

REGISTRATION OPEN!

ATTN: MERC CONSTITUENTS & OTHERS

Michigan Employment Relations Commission Bureau of Employment Relations

along with the

Michigan Department of Labor & Economic Opportunity
MSU College of Law—Alternative Dispute Resolution Program

present

2019 MERC Act 312 Arbitrator & Fact Finder Training*

**Designated for MERC Act 312 Arbitrators and Fact Finders; however, a limited number of non-panel members may attend on a first come basis)*

**[Agenda &
Registration Form](#)**

[Go to](#)

www.mi.gov/merc

(under the "Upcoming MERC Training Opportunities" link)

**When: Wednesday, September 25, 2019
9:00 am – 3:30 pm
(Doors open 8:30am)**

Cost: **MERC 312 and FF Panel Members (active):
*Attendance Mandatory, no cost, includes lunch***

Non-Panel Members:
\$90.00 per person (includes lunch)
(Only 34 seats on a first come basis)

Held at:
Schoolcraft College VisTaTech Center
18600 Haggerty Rd., Livonia, MI 48152
(Free parking in the North Parking lot)

Questions?

Email: merctraining@yahoo.com

MICHIGAN EMPLOYMENT RELATIONS COMMISSION / BUREAU OF EMPLOYMENT RELATIONS

Department of Labor and Economic Opportunity

Michigan State University College of Law – Alternative Dispute Resolution Program

ACT 312 ARBITRATOR & FACT FINDER TRAINING PROGRAM

WEDNESDAY, SEPTEMBER 25, 2019

Schoolcraft College, VisTa Tech Center—Presentation Room

18600 Haggerty Road, Livonia MI 48152

TIME	TOPIC	PRESENTER
9am – 9:30am	REGISTRATION & CONTINENTAL BREAKFAST	
10 min	<p>Welcome & Introductions</p> <ul style="list-style-type: none"> • New Commissioner • New Department of Labor and Economic Opportunity (LEO) • MERC e-File System—General Use 	<p>MERC Commissioners Ruthanne Okun, Bureau Director Sidney McBride, Mediation Supervisor</p>
45 min	<p>Legislative Changes & Significant Case Law Affecting Act 312 Arbitration & Fact Finding</p> <ul style="list-style-type: none"> • <i>Binding nature of questions and rulings during Act 312/FF proceedings re: mandatory v permissive v prohibited subjects</i> • <i>CET v CBA—which is the starting point?</i> • <i>ULPs pending during Act 312/FF proceedings</i> • <i>MERC vs Panel Chair jurisdiction—exclusive & concurrent</i> • <i>And More</i> 	<p>MERC Legal Staff: D. Lynn Morison Carl Wexel</p>
10 min	BREAK	
45 min	<p>Retirement Issues, Ability to Pay & School Funding</p> <ul style="list-style-type: none"> • <i>Impact of P.A. 202 of 2017</i> • <i>OPEB Liability</i> • <i>Actuarial study—necessary for pension changes?</i> • <i>Key components re: Municipal & School Finance</i> • <i>State School Aid – per pupil v categorical</i> • <i>And More</i> 	<p>Nick Brousseau, MI Dept of Treasury Michael Wrobel, MI Dept of Treasury Sue Feinberg, MERS</p>
60 min	<p>LUNCH & Presentation</p> <p>LUNCH Presentation: 50th Anniversary of P.A. 312 of 1969</p>	<p>Micki Czerniak, MERC Labor Mediator</p>

TIME	TOPIC	PRESENTER
	<i>Short history of its enactment, evolution and how it worked then and now</i>	Richard Ziegler, MERC Labor Mediator Thomas Zulch, MERC Labor Mediator
1 hr 15 min	<p style="text-align: center;">FOCUS GROUPS—Break Out Sessions</p> <ul style="list-style-type: none"> • MERC e- File System: Login particulars • Act 312 Arbitration and Fact Finding—Who’s in Control <i>Candid discussion on key topics including MERC Rules and policies re: Act 312 Arbitration and Fact Finding</i> <p><u>Topics include:</u></p> <ul style="list-style-type: none"> ○ <i>Can parties waive the 312 Rules or timeline?</i> ○ <i>What if the 312 arb//FF does not follow the MERC Rules</i> ○ <i>Panel chair preliminary rulings—required?</i> ○ <i>Impartiality, biases & fairness issues</i> ○ <i>Panel chair “settlement conferences” vs “mediation”</i> ○ <i>Can the Panel Chair interact with the Mediator?</i> ○ <i>“All or Nothing” approach to tentative agreements</i> ○ <i>Issues not bargained but listed in a 312/FF petition</i> ○ <i>And more</i> 	<p><u>Panel Member Assembly</u> Facilitators: MERC Labor Mediators Panel (<i>alphabetically</i>): Richard Block, Elaine Frost and William Long</p> <p><u>Non-Panel Member Assembly</u> Facilitators: MERC Labor Mediators Panel (<i>alphabetically</i>): John Clark, Employer Labor Attorney Pamela Gordon, HR Director Michael O’Hearon, Union Labor Attorney Michelle Pollok, Union Attorney Dan Ringo, Former Union Rep/ Director</p>
10 min	BREAK	
10 min	Joint Session: Closing Remarks	Facilitators & Bureau Director