

10-3-1012 Suspension or discharge by department head -- Appeal to commission -- Hearing and decision.

- (1) All persons in the classified civil service may be suspended as provided in Section 10-3-912, or removed from office or employment by the head of the department for misconduct, incompetency, failure to perform duties, or failure to observe properly the rules of the department, but subject to appeal by the suspended or discharged person to the civil service commission.
- (2) Any person suspended or discharged may, within five days from the issuance by the head of the department of the order of suspension or discharge, appeal to the civil service commission, which shall fully hear and determine the matter.
- (3) The suspended or discharged person shall be entitled to appear in person and to have counsel and a public hearing.
- (4) The finding and decision of the civil service commission upon the hearing shall be certified to the head of the department from whose order the appeal is taken, and shall be final and immediately enforced by the head.

Amended by Chapter 178, 2001 General Session