



## Merit System Board Appeals Process

The Merit System Rules and Regulations are posted on *inSite*. This document summarizes the process of filing an appeal by non-represented career Merit System employees, but it does NOT replace or supersede the Merit System Rules and Regulations.

When submitting an Appeal to the Merit System Board, keep in mind the following:

**The Intent to Appeal must be submitted within seven (7) calendar days of receiving the decision that is being appealed.** Submissions may be sent by U.S. Mail, email, fax or hand delivery to the Merit System Board at 6611 Kenilworth Avenue, Suite 101B, Riverdale, MD 20737; [colleen.schaeffgen@mncppc.org](mailto:colleen.schaeffgen@mncppc.org); or fax: 301-454-1430. The Intent to Appeal should include the following information:

- Intent to Appeal.
- Reason for Appeal: Reclassification, Termination, Suspension, Grievance, etc.
- Date of receipt of the decision that is being appealed. **Appeals MUST BE filed and RECEIVED within seven (7) CALENDAR days of receiving the decision being appealed.**

Once the Intent to Appeal is accepted by the Merit System Board (after being reviewed for timeliness and eligibility of the appeal), a letter will be sent to the Employee's home address outlining the timeframe and required submissions for the Letter of Appeal. Employees have 14 calendar days from the date of that letter from the Merit System Board to submit a Letter of Appeal; the response deadline is specified in the letter.

The Merit System Board then sends the Commission a letter offering the opportunity to provide a response to the Letter of Appeal, with the same response time of 14 calendar days. Employees are copied on both the letter to the Commission and on the Commission's response. Once the Commission's submission is received, the Merit System Board sends the Employee a letter offering the opportunity to provide final comments within 14 calendar days. At the end of that 14 calendar day period, the entire file will then be given to the Merit System Board Members for review and decision.

In order to provide sufficient time for both the appellant and Commission management to fully present their positions for the Board's consideration, a minimum of 7 weeks is required from the time an individual files an Intent to Appeal until the Board members actually receive the entire file of appeal documents to review.

What is the anticipated timeframe for receiving a decision on an appeal? Since each case will vary based upon the complexity of the appeal, the following is only an estimate: A decision will be rendered approximately 3 to 5 months following the Intent to Appeal if no hearing is required; if a hearing is required, it will be 5 or more months following the Intent to Appeal.

Appellants should be advised that if a decision is rendered in their favor, the effective date of that decision reverts back to the date that will remedy the situation that they are appealing, not the date of the Merit System Board decision. For instance, if a reclassification appeal is granted, the appellant will receive the reclassification status and the associated back pay effective on the date that the original reclassification request would have become effective had it not been denied.

The Merit System Board office is open three days a week: Tuesday, Wednesday and Thursday until 4:00 PM. Any deviation from those days will be listed on the office voicemail message (call 301-454-1427 to hear it).

**Colleen Schaefergen**

*Operations Manager*

Merit System Board

M-NCPPC

**Phone:** 301-454-1427

**Fax:** 301-454-1430