

**State of Michigan  
CIVIL SERVICE COMMISSION  
Public Meeting  
December 10, 2008**

Present: Sherry McMillan, Interim Chair  
Andrew P. Abood, Commissioner  
Kelly G. Keenan, Commissioner  
Thomas M. Wardrop, Commissioner  
Janet McClelland, Acting State Personnel Director

**1. CALL TO ORDER**

The meeting of the Civil Service Commission was opened by Acting State Personnel Director, Janet McClelland at 10:00 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

**a. Election of Chair**

Acting State Personnel Director, Janet McClelland, requested the election of a Chair due to the resignation of former Chair, Bryan Waldman. Commissioner Kelly Keenan moved to elect Sherry McMillan as Interim Chair of the Civil Service Commission. Commissioner Andrew Abood seconded the motion and the motion passed.

**b. Approval of Minutes**

Chair Sherry McMillan requested a motion to approve the minutes of the September 24, 2008 meeting. On motion duly made and supported, the Commission approved the minutes of the September 24, 2008, meeting.

**c. Commissioner Tribute**

On motion duly made and supported, the Commission adopted the Tribute to former Civil Service Commission Chair Bryan Waldman.

**d. Retirement Resolutions**

On motion duly made and supported, the Commission adopted the following retirement Resolutions:

LuAnn Cannell  
Robert Kaczorowski  
Susan Niles  
Jeff Simbob

## 2. AMENDMENTS TO AGENDA

Commissioner Kelly Keenan moved to approve amendment Item 5e – Letter of Understanding between the Office of the State Employer and the Michigan Corrections Organization. Commissioner Thomas [Mac] Wardrop seconded and the motion passed.

## 3. INFORMATIONAL REPORTS

- a. **Director's Report:** The Commission received the following report from Acting State Personnel Director, Janet McClelland:

### **Unclassified Position Report**

Since the last report, the following approvals were processed:

#### Department of Attorney General

A request dated November 24, 2008, for two positions to serve as a Senior Advisor and a Director of Constituent Relations. Concurrently, the position of Director of External Affairs will be abolished. The request was approved effective December 8, 2008 for the Director of Constituent Relations position and December 15, 2008 for the Senior Advisor.

#### Department of Corrections

A request dated November 6, 2008, to serve as the Administrator of the Office of Offender Re-Entry. Concurrently, the Deputy Director of Field Operations Administrator position was abolished. The request was approved effective November 13, 2008.

#### Department of Environmental Quality

A request dated November 26, 2008, to serve as the Legislative Director. Concurrently, the Assistant Energy & Environmental Policy Advisor position was abolished. The request was approved effective November 16, 2008.

### **Regulations**

Civil Service Commission Rules require that the State Personnel Director report to the Commission on the promulgation of regulations, which are issued to further implement Commission rules.

#### Regulation 8.07, Technical Military Benefit Complaints (Effective November 16, 2008)

This regulation clarifies the scope of civil service staff decisions subject to its exclusive complaint procedure. Civil service staff determinations, as to the proper calculation of military service credit hours for service hours before joining the classified service was inadvertently omitted from the listing of technical decisions from which a technical complaint could be filed.

#### **4. NEW BUSINESS**

##### **a. Civil Service Commission Financial Reports**

- 1. Certification of Payroll – FY 2008**
- 2. Budget – FY 2009**

Ms. Carol Vargovich, Director, Budget & Financial Services Division, summarized the financial activity for the Civil Service Commission, which included a summary of FY '08, certification of payroll of the classified state service, and the proposed budget for FY '09. Ms. Vargovich requested Commission approval of the following two resolutions:

##### **1. Certification of Payroll – Fiscal Year 2008 – Resolution 08-06**

The Civil Service Commission, in fulfillment of the constitutional requirement to certify the aggregate payroll of the classified service for the preceding fiscal year, certified a payroll of \$4,726,287,730, as recorded in the state's Michigan Administrative Information Network as of November 24, 2008, for the fiscal period October 1, 2007 to September 30, 2008.

##### **2. Budget Resolution – Fiscal Year 2008-2009 – Resolution 08-07**

Consistent with the Civil Service Commission's constitutional authority, and recognizing the funding requirements for employee economics and CSS&M reductions, the Civil Service Commission increased the previously approved FY 08-09 budget for the Civil Service Commission by \$58,600.

On motion duly made and supported, the Commission approved Resolutions 08-06 and 08-07.

##### **b. Coordinated Compensation Panel Recommendations – Fiscal Year 2010**

Mr. Matthew Fedorchuk, Director, Compensation Division, presented the recommendations contained in the proposed Coordinated Compensation Proposal (CCP) for FY '10 that was developed by the members of the Employment Relations Board, serving as the CCP under Civil Service Rule 5-1.3.

