



SEIU Local 1021 LEGAL ACTION APPEAL POLICY

This policy has been established to address the situation of members who wish to appeal the denial of their request for the Local to pursue legal action on their behalf, such as compelling an arbitration (previously approved by a field director) or enforcing an advisory arbitration in their favor. This policy does not include the appeal of initial arbitration (or civil service disciplinary hearing) denials, which are covered by the Arbitration Appeal Policy.

After a member is advised in writing by the field representative, field supervisor or field director that the Local has decided not to pursue further legal action on his/her behalf, s/he must complete the attached appeal form and submit it to the Local's Budget and Finance Committee (BFC) within ten (10) business days. The appeal form must be postmarked no later than ten (10) business days after the date on the written notice of denial. Time limits contained in this policy are strictly enforced.

The BFC will notify the appellant as to the date and time the appeal will be heard. The appellant may attend the BFC meeting in person, and may bring another SEIU Local 1021 member with him/her to the hearing as his/her representative. Transportation and other costs inherent in attending shall be borne by the appellant.

An attorney from the Local's law firm will participate in the BFC meeting where the appeal is heard in order to advise the BFC of the legal implications of the matter, including potential costs of pursuing the case, likelihood of prevailing, and other factors that weigh in favor of or against the Local's undertaking legal action on behalf of the appellant. The decision in accordance with the BFC spending authority limits is final.



LEGAL ACTION APPEAL FORM

DATE Decision Provided: _____

You are choosing to appeal the Local's decision not to pursue legal action (other than an Arbitration or Civil Service Disciplinary Hearing) on your behalf.

You must mail this form to the address indicated below. Retain a copy for your records.

All appeals must be submitted within (postmarked no later than) ten (10) business days of the date above.

NAME: _____

HOME ADDRESS: _____

CITY: _____ ZIP CODE: _____

HOME PHONE: (____) _____ WORK PHONE: (____) _____

PERSONAL EMAIL ADDRESS: _____

EMPLOYER: _____

LEGAL ACTION (name/issue): _____

I wish to appeal the decision in the above-designated case for the following reason(s):

Appeals should be sent to the Budget & Finance Committee, SEIU Local 1021, 100 Oak St., Oakland, CA 94607.

Be sure to read the Legal Action Appeal Policy.