

**MICHIGAN EMPLOYMENT RELATIONS COMMISSION
POLICY ON FILING VIA FACSIMILE TRANSMISSION**

Introduction

The Michigan Employment Relations Commission (MERC) will accept the filing of the following documents of eleven (11) or fewer pages (inclusive of the cover page) via facsimile transmission.

Documents Accepted Via Facsimile Transmission

The following documents of eleven (11) or fewer pages (inclusive of the cover page) will be accepted by the Commission if transmitted to the facsimile machines of the Bureau of Employment Relations during normal business hours:

Labor Relations Division

Unfair labor practice charges
Hearing adjournment requests
Standard scheduling/withdrawal correspondence
Requests for extensions of time for filing
Briefs of 10 pages or less submitted to an ALJ

Elections Division

Consent to election forms
Employer's lists of employees to determine showing of interest
Excelsior lists
Objections to elections

Mediation Division

Notices to mediation agencies
Requests for grievance mediation
Responses to requests for mediation information

Arbitration and/or Fact Finding

Responses to panel lists
Petitions for Fact Finding
Petitions for Act 312 Arbitration

Facsimile transmissions in contravention of this rule will not be considered filed.

Original and Required Copies

If the statute and/or rules require that an original and/or copies of a document be filed, the person submitting the document by facsimile must file the original and required copies with the Commission at the office to which the facsimile was transmitted. The filing is considered complete on the date the facsimile is received, provided that the original and the remaining copies along with a proof of service, if required, are filed within five (5) business days.

If the statute and/or rules do not require the filing of an original and/or copies of a document (e.g., letters requesting adjournments or extensions of time), the facsimile is sufficient and additional copies should not be filed.

Burden on Filer

A failure to timely file or serve a document will not be excused on the basis of a claim that transmission could not be accomplished because the receiving machine was offline, busy, or unavailable. The Commission recommends that parties telephone the receiving office to confirm receipt.

Service of Documents Filed Via Facsimile Transmission

Documents filed via facsimile transmission shall be served on all parties by facsimile or by hand delivery, which must occur on that same day.

Authority

This policy is adopted in accordance with 423.181 of the Michigan Employment Relations Commission General Rules. It may be rescinded or modified at any time with appropriate notice.

Adopted: May 18, 2007