

REGULATION

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Authority: Regulations are issued by the State Personnel Director under authority granted in the Michigan Constitution and the Michigan Civil Service Commission Rules. Regulations are subordinate to the Commission Rules.			
Subject: LIMITED-RECOGNITION ORGANIZATIONS			

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1. PURPOSE

This regulation (1) provides procedures for the recognition of limited-recognition organizations (LROs) and (2) lists the rights afforded to LROs.

2. CIVIL SERVICE COMMISSION RULE REFERENCE

Note: This Section 2 reprints only selected Commission Rules for quick reference by the reader. Additional Rules (that are not reprinted below) may apply. The complete, current version of the Rules can be found at www.michigan.gov/mdcs.

Rule 6-2 Employee-Employer Relations System

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6-2.2 Limited-Recognition Organizations Authorized

The civil service commission authorizes classified employees in nonexclusively represented positions to designate limited-recognition organizations to meet and confer with the employer over rates of compensation and other conditions of employment and to represent members in civil service grievance proceedings. The employer, employees, and the limited-recognition organizations shall have the rights and obligations provided in the civil service rules and regulations.

Rule 6-3 Commission Authority

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6-3.10 Union Leave

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(b) Nonexclusively represented employees. *An appointing authority may approve union leave for a nonexclusively represented employee only to the extent authorized in the civil service rules and regulations.*

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Rule 6-8 Recognition Rights for Labor Organizations

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6-8.3 Limited-Recognition Organizations

Employees in excluded positions are not eligible for exclusive recognition but may join and be represented by limited-recognition organizations, unless otherwise prohibited by this rule. Employees in eligible positions in units that have not yet elected an exclusive representative may join and be represented by limited-recognition organizations. However, a limited-recognition organization shall not represent nor seek to represent an employee in an eligible position after an exclusive representative has been certified in the employee's unit.

(a) Limited-recognition status and payroll deduction of dues. *The state personnel director shall recognize as a limited-recognition organization an organization that registers with the director and provides (1) a copy of its constitution, bylaws, or other governing documents; (2) the names and addresses of its officers; (3) proof of registration as a nonprofit corporation in the state of Michigan; and (4) proof of membership of 50 or more excluded employees. Proof of membership must be in the form of signed membership application forms. Upon submission to the office of the state employer of 50 or more appropriate dues deduction cards, such an organization has the privilege of payroll deduction of dues for members who are excluded. An employee cannot have the privilege of payroll deduction of dues to more than one organization.*

(b) Limited-recognition rights. *An organization granted limited recognition under this rule also has the following rights:*

(1) *The right to express the interests of its members.*

(2) *The right to represent its members in civil service grievance hearings and technical appeals, when requested by the member.*

- (3) *The right to be heard by the employer, the employment relations board, and the civil service commission.*
- (4) *The right to union leave for union activities as may be provided in the regulations.*

3. **STANDARDS**

A. **Recognition.**

The State Personnel Director shall recognize an organization as an LRO if the organization provides the director with the following:

1. A copy of its constitution, bylaws, or other governing documents.
2. The names and addresses of its officers.
3. Proof of registration as a nonprofit corporation in the state of Michigan.
4. Membership application forms, signed within the last year, that demonstrate proof of membership of 50 or more nonexclusively represented employees.

B. **Derecognition.**

By April 1 of each year, each recognized LRO shall provide the director with a certification of the names and I.D. numbers of at least 50 excluded-employee members. Payroll deduction records may serve as proof of membership. The LRO must also submit an updated copy of its constitution, bylaws, or other governing documents, the names and addresses of its officers, and proof of registration as a nonprofit corporation in the State of Michigan, for each item that has changed since the most recent filing with the director. If the LRO does not demonstrate continuing membership of 50 or more members on or before April 1, the director shall give notice to the LRO of its derecognition. A derecognized organization cannot exercise rights reserved to LROs in the Civil Service rules and regulations.

C. **Rights.**

1. **Dispute Representation.** LROs may represent members in grievances, technical appeals, and unfair labor practices, when requested by the member.
2. **Interest Representation.** LROs may represent the interests of members at meetings with the Office of the State Employer, appointing authorities, Civil Service staff, Coordinated Compensation Panel, or the Civil Service Commission. Appointing authorities have discretion to grant administrative leave for such activities based on operational needs. The State Personnel Director may grant administrative leave to members of an LRO for a meeting with Civil Service staff, after giving notice to affected appointing authorities.
3. **Dues Deduction.** LROs may obtain dues deduction, as allowed in regulation 6.03 [Dues and Fees Deduction].
4. **Reinstatement of Annual Leave.** LRO officers and other employees designated in writing by the LRO may reinstate up to 10 days of credits used on internal organizational affairs in the previous 12 months by cash payment,

in accordance with Department of Management and Budget Administrative Manual Procedure 1210.16, Reinstatement of Annual Leave.

5. **Administrative Leave Request.** An LRO may annually petition the State Personnel Director for administrative leave for representatives' necessary absence from work to attend an annual meeting of the members of the LRO. The director may approve up to 200 hours per 1,000 members on payroll deduction in the most recent reliable membership count readily available to the director when the request is received. The request to the director must be made at least 60 days in advance.
6. **Leave To Accept Organization Position.** A classified employee who accepts employment with an LRO is not entitled to administrative leave, but is entitled to an unpaid formal leave of absence for the period of employment. However, after three years the vacated position may be filled by permanent appointment. Upon request for restoration to duty, the employee's name is placed on appropriate recall lists.

D. Limitations.

Except where specifically required by the Civil Service rules or regulations, any administrative leave for LRO activities must be authorized by the appointing authority. LRO expenses, including travel expenses, and overtime compensation are not authorized.

CONTACT

Questions regarding this regulation should be directed to the Office of the General Counsel, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, MI 48909; or by telephone, at 517-373-3024.