

Draft Revision of Civil Service Rules
Rule 8-1: Grievances
Rule 8-2: Appeals of Grievance Decisions

Revision A — April 19, 2005

[Added text is double underlined. Deleted text is ~~struck-through~~]

1 8-1 Grievances

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3 8-1.3 Types of Grievances

4 **(a) Types of grievances permitted.** A grievance must allege that the employee is aggrieved
5 by one or more of the following actions of the appointing authority:

6 **(1)** Discrimination prohibited by rule 1-8 [Prohibited Discrimination

7 **(2)** Reprisal prohibited by rule 2-10 [Whistleblower Protection].

8 **(3)** Discipline without just cause.

9 **(4)** Written counseling issued without just cause.

10 **(5)** The abolition or creation of a position for reasons other than administrative
11 efficiency.

12 **(6)** An arbitrary and capricious lateral job change resulting in substantial harm.

13 ~~**(7)** Denial of compensation or supplemental military pay to which the grievant is~~
14 ~~entitled under the civil service rules and regulations.~~

15 ~~**(8)** The actual or anticipated failure or refusal to comply with Rule 2-14 [Rights of~~
16 ~~Employees Absent Due to Service in the Uniformed Services] or applicable regulations.~~

17 ~~**(79)** Retaliation for the employee's good faith exercise of grievance or technical~~
18 ~~complaint rights provided in the civil service rules or regulations.~~

19 **(810)** An action that substantially harmed the employee and violated (1) article 11,
20 section 5 of the Michigan constitution, (2) a civil service rule or regulation, (3) a
21 departmental work rule, or (4) an enforceable written grievance settlement permitted
22 by the civil service rules or regulations.

1 **(911)** Any other action for which the civil service rules or regulations specifically
2 permit a grievance to be filed.

3 **(b) Limitation on grievances. . . .**

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5 **8-2 Appeals of Grievance Decisions**

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7 **8-2.2 Limitation on Grievance Appeals**

8 A grievant is not authorized to file a grievance appeal unless the grievance alleges one or
9 more of the following:

10 **(a)** A tangible adverse employment action resulting from discrimination prohibited in
11 rule 1-8 [Prohibited Discrimination].

12 **(b)** A tangible adverse employment action resulting from reprisal prohibited by rule 2-10
13 [Whistleblower Protection].

14 **(c)** One or more of the following types of discipline imposed without just cause:

15 **(1)** Dismissal.

16 **(2)** Demotion.

17 **(3)** Suspension.

18 **(4)** Reduction in pay.

19 **(5)** Disciplinary lateral job change.

20 **(6)** Interim rating or *unsatisfactory* follow-up rating, as provided in rule 2-3.4(d) [Interim
21 and Follow-up Ratings] and rule 3-6.5 [Grievance of Probationary Rating or Discipline].

22 **(d)** A tangible adverse employment action caused by the abolition or creation of a position.

23 **(e)** An arbitrary and capricious lateral job change resulting in substantial harm.

24 **(f)** Denial of compensation or supplemental military pay to which the grievant ~~was~~-is
25 entitled under the civil service rules and regulations.

26 **(g)** A tangible adverse employment action has occurred or will occur as the result of the
27 actual or anticipated failure or refusal of the appointing authority to comply with
28 Rule 2-14 [Rights of Employees Absent Due to Service in the Uniformed Services] or applicable
29 regulations.

1 | **(gh)** A tangible adverse employment action taken in retaliation for the employee's good faith
2 | exercise of grievance or technical complaint rights provided in the civil service rules or
3 | regulations.

4 | **(hj)** An action that substantially harmed the employee and violated (1) article 11, section 5 of
5 | the Michigan constitution, (2) a civil service rule or regulation, (3) a departmental work
6 | rule, or (4) an enforceable written grievance settlement permitted by the civil service
7 | rules or regulations.

8 | **(ij)** Any other action for which the civil service rules or regulations specifically permit a
9 | grievance appeal to be filed.

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