

I.032 Civil Service Commission Hearing (Final Administrative Review Level)

A. The complainant may file alleged discrimination complaint to the County Civil Service Commission by filing a request for a hearing with the Director of Human Resources within 30 calendar days of the date of the alleged discriminatory action, or the date the employee/applicant should have first become aware of the violation.

B. Hearing by the Civil Service Commission

1. Within thirty (30) calendar days of the receipt of the request for a hearing, the Civil Service Commission shall schedule a hearing.

2. The hearing shall be conducted in conformance with Section XIII of these rules.

3. The Civil Service Commission shall take all evidence and testimony into account prior to rendering a final disposition regarding the complaint. The Civil Service Commission shall then render a final disposition within ten (10) calendar days.

C. Hearing by a Hearing Officer

1. In the alternative, if the Civil Service Commission determines it would be appropriate, it may delegate hearing responsibilities to a hearing officer appointed by the Civil Service Commission.

2. A hearing officer selected by the Commission shall meet the following minimum qualifications:

a. Shall be approved by the American Arbitration Association for employment law matters; or

b. Shall be an attorney with at least (five) 5 years practice in the State of California with an emphasis in employment law.

3. The hearing officer will conduct a hearing in accordance with Section XIII of these rules.

4. The hearing officer shall prepare a recommended decision and forward it to the Civil Service Commission no later than thirty (30) days after the matter was taken under submission by the hearing officer. The recommended decision shall set forth whether the charges of discrimination are substantiated and the reasons therefore.

5. After receiving the recommendation of the hearing officer and reviewing the written record, the Civil Service Commission may reject or modify the recommendation of the hearing officer. The Civil Service Commission shall render a final written disposition within ten (10) calendar days after taking the recommendation under consideration.