

Superseded 5/12/2015

67-19a-202 Powers -- Scope of authority.

- (1)
- (a) The office shall serve as the final administrative body to review a grievance from a career service employee and an agency of a decision regarding:
 - (i) a dismissal;
 - (ii) a demotion;
 - (iii) a suspension;
 - (iv) a reduction in force;
 - (v) a dispute concerning abandonment of position;
 - (vi) a wage grievance if an employee is not placed within the salary range of the employee's current position;
 - (vii) a violation of a rule adopted under Chapter 19, Utah State Personnel Management Act; or
 - (viii) except as provided by Subsection (1)(b)(iii), equitable administration of the following benefits:
 - (A) long-term disability insurance;
 - (B) medical insurance;
 - (C) dental insurance;
 - (D) post-retirement health insurance;
 - (E) post-retirement life insurance;
 - (F) life insurance;
 - (G) defined contribution retirement;
 - (H) defined benefit retirement; and
 - (I) a leave benefit.
 - (b) The office shall serve as the final administrative body to review a grievance by a reporting employee alleging retaliatory action.
 - (c) The office may not review or take action on:
 - (i) a personnel matter not listed in Subsection (1)(a) or (b);
 - (ii) a grievance listed in Subsection (1)(a) or (b) that alleges discrimination or retaliation related to a claim of discrimination that is a violation of a state or federal law for which review and action by the office is preempted by state or federal law; or
 - (iii) a grievance related to a claim for which an administrative review process is provided by statute and administered by:
 - (A) the Utah State Retirement Systems under Title 49, Utah State Retirement and Insurance Benefit Act;
 - (B) the Public Employees' Benefit and Insurance Program under Title 49, Chapter 20, Public Employees' Benefit and Insurance Program Act; or
 - (C) the Public Employees' Long-Term Disability Program under Title 49, Chapter 21, Public Employees' Long-Term Disability Act.
- (2) The time limits established in this chapter supersede the procedural time limits established in Title 63G, Chapter 4, Administrative Procedures Act.