

(2) THE TIME LIMITS IN PARAGRAPH (1) OF THIS SUBSECTION DO NOT APPLY TO A CLASSIFIED EMPLOYEE WHOSE DUTIES INCLUDE MANDATORY APPEARANCES BEFORE A COURT, REGULATORY UNIT, OR ADMINISTRATIVE BODY, IF THE LIMITS:

(I) WOULD CONFLICT WITH A SCHEDULED APPEARANCE OF THE EMPLOYEE BEFORE A COURT, REGULATORY UNIT, OR ADMINISTRATIVE BODY; AND

(II) WOULD THEREBY HAMPER THE EFFECTIVE ADMINISTRATION OF THE UNIVERSITY'S BUSINESS.

(D) (1) THE VICE PRESIDENT OR PROGRAM DIRECTOR MAY AUTHORIZE A DESIGNEE TO RECEIVE APPEALS UNDER THIS SUBSECTION.

(2) A SUSPENDED CLASSIFIED EMPLOYEE OR A REPRESENTATIVE OF THE EMPLOYEE MAY SUBMIT A WRITTEN APPEAL OF A DISCIPLINARY SUSPENSION:

(I) WITHIN 3 WORKDAYS AFTER RECEIPT OF A NOTICE OF SUSPENSION, TO THE VICE PRESIDENT OR PROGRAM DIRECTOR; OR

(II) WITHIN 5 WORKDAYS AFTER RECEIPT OF A NOTICE OF SUSPENSION, TO THE PRESIDENT, IN ACCORDANCE WITH PROCEDURES ESTABLISHED IN POLICIES ADOPTED BY THE BOARD OF REGENTS.

(E) (1) THE VICE PRESIDENT OR PROGRAM DIRECTOR MAY AUTHORIZE A DESIGNEE TO HEAR APPEALS UNDER THIS SUBSECTION.

(2) IF AN APPEAL IS MADE TO THE VICE PRESIDENT OR PROGRAM DIRECTOR, THE VICE PRESIDENT OR PROGRAM DIRECTOR SHALL:

(I) HOLD A HEARING WITHIN 3 WORKDAYS AFTER RECEIVING THE APPEAL; AND

(II) ISSUE A WRITTEN DECISION WITHIN THE TIME ESTABLISHED IN POLICIES ADOPTED BY THE BOARD OF REGENTS.

(3) IF, AS A RESULT OF MANAGEMENT DELAY, THE APPEAL IS NOT HEARD AND DECIDED WITHIN THE TIMES REQUIRED BY THIS SUBSECTION, THE VICE PRESIDENT OR PROGRAM DIRECTOR SHALL REINSTATE THE SUSPENDED CLASSIFIED EMPLOYEE WITH FULL BACK PAY.

(4) IF A CLASSIFIED EMPLOYEE APPEALS UNDER THIS SUBSECTION, THE EMPLOYEE MAY NOT FURTHER APPEAL THE SUSPENSION EXCEPT IN ACCORDANCE WITH STEP THREE OF THE GRIEVANCE PROCEDURES UNDER § 14-1B-06 OF THIS TITLE.

(F) (1) IF AN APPEAL IS MADE TO THE PRESIDENT, THE PRESIDENT SHALL ISSUE A PROPOSED WRITTEN DECISION FOR APPROVAL BY THE SECRETARY OF PERSONNEL WITHIN 45 DAYS AFTER THE LATER OF:

(I) THE CONCLUSION OF THE HEARING; AND