

## **IC 4-15-1.5**

### **Chapter 1.5. State Employees Appeals Commission**

#### **IC 4-15-1.5-1**

##### **Creation; membership**

Sec. 1. There is hereby created the State Employees Appeals Commission which shall consist of five (5) members, not more than three (3) of whom shall be adherents of the same political party. One of said members shall be appointed for a term of one (1) year, one for a term of two (2) years, one of whom for a term of three (3) years, two for a term of four (4) years. Every member so appointed shall serve until his successor shall have been appointed and qualified. Each successor shall serve a term of four (4) years. Any vacancy occurring in the membership of the board for any cause shall be filled by appointment of the governor for the unexpired term.

*(Formerly: Acts 1973, P.L.19, SEC.1.)*

#### **IC 4-15-1.5-2**

##### **Qualifications of members**

Sec. 2. The members of the commission shall be citizens of the state who are in sympathy with and have knowledge of the practice of professional personnel administration in public employment with particular appreciation for fairly and impartially determining the validity of employee appeals. No member of the commission shall be a member of any local, state, or national committee of a political party or an officer in any partisan political club or organization, or shall hold or be a candidate for, any elective public office, and upon acceptance of any such appointment or upon any such candidacy, the term of a member of the commission shall expire. Upon the acceptance of any other remunerative appointment to public office, the term of a member shall expire.

*(Formerly: Acts 1973, P.L.19, SEC.1.) As amended by Acts 1982, P.L.23, SEC.4.*

#### **IC 4-15-1.5-3**

##### **Compensation**

Sec. 3. Each member of the commission shall receive as compensation for services a salary and in addition thereto shall receive actual and necessary traveling expenses and other expenses in the performance of his duties in the amount approved by the governor and the state budget agency.

*(Formerly: Acts 1973, P.L.19, SEC.1.)*

#### **IC 4-15-1.5-4**

##### **Oath**

Sec. 4. Before entering upon the discharge of official duties, each member of the commission shall take and subscribe to an oath of office, which shall be filed in the office of the secretary of state.

*(Formerly: Acts 1973, P.L.19, SEC.1.)*

#### **IC 4-15-1.5-5**

##### **Meetings**

Sec. 5. The commission shall meet in rooms provided by the personnel department and assume the duties of office. Three (3) members of the commission shall constitute a quorum for the transaction of business, and a majority of votes cast shall be required for the adoption or approval of any official action. The commission shall elect one (1) of the members as the chairman and another member as vice-chairman and the persons so elected shall hold office for one (1) year and until their successors are elected and qualified. The commission shall hold such regular and special meetings each year as it may prescribe by rule or resolution, shall meet on the call of the chairman, and shall hold at least one (1) meeting each month. *(Formerly: Acts 1973, P.L.19, SEC.1.) As amended by Acts 1982, P.L.23, SEC.5; P.L.178-2006, SEC.1.*

#### **IC 4-15-1.5-6**

##### **Powers and duties**

Sec. 6. The appeals commission is hereby authorized and required to do the following:

- (1) To hear or investigate those appeals from state employees as is set forth in IC 4-15-2.2-42, and fairly and impartially render decisions as to the validity of the appeals or lack thereof. Hearings shall be conducted in accordance with IC 4-21.5.
- (2) To make, alter, or repeal rules by a majority vote of its members for the purpose of conducting the business of the commission, in accordance with the provisions of IC 4-22-2.
- (3) To recommend to the personnel director such changes, additions, or deletions to personnel policy which the appeals commission feels would be beneficial and desirable.

*(Formerly: Acts 1973, P.L.19, SEC.1.) As amended by Acts 1982, P.L.23, SEC.6; P.L.5-1988, SEC.24; P.L.229-2011, SEC.55.*

#### **IC 4-15-1.5-7**

##### **Repealed**

*(Repealed by Acts 1982, P.L.23, SEC.40.)*

#### **IC 4-15-1.5-8**

##### **Separation from personnel board; appropriations**

Sec. 8. The appeals commission shall be totally separate and independent of the personnel board. To ensure the independence of the commission as required by this chapter, appropriations to support the staff and other assistance needed to operate the commission must be made in a separate line item in the budget.

*(Formerly: Acts 1973, P.L.19, SEC.1.) As amended by P.L.178-2006, SEC.2.*