**YHY Accounting Firm Performance Management Appeals Process**

**General Provisions**Under YHY policy neither party in the Appeals Process may be represented by an attorney. Company policy provides that the Human Resources President’s decision on an appeal is final and cannot be appealed further.

The Appeals Process has jurisdiction over the following issues only:

* the overall evaluation received as part of the Annual Review
* the rating on one or more principal functions
* the explanatory remarks included in the evaluation

Depending on the actions taken by managers regarding salary increases related to the performance evaluation process, the following issues also may be appealed:

* failure to receive a performance increase and/or performance bonus when eligible
* the amount of the increase or bonus received

An employee is limited to two appeals per annum, regardless of the number of issues involved. The employee should describe the complete remedy desired should the appeal be decided in his/her favor. For example, an employee who appeals the overall evaluation should specify the overall evaluation requested. If such an overall evaluation would result in eligibility for a performance increase, an increased percentage should be stated as part of the remedy requested in the appeal.

By request (and with management approval) an employee may be granted a maximum of 2work days (16 hours) off from regular duties for processing an appeal under this Appeals Process without any loss of pay and without charge to leave.

**Performance Management Review Board**The Human Resources President appoints the Chair of the Performance Management Review Board (Board Chair) and the other members of the Review Board. When a Level B appeal is received, the Board Chair selects a three-member Panel and appoints a Panel Leader. The Board Chair notifies the employee of the name, job title, and department of each proposed Panel member. In order to avoid bias (panel members who has dislike bias towards the employee), the employee has the right to disqualify up to two proposed members by notifying the Board Chair before the date stated in the letter of notification.

Each panel will have one member with supervisory responsibility and two members with no supervisory responsibility. No member of the Panel will be from the employee's own department, and members of the Panel have to be selected from three different departments to avoid any bias;ideally, no member of the Panel knows each other. Any member may be designated as Panel Leader. The Panel determines what information is needed. The involved parties must provide the information requested by the Panel.

The Panel Leader notifies the employee and the department head in writing of the hearing date and location. Every effort must be made to arrange for a timely hearing. The Level B hearing is confidential. It is not open to the media or other persons whose attendance is not approved in advance by the Panel Leader. The employee, the department head, and supervisors involved in the performance review are allowed to appear in person at the hearing.  However, any party may elect not to appear and to have the Panel's Level B recommendation based only on documentation presented to the Panel. The chair must receive advance notification if anyone other than the employee and department head are to provide information to the Review Board. The employee and management do not need to request approval in advance for witnesses to address the Panel.Any witnesses may appear at the hearing as long as they are proven to be related to the appeal directly or indirectly, and must be addressed the participation in the notification in the advance notification period. The chair and the Panel may reject any witnesses during the advance notification period together and only together; any point after advance notification period cannot add or reject witnesses. Therefore, it is important to address the importance of certain witnesses to the chair in the advance notification period.

After the hearing, the Panel decides whether additional information is needed. Any information requested and received after the hearing is shared with the employee and the department head. After considering all of the information presented, the Panel makes its recommendation by majority vote anonymously and submits its written recommendation anonymously through the Board Chair to the Human Resources President. The Human Resources President either accepts, modifies, or rejects the Panel's recommendation and issues the company decision within 10working days of receiving the Panel recommendation. If the Human Resources President rejects the Panel recommendation, the written decision will state the reason(s) for rejection.  The Human Resources President sends the written decision to the employee.

\*This appeals process is sampled from Aguinis’s Performance Management, Chapter 7, Box 1.