

STATE EMPLOYEES' APPEALS COMMISSION (SEAC) POLICY STATEMENT

SEAC's mission is established by the Indiana General Assembly by statute. Ind. Code §§ 4-15-1.5-1, 6. This enabling statute requires SEAC to undertake the following:

- a. Hear and investigate appeals from state employees as set forth in IC §§ 4-15-2.2-1, 42 (the "Civil Service System", effective July 1, 2011), and fairly and impartially render decisions as to the validity of the appeals or lack thereof. Hearings are conducted in accordance with the Administrative Orders and Procedures Act (AOPA);
- b. Conduct the business of the Commission under IC §§ 4-15-1.5 and the Civil Service System; and
- c. Recommend to the Director of the Indiana State Personnel Department (SPD) such changes, additions, or deletions to personnel policy which the Commission feels would be beneficial and desirable.

SEAC will fully carry out its duty to impartially and fairly hear qualified state employees' appeals under the Civil Service System. SEAC will also make recommendations to SPD as it deems appropriate. IC § 4-15-1.5-6. In addition, it is SEAC's policy goal to provide reliable, prompt and excellent service to the parties and constituents before the Commission. SEAC intends to resolve all cases brought before it within approximately twelve (12) months, depending on the complexity of the matter.

SEAC is required to be neutral and impartial in making determinations under the Civil Service System. SEAC's Members and SEAC's administrative law judges and staff do not give legal advice and will not discuss a matter outside a formal proceeding or motion with all parties or their counsel present or copied on the communication. SEAC staff may only answer basic procedural questions about the status of a case on the docket. Please do not contact SEAC for legal advice.

Parties, testifying witnesses or other persons subpoenaed or requested to bring documents to SEAC proceedings should not be subjected to any adverse employment action based on their participation or witness service in a SEAC proceeding. Should you have a concern about such retaliation, please follow the Civil Service System complaint steps under IC §§ 4-15-2.2-1, 42, and contact your agency's human resources department or SPD. Finally, SEAC encourages amicable, informal resolution or settlement of complaints before the Commission. However, SEAC only serves in a neutral, judicial role in assisting the parties to reach settlement, and does not require a party to settle a given dispute. Any party is free to exercise their right to request an evidentiary hearing under the Civil Service System, assuming the Commission has jurisdiction over the matter.

SEAC's webpage can be reached at: <http://www.in.gov/seac/>. Links to further SPD guidance and complaint forms under the Civil Service System can be found at: <http://www.in.gov/spd/2399.htm>. Complainants/parties are cautioned that there are strict timeliness deadlines to file complaints with the agency (Step I), SPD (Step II) and SEAC (Step III) under the Civil Service System. There are also subject matter restrictions in the Civil Service System on what claims SEAC may hear as determined case by case by SEAC's ALJs. Failure to follow the Civil Service System's timeliness, subject matter and other statutory requirements may result in the dismissal or default of a case. IC §§ 4-15-2.2-1 et seq., and 42, and AOPA.