


THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR

BAKERSFIELD

March 16, 2017

CHANNEL ISLANDS

CHICO

MEMORANDUM

DOMINGUEZ HILLS

TO: CSU Presidents

EAST BAY

FROM: Timothy P. White
Chancellor

FRESNO

FULLERTON

SUBJECT: Reconsideration Procedures for Management Personnel Plan (MPP)
Employees — Executive Order 1106

HUMBOLDT

LONG BEACH

Attached is a copy of Executive Order 1106 which supersedes Executive Order 923 and updates MPP reconsideration procedure guidelines and clarify that the policy applies to MPP employees only.

LOS ANGELES

MARITIME ACADEMY

In accordance with policy of the California State University, the campus president has responsibility for implementing executive orders where applicable and for maintaining the campus repository and index for all executive orders.

MONTEREY BAY

NORTHRIDGE

If you have questions regarding this executive order, please contact Equal Opportunity/Whistleblower Compliance at EO-TitleIX-Compliance@calstate.edu or (562) 951-4400.

POMONA

SACRAMENTO

SAN BERNARDINO

TPW/LH/tl

SAN DIEGO

Attachment

SAN FRANCISCO

c: CSU Office of the Chancellor Leadership
Provosts/Vice Presidents, Academic Affairs
Vice Presidents, Student Affairs
Vice Presidents, Business and Administration
Associate Vice Presidents, Academic and Faculty Affairs
Human Resources Officers

SAN JOSÉ

SAN LUIS OBISPO

SAN MARCOS

SONOMA

STANISLAUS

**THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
401 Golden Shore
Long Beach, California 90802-4210
(562) 951-4400**

Executive Order: 1106
Effective Date: March 16, 2017
Supersedes: Executive Order 923
Title: Reconsideration Procedures for Management Personnel Plan (MPP) Employees

This executive order is issued pursuant to Section 42728 of Title 5 of the California Code of Regulations (CCR). The reconsideration procedures prescribed herein apply only to those California State University employees who are members of the Management Personnel Plan (MPP) as defined in Title 5, Section 42720 of the CCR.

This executive order supersedes Executive Order 923 except that any prior proceeding commenced but not concluded by the effective date of this executive order may continue under Executive Order 923.

It is the policy of the California State University to encourage discussion and resolution of employee complaints. MPP employees may request reconsideration of personnel decisions that are adverse to the employee, including, but not limited to, those relating to retention, evaluation, promotion, demotion, assignment, and/or reassignment.

This executive order prescribes guidelines for development of reconsideration procedures. Presidents shall revise and republish reconsideration procedures to conform to these guidelines.

Each campus procedure shall contain at least two stages of review and shall specify that all meetings and responses shall be provided in a timely fashion. Additional stages of review may, at the discretion of the President, be included in the campus procedure. An employee may initiate a request for reconsideration by asking in writing for a meeting with the employee's immediate supervisor. In cases involving non-retention or demotion, the employee may meet with the designated campus or Chancellor's Office Human Resources (HR) department representative for Chancellor's Office employees rather than the employee's immediate supervisor. The supervisor or designated HR representative shall meet with the employee to discuss the reconsideration request. If the matter is not resolved at the meeting, the employee may notify the President or designee in writing describing the nature of the reconsideration request and the results of the first meeting. The President or designee shall meet with the employee to discuss the request. Following the meeting, the President or designee shall make a final decision concerning the request.

In the event the request for reconsideration involves the interpretation of systemwide policy or involves matters of systemwide concern, the President or designee is encouraged to seek advice and consult with appropriate Chancellor's Office staff.

Attachment A of this executive order is an example of how the minimum guidelines established herein might be articulated in a campus procedure.

Prior to implementing any new or revised reconsideration procedures, campuses shall forward the proposed procedures to the Office of General Counsel for legal review and approval. To the extent that they are consistent with the requirements under Executive Order 1106, existing campus procedures previously approved under Executive Order 923 must still be submitted for legal review and approval by the Office of General Counsel. A copy of the approved procedures shall be forwarded to the Vice Chancellor of Human Resources in the Chancellor's Office.

The term "President" and "campus" as used in this executive order shall mean "Chancellor or designee" and "Office of Chancellor" respectively, for employees in the Office of the Chancellor.

Timothy P. White, Chancellor

Dated: March 16, 2017

**Procedure Governing Requests for Reconsideration
From Management Personnel Plan (MPP) Employees**

The following procedure shall be utilized by an employee of (campus' name) who is a member of the Management Personnel Plan (MPP) at the California State University (CSU) who requests reconsideration of personnel decisions that are adverse to the employee, including those relating to retention, evaluation, promotion, demotion, assignment, reassignment and/or hours of work. It is the policy of (campus' name) to encourage discussion and seek resolution of such requests.

This procedure provides for two stages of review. The initial review consists of a meeting between the employee and the employee's immediate supervisor. In cases involving non-retention or demotion, the employee may initiate the reconsideration request with the campus Human Resources (HR) department rather than the employee's immediate supervisor. The immediate supervisor (or HR representative) and employee shall meet to discuss the matter.

Meetings and communications (including written responses) to the employee seeking reconsideration of a personnel action must be completed in a timely manner. The request for reconsideration must be initiated within [insert number of days] calendar days of the decision giving rise to the request by a written request from the employee to the employee's supervisor seeking to arrange an appointment.

If the matter is not resolved at the initial meeting, the employee may notify the President or designee in writing describing the nature of the reconsideration request and the results of the initial meeting. 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.