



# Appendix H: Labor Disputes and Unfair Labor Practice Resolution and Agreement

The following procedures have been adopted to facilitate collective bargaining between the Michigan State Police Troopers Association and the Department of State Police pursuant to Article XI, Section 5 of the State Constitution:

1. Pursuant to Civil Service Commission Employee Relations Policy, Article I, Part 1.2 (as amended by the Michigan Civil Service Commission on October 12, 1979), resolution of all disputes with reference to the implementation of collective bargaining and arbitration for Michigan State Police Troopers and Sergeants mandated by the 1978 Amendment to Article XI, Section 5, of the Michigan Constitution of 1963, shall be implemented and provided for pursuant to 1969 PA 312, and shall be through the mediation and arbitration process set forth therein. Mediation and/or arbitration requests shall be processed and handled by the Michigan Employment Relations Commission and shall be resolved in the manner as provided by law for public police and fire departments, except as hereafter provided.
2. The parties further agree to transmit any Collective Bargaining Agreement reached and/or any arbitration award to the Michigan Civil Service Commission pursuant to Article I, Part 1.2 of the Employee Relations Policy, for proceedings consistent with the law and the Constitution.
3. Any unfair labor practice (prohibited practice) charge shall be filed with the Department of Civil Service. Upon receipt of such a charge, the Department shall forthwith: (1) appoint an arbitrator mutually agreed upon by the parties or, absent such agreement, (2) submit to the parties the names of at least five impartial labor arbitrators who are on the rolls of the American Arbitration Association, willing and able to serve as hearing examiners. Each party may, within ten days, strike the names of two said arbitrators, and return the list to the Department. The Department shall then choose by lot from the remaining names, if more than one, or appoint the remaining person as hearing examiner. The hearing examiner shall thereafter conduct the hearing according to the rules of the Michigan Employment Relations Commission, and shall apply the case law, principles, standards and precedents for unfair labor practice charges developed by the Michigan Employment Relations Commission and the Courts in interpreting and construing Acts 1939 PA 176 and 1947 PA 336, as amended. The decision of the hearing examiner shall be subject to judicial review in the same manner as a decision of the Michigan Civil Service Commission.

