

DRAFT AMENDMENTS TO CIVIL SERVICE RULES

Rule 5-6.4: Premium for Department of Treasury Auditors

Rule 5-10.2: Paid Leave

Rule 8-2.4: Civil Service Grievance Appeal Procedures

Revision A (April 22, 2009)

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

1 **Rule 5-6 Additional Compensation: Miscellaneous**

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3 **5-6.4 Premium for Department of Treasury Auditors** 4 ~~**Working and Residing out of State**~~

5 (a) **Eligibility.** An auditor employed in the department of treasury who audits out-of-state
6 taxpayers is paid an out-of-state location premium.

7 (1) If the auditor's ~~whose~~ principal work location and residence are outside of the state of
8 Michigan, the premium is paid for all hours in pay status. ~~an out-of-state location~~
9 ~~premium.~~

10 (2) If the auditor's principal work location or residence is in the state of Michigan, the
11 auditor is paid the premium for all hours in pay status while performing audits out-of-
12 state.

13 (b) **Rate.** The out-of-state location premium is 20 percent of the employee's base pay.

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15 *[Remainder of Rule 5-6 unchanged]*
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1 **Rule 5-10 Paid Holidays and Leave**

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3 **5-10.2 Paid Leave**

4 **(a) Leave accrual and accumulation.**

5 **(1) Annual and personal leave.**

6 **(A) Initial annual leave grant.** Upon entry into the classified service, an eligible
7 employee is credited with an initial annual leave grant of 16 hours, which is
8 immediately available for use, upon approval of the appointing authority. The
9 16 hours of annual leave cannot be credited to an employee more than once in a
10 calendar year.

11 **(B) Annual leave accrual and accumulation.** ~~After completion of 720 hours of paid~~
12 ~~service in the initial appointment, a~~ **Δ** eligible employee has annual leave credited
13 in accordance with the following leave table:
14

1. Years of Service	2. Hours of Annual Leave Accrued (for 80 hours of service)	3. Maximum Accumulation (total hours of annual and personal leave)	4. Maximum Accumulation that may be paid off
Less than 1	4.0	296	256
1 – 5	4.7	296	256
5 – 10	5.3	311	271
10 – 15	5.9	326	286
15 – 20	6.5	341	301
20 – 25	7.1	346	306
25 – 30	7.7	356	316
30 – 35	8.4	356	316
35 – 40	9.0	356	316
40 – 45	9.6	356	316
45 and above	10.2	356	316

15 * * *

16 [Remainder of Rule 5-10 unchanged]
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Rule 8-2 Appeals of Grievance Decisions

8-2.4 Civil Service Grievance Appeal Procedures

(c) **Decision.** At the conclusion of the grievance appeal, the adjudicating officer shall issue a written decision setting forth findings of fact, conclusions of law, and any remedial orders, ~~if any.~~

(1) **Attorney fees and costs prohibited.** An adjudicating officer cannot award attorney fees, witness fees, costs, or other expenses.

(2) **No interest on award.** An adjudicating officer cannot award interest on any monetary award.

(3) **Limitation on damages for limited-term appointments.** An adjudicating officer cannot award to a grievant in a limited-term appointment, the senior executive service, or the senior executive management assistant service, any damages for any period after the date of expiration of the grievant's term of appointment.

(4) **Back-pay awards.** Any back-pay award is limited to regularly scheduled hours and holidays for which the employee otherwise normally would have been paid. Back-pay may include only the employee's base rate of pay, shift differential authorized in rule 5-4.5 [Shift Differential], and prison employee premiums authorized in rule 5-5 [Additional Compensation: Prison Employees]. A back-pay award cannot include any other pay premium, including overtime, on-call, callback, explosives duty, out-of-state location, or emergency response premiums. All back-pay awards are subject to deduction of the following:

(A) Earnings in other employment or self-employment, except for previously-approved supplemental employment.

(B) Benefits from employer contributory income protection insurance.

(C) Benefits under workers' compensation, unemployment compensation, social security, and social welfare programs.

(5) **Leave awards.** An adjudicating officer may award sick and annual leave credits that would have normally accrued during a period of vacated discipline.

(6) **Seniority awards.** An adjudicating officer may award seniority credit and longevity compensation that would have normally accrued during a period of vacated discipline. Any such seniority credit does not count for classification or qualification purposes.

[Remainder of Rule 8-2 unchanged]