### biglogoCOLORADO DEPARTMENT OF TRANSPORTATION

**PERFORMANCE MANAGEMENT PROGRAM DISPUTE RESOLUTION FORM**

Instructions: This form is to be completed by a CDOT employee disputing a performance management program event. This form is not required for a Step 1 internal CDOT dispute but must be used for a Step 2 written internal CDOT dispute. This form may be used for a Step 3 written external dispute to the State Personnel Director. You may also consult a CDOT civil rights specialist if you believe you have been discriminated against in violation of the Civil Rights Act.

# Employee Information

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| --- | --- | --- | --- |
| Employee’s Name |  | Personnel Number |  |
| Mailing Address |  | | |
| Organizational Unit |  | Work Telephone | (   )     - |
| Supervisor’s Name |  | Supervisor’s Pers. No. |  |

# Dispute Information

Reason for the Dispute: (Check all that apply. A performance management program dispute must be based on one or more of the following reasons.)

|  |  |
| --- | --- |
|  | My performance plan or lack of plan. (Attach a copy of the Performance Management Program Form, if available.) |
|  | My final performance rating. (Attach a copy of the Performance Management Program Form containing the rating.) |
|  | The application of CDOT’s performance management program, policies, or processes to my individual plan and/or evaluation. (Attach a copy of the Performance Management Program Form.) |

Briefly Summarize the Reason(s) for this Dispute (attach extra pages if needed):

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Describe the Desired Solution (attach extra pages if needed):

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# Step 1. Informal CDOT Dispute

# Review by Immediate Supervisor

Step 1 disputes are handled informally between the employee and supervisor.

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| --- | --- |
| Name of Supervisor Handling the Dispute |  |
| Supervisor’s Personnel Number |  |
| Telephone Number | (   )     - |
| Date Event Being Disputed Took Place |  |
| Date Employee Notified Supervisor of Dispute1 |  |
| Date Employee and Supervisor Met to Discuss Dispute |  |
| Date Supervisor Provided Employee with Written Decision2 |  |

*1 Employee must notify (or make a reasonable attempt to notify) the supervisor within five (5) working days of the date of the event being disputed. Employee must clearly state that a Step 1 dispute has been initiated.*

*2 Supervisor must provide the employee with a written decision within five (5) working days of being notified of the dispute or the employee may advance the dispute to Step 2.*

# Step 2. Formal Written CDOT Dispute

# Review by the Reviewer

Step 2 formal written disputes involve only those issues disputed in Step 1. Employee must provide a copy of this form to the Reviewer.

Reason for Advancing the Dispute to Step 2: (Check one)

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| --- | --- |
|  | Supervisor’s decision was unacceptable. (Attach a copy of the supervisor’s written decision.) |
|  | Supervisor failed to provide a written decision within five (5) working days. |

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| --- | --- |
| Name of Reviewer3 Handling the Dispute |  |
| Telephone Number | (   )     - |
| Date Employee Provided Written Dispute to Reviewer4 |  |
| Date Reviewer Provided Employee with Written Decision5 |  |

*3 Unless otherwise notified by the appointing authority, a “reviewer” is the disputing employee’s 2nd level supervisor (the supervisor of the supervisor handling the Step 1 dispute).*

*4 Employee must submit a written dispute to the reviewer within five (5) working days of receiving an unacceptable written response or lack of a written response from the supervisor handling the Step 1 dispute.*

*5 Reviewer must provide the employee with a written decision within five (5) working days of being provided a written dispute or the employee may advance the dispute to Step 3.*

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| --- | --- |
| Employee Signature | Date |

Decisions from CDOT’s internal dispute stage are final and no further recourse is available from the Department. Employees dissatisfied with the decision may proceed to the external dispute stage administered by the State Personnel Director.

Note to Reviewer: Step 2 (formal written CDOT) disputes must be recorded in SAP Grievances.

**Step 3: External Dispute**

# Request for Review by the State Personnel Director

Disputes advanced to the State Personnel Director may involve only those issues disputed during Step 1 of CDOT’s internal dispute process and must be based on the application of CDOT’s performance management program, policies, or processes to my individual performance plan and/or evaluation.

Reason for Advancing the Dispute to the State Personnel Board: (Check one.)

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| --- | --- |
|  | Reviewer’s decision was unacceptable. (Attach a copy of the supervisor’s written decision.) |
|  | Reviewer failed to provide a written decision within five (5) working days. |

Requests for external reviews must be filed within five (5) working days from the date of CDOT’s final decision (completion of the Step 2 internal dispute process). Requests must be filed with:

Attn: Performance Management Dispute

State Personnel Board

633 17th St. Suite 1370

Denver, CO 80202-3604Phone 303-866-2323

FAX 303-866-5038

[Understanding the External Dispute Resolution Process](http://www.dot.state.co.us/CHRMEmpCorner/documents/PerfPay/DPA_External_Dispute_Resolution_Process.pdf)

Requests for external reviews must include:

* Copy of the original dispute documents (e.g., this form with supporting documents);
* Copy of CDOT’s final written decision (or notice that CDOT failed to provide a written decision); and
* Explanation how CDOT’s final decision did not follow CDOT’s performance management program, policies, or processes to the employee’s plan or evaluation. Include a copy of the section of CDOT’s implementation plan that has not been followed.

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| --- | --- |
| Employee Signature | Date |

Note to Reviewer: Step 3 (external) disputes must be recorded in SAP PA30 Grievances.