Reset Form

CIVIL SERVICE EMPLOYEE COMPLAINT

State Form 54707 (R3 / 7-26)

Indiana State Personnel Department

EMPLOYEE INSTRUCTIONS: ***Please provide all requested information and retain a copy of this form for your records. PRINT or TYPE LEGIBLY. Information concerning the complaint process is provided on the reverse side of this form. Other procedural questions may be directed to Employee Relations Consultants in the State Personnel Department by calling 317.232.3080.***

For Office Use Only	
Complaint Number:	
Please check the appropriate box:	
	Complainant is a CLASSIFIED employee on an original working test period.
	Complainant is a CLASSIFIED employee who has completed an original working test period.
	Complainant is an UNCLASSIFIED employee.

Full Name of Employee	Agency / Facility
Home Address *(number and street, city, state, and ZIP code)*	
Contact Telephone Number	Contact Email
Employee ID Number	Classification / Position

EMPLOYEE COMPLAINT

Statement of Complaint & Remedy Sought:

	Check here if additional pages are attached.
Signature of Employee	Date submitted to Appointing Authority/designee *(mm/dd/yyyy)*

COMPLAINT PROCESS

Limitations

All complaints must be submitted, in order, to each and every step of the complaint process within the proper time periods. **Any civil service employee** may file a complaint concerning the violation of a law, rule, or policy, but must identify the law, rule, or policy that was allegedly violated and explain how the law, rule, or policy was violated in its application to the employee. A **classified employee** who has completed a working test period may file a complaint concerning a suspension, demotion, or dismissal. A complaint concerning the discipline of an **unclassified employee** is subject to the jurisdictional requirements listed below.* **Any complaint that does not conform to these requirements will be dismissed.**

STEP I - Appointing Authority

To initiate Step 1 of the complaint process, this form must be completed and submitted to the appointing authority as soon as possible after the occurrence of the act or condition complained of, and **not later than thirty (30) calendar days** after the employee became aware, or by the exercise of reasonable diligence should have been aware, of the occurrence giving rise to the complaint. An employee who does not initiate the complaint procedure within the thirty (30) day period waives the right to file that complaint. The Appointing Authority will respond not later than fifteen (15) calendar days following receipt of the complaint.

STEP II - State Personnel Department

If the employee is not satisfied with the Appointing Authority/designee's decision, s/he may submit the complaint to the State Personnel Director not later than **fifteen (15) calendar days** after receipt of the Appointing Authority/designee's response. Submit copies of the decision being challenged, the completed complaint form, and the Step I response to: State Personnel Department, 402 West Washington Street, Room W161, Indianapolis, IN 46204; ATTN: Civil Service Employee Complaint, Fax to 317.232.3089, OR email EmployeeRelations@spd.IN.gov. The Director will respond no later than thirty (30) calendar days following receipt of the complaint.

STEP III - State Employees' Appeals Commission

If the employee is not satisfied with the Director/designee's decision, s/he may submit a written appeal to the State Employees' Appeals Commission (SEAC) not later than **fifteen (15) calendar days** after receipt of the State Personnel Director/designee's response. Submit copies of the decision being challenged, the completed complaint form, as well as the Step I & Step II response to: State Employees' Appeals Commission, 100 North Senate Avenue, Room N103, Indianapolis, IN 46204 or email filing@seac.IN.gov. The SEAC shall determine whether all previous steps were completed properly and in a timely manner and whether the employee and subject of the complaint meet jurisdictional requirements.* If a procedural or jurisdictional requirement is not met, the SEAC shall dismiss the appeal.

*An unclassified employee must establish that the SEAC has subject matter jurisdiction to hear the employee's wrongful discharge complaint by claiming that a public policy exception to the employment at-will doctrine was the reason for the employee's discharge. The public policy exception protects an employee from being disciplined solely for exercising a right conferred by statute or for fulfillment of a statutory duty. The former employee has the burden of proof on this issue.