The Panel recommended Commission approval of the following for FY '10:

- A one percent across-the-board pay increase effective October 1, 2009.
- A special two percent per hour wage increase for Financial Institutions Examiners 9-12, Financial Institutions Specialists 13-15 and Financial Institutions Managers 13-15, effective October 1, 2009.
- An increase of the maximum annual award from \$3,600 to \$6,000 for the Lottery Sales Incentive Program, effective October 1, 2009.
- Renewal of the Professional Development Fund for MSC employees at \$150,000, and renewal of the Professional Development Fund for B & A unit employees at \$50,000.

The Panel recommended denial of the following:

- A special base wage increase for State Police Lieutenants 14 and 15, as recommended by Michigan State Police Command Officers Association.

The Panel also proposed to the Commission to direct staff, along with representatives from the Office of State Employer and the Department of Labor and Economic Growth, to conduct an in-depth study of the Financial Institutions Examiner/Specialist/Manager class series. The study should be completed by July 1, 2009, and results presented to the Panel prior to the 2009 CCP proceedings for FY '11.

On a motion duly made and supported, the Commission approved the CCP recommendations.

**c. Unclassified Pay Recommendations – Fiscal Year 2010**

Mr. Fedorchuk presented staff's proposal for the annual unclassified pay recommendation required under Article XI, Section 5 of the Michigan Constitution.

A survey of department director salaries in large states was conducted by staff, and information on Michigan county official and university president salaries was compiled. The salary levels of Michigan elected officials and classified deputy department directors was also reported.

Based on a review of the data, staff requested Commission approval and transmission of the following recommendations to the Governor and the Legislature for FY '10.

- One percent merit salary increase, effective October 1, 2009.

On motion duly made and supported, the Commission approved the unclassified pay recommendations for FY '10.

**D. Impasse Panel Recommendation (UAW & MDOT)**

Assistant General Counsel John Gnodtke addressed the Commission regarding the Impasse hearing held by members of the Employment Relations Board and the Michigan Department of Transportation (MDOT) and the United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) where agreement on two issues – worksite and work location definitions, could not be reached. The Panel recommended accepting MDOT's proposals which continued current language.

Mr. Gary Peterson, representative for the UAW, addressed the Commission in opposition of the Panel's decision. He indicated due to the way MDOT is now doing business, that broader work sites and locations are no longer appropriate, and that the proposed definition of work location is consistent with the primary agreement's definition and that the current language conflicts with it. The UAW also believes that the region-based definition of work site is similarly inappropriate.

Commissioner Kelly Keenan requested to table the vote regarding the Impasse Panel's recommendation to allow for further review of the language provided in the primary and secondary agreements.

Commissioner Abood motioned to table the Impasse Panel Recommendation, Resolution 08-08 until the next meeting. The motion was seconded by Commissioner Wardrop and the motion passed.

**e. Letter of Understanding between OSE & MCO regarding reorganization and transfer of bargaining unit work from Camp Valley to Huron Valley Women's Correctional facility.**

General Counsel D. Daniel McClellan addressed the Commission regarding the Letter of Understanding which establishes shift preference and regular day off schedules for bargaining unit members affected by the reorganization and transfer of work from Camp Valley to Huron Valley Women's Correction Facility.

On a motion duly made and supported, the Commission approved the Letter of Understanding between OSE & MCO.

## **6. PUBLIC COMMENT**

John Strachan, Michigan Association of Government Employees (MAGE), addressed the Commission to again reiterate MAGE's position with respect to allowing Civil Service Commission and Office of State Employer employees the opportunity to belong to a Limited Recognition Organization (LRO).

Mr. Strachan also expressed MAGE's continued concern regarding over-time pay for Department of Correction's supervisors, specifically at the Standish Correctional Facility where supervisors are required to work 12 hour daily shifts and are not compensated for over-time if 80 hours of work is not completed in a pay period. Mr. Strachan asked the Commission to review the rule that defines security personnel, as MAGE believes supervisors should be included in the definition.

Mr. Melvin Farmer, Association of State Employees in Management (ASEM) also addressed the Commission in support of Mr. Strachan's position with respect to allowing Civil Service Commission and Office of State Employer employees the opportunity to belong to a LRO.

## **7. COMMISSION APPEALS**

In a closed session conference call on October 22, 2008, the Commission considered 8 recommended decisions of the Employment Relations Board (ERB). In a closed session meeting on December 10, 2008, the Commission considered 15 ERB recommendations. Copies of the review sheets indicating the Commission's actions on these decisions are on file with the Civil Service Commission.

## **ADJOURNMENT**

There being no further items for Commission approval or public comments to be heard, Chair McMillan adjourned the meeting at 10:50 a.m.

## **NOTE**

Copies of any written statements, reports, or staff proposals which were presented to the Commission may be obtained by contacting the Civil Service Commission, Executive Office, Capitol Commons Center, 400 S. Pine Street, P.O. Box 30002, Lansing, Michigan, 48909, or by telephone at 517-373-3020.

I, Janet McClelland, Acting State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission meeting of December 10, 2008.

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Acting State Personnel Director