of receipt of Step 2 response

STEP 3

Date complaint form was presented to appointing authority	*Decision of appointing authority (must be given within ten (10) consecutive working days).
Signature of appointing authority	Date
Signature of employee if Step 3 response is satisfactory	Date of receipt of Step 3 response

*If management fails to respond in prescribed time, employee may elect to process appeal to the next step. If employee wishes to pursue complaint beyond Step 3, completed complaint form must be submitted to the State Personnel Director within fifteen (15) calendar days from receipt of written Step 3 decision.

STEPS IN MERIT EMPLOYEE COMPLAINT PROCEDURE

Minimum requirements: Any regular employee (*any employee who has obtained status in the state merit service*) may file a complaint if his/her status of employment is involuntarily changed or if he/she deems conditions of employment to be unsatisfactory. **However, the complaint must be initiated within thirty (30) calendar days after the employee is notified of a change in status of employment or after the unsatisfactory condition is created.** Failure to initiate the complaint within such time period shall render the procedure unavailable to the employee.

STEP 1: With the exception of complaints involving dismissal, suspension, demotion, or layoff,* the complaint shall be initiated by a discussion with the employee and the immediate supervisor. The **immediate supervisor** must answer the complaint to the employee's satisfaction within **two (2) consecutive working days** or allow the employee to proceed to Step 2.

STEP 2: The employee shall obtain the complaint form, fill in the date that the Step 1 discussion occurred, and have the supervisor initial the complaint form in the appropriate space. The employee should then write the statement of complaint. This form is then presented to the **intermediate supervisor** who then has **four (4) consecutive working days** to respond, in writing, to the complaint or allow the employee to proceed to Step 3. If the employee is not satisfied with this response, he/she may refer the complaint to the appointing authority. The employee should keep a copy of the complaint form and supporting documentation and each answer as the documents must be submitted at each step and will not be returned to the employee.

STEP 3: The employee shall present the complaint to the appointing authority who may conduct whatever hearing or investigation is deemed necessary, and shall respond in writing **within ten (10) consecutive working days** or allow the employee to proceed to Step 4. If the employee is not satisfied with the response of the appointing authority (or designee), he/she may then forward the complaint to the State Personnel Director **within fifteen (15) calendar days** from receipt of said response. Failure to comply with the fifteen (15) day time limit will terminate the procedure.

NOTE: The employee may be accompanied by a fellow employee throughout the first three (3) steps of the complaint procedure.

STEP 4: The employee shall forward the complaint to the State Personnel Director, State Personnel Department, 402 West Washington Street, Room W161, Indianapolis, Indiana 46204-2261, for investigation and response. The Director (or designee) shall respond, in writing, **within fifteen (15) calendar days** from receipt of the complaint. If the employee is not satisfied with the response of the Director (or designee), he/she has **fifteen (15) calendar days from receipt of said response** to submit the complaint to the State Employees' Appeals Commission, 100 North Senate Avenue, Room N501, Indianapolis, Indiana 46204.

NOTE: Complaints alleging the employee is working out of classification must be accompanied by a completed Job Analysis Questionnaire (JAQ) at the time of submission to the State Personnel Director at Step 4.

STEP 5: The State Employees' Appeals Commission shall review the submitted appeal and if said appeal meets all procedural requirements, shall schedule an administrative hearing. Within thirty (30) calendar days from the hearing date, the Commission shall notify the parties of its decision. Should the employee wish to appeal the Commission's decision, he/she may file for either judicial review through the courts (*within thirty (30) calendar days*) or for arbitration, through the Indiana Department of Labor (*within fifteen (15) calendar days*).

*Complaints concerning dismissal, suspension, demotion, or layoff shall be initiated at Step 3 by presenting a written statement of complaint to the appointing authority within thirty (30) calendar days from receipt of the official notice of such action.

Specific questions related to complaints may be referred to the State Personnel Department, Employee Relations Division, at 317/ 232-3080.