

Instructions for Use of Personnel Appeal Complaint Form
Before the Missouri Administrative Hearing Commission
Under §§ [36.390.2](#) and [621.075](#) RSMo

Under § [36.390.2](#) RSMo, any regular employee defined in § [36.020\(16\)](#) RSMo, as a person employed in a position described under § [36.030.1\(2\)](#) RSMo, who is dismissed or involuntarily demoted for cause, or suspended for more than five working days, may appeal to this Commission within 30 days of the effective date of the discipline, if the employee claims that the dismissal, suspension, or demotion was for political, religious, or racial reasons, or not for the good of the service. Certain employment actions may also be appealed to this Commission if the employee claims the employment action violated § [105.055](#) RSMo, known as the “whistleblower law.”

Sections [36.390.2](#) and [621.075](#) RSMo provide only regular employees the right to appeal some types of employment decisions. Section [105.055](#) RSMo allows any public employee, as defined by that statute, to bring a whistleblower claim. You, as the employee, should review these statutes pertaining to this action, your rights and attainable remedies. This Commission is a quasi-judicial body that uses many of the same rules that courts do in the adjudication of cases. You may find many of the Commission’s procedures and rules codified in Chapters 536 and 621 of the Revised Statutes of Missouri, and [1 CSR 15-3.200 through 1 CSR 15-3.580](#) of the Code of State Regulations.

You may hire an attorney. The State will be represented by an attorney trained to use the procedures and rules described above, and neither the State’s attorney nor this Commission can offer you legal advice. There are many ways to locate an attorney, and some attorney referral services may be reached at the following websites:

Missouri Bar Association: <http://www.mobar.org>

Kansas City Metropolitan Bar Association: <https://www.kcmba.org>

The Bar Association of Metropolitan St. Louis: www.bamsl.org

In completing this Complaint for personnel appeals, please note the following instructions.

1. The complaint must be filed within 30 days of the effective date of the discipline against you. If you do not file your complaint in time, your case must be dismissed.

2. For how to file documents with this Commission, see [1 CSR 15-3.290](#).

Our mailing address:

Administrative Hearing Commission
P.O. Box 1557
Jefferson City, MO 65102-1557

Our fax number:

573-751-5018

For additional information, please consult our website: ahc.mo.gov

3. Attach a copy of the Appointing Authority's letter that is the subject of this appeal.

4. Use your complete legal name in completing the complaint form and provide the best contact information you have.

5. Notify this Commission of any changes to your address or contact information.

6. Tell this Commission if you have an attorney or intend to hire one. You may file your complaint without an attorney and hire one at a later date if you so choose.

7. Mark all appropriate boxes on the complaint form and provide explanations and details as requested.

This Commission can be reached by e-mail at AHC@oa.mo.gov and by phone at 573-751-2422 regarding the complaint form. The Commission cannot provide you legal advice.