The meeting of the Michigan Employment Relations Commission was called to order at 10:00 a.m. by the Commission Chair, Edward D. Callaghan, at the MERC’s Detroit Office, 3026 W. Grand Boulevard, Suite 2-750, Detroit, Michigan.

Those in attendance: Edward D. Callaghan, Commission Chair; Commissioner Robert S. LaBrant and Commissioner Natalie P. Yaw; Ruthanne Okun, Bureau Director; Sidney McBride, Mediation Supervisor; Carl Wexel, Administrative Law Specialist; Micki Czerniak, Labor Mediator; Ashley Rahrig, Departmental Analyst; and Deborah Stewart, Executive Secretary.

Public in attendance: Shaun Ayers, Allen Law Group and Kevin Loftis, POAM.

It was moved by Commissioner Robert S. LaBrant and seconded by Commissioner Natalie P. Yaw to adopt the proposed agenda as presented. A vote was called. Edward D. Callaghan, Aye; Robert S. LaBrant, Aye; Natalie P. Yaw, Aye. The motion passed.

MINUTES

It was moved by Commissioner Natalie P. Yaw and seconded by Commissioner Robert S. LaBrant to adopt the proposed minutes of the regular MERC meeting held on September 10, 2019 as presented. A vote was called. Edward D. Callaghan, Aye; Robert S. LaBrant, Aye; Natalie P. Yaw, Aye. The motion passed.

DIRECTOR'S REPORT

The Act 312 Report was reviewed and discussed. There are currently 6 cases listed in the Report. Awards have been issued in the Dearborn Heights and Command Officers Association of Michigan case and in the Independent Township and Independence Professional Fire Fighters Association case.

The Fact Finding Report was reviewed and discussed. The tentative agreement between Great Lakes Water Authority and AFSCME Council 25 case was ratified.

The Administrative Law Judges’ Reports were reviewed and discussed.

The Active Case List was reviewed and discussed.

The Representation and Election Reports were reviewed and discussed. Commission Chair Callaghan stated he would like to see this information added to the annual report. The Elections report is through September 30, 2019. All six cases are closed.
The MERC e-File Monthly Report was reviewed and discussed. The report indicates a total of 158 new cases filed during September 2019.

The Mediation Monthly Activity Report and Mediation Trends Reports were reviewed and discussed.

The Work Stoppage Status Report was reviewed and discussed. Commission Chair Callaghan noted that this report is through October 10, 2019. The work stoppage between General Motors Corporation and UAW is ongoing. No additional information has been obtained regarding road builders’ work stoppage involving employees of Reith-Riley Construction, who are represented by the Operating Engineers, Local 324.

The Appellate Report was reviewed and discussed.

ADMINISTRATIVE AGENDA

1. Personnel Update

   a. Commission Chair Callaghan shared that Law Clerk, Bryan Davis, has taken a position with the Michigan Association of Police. The Commission congratulated Bryan and thanked him for a job well done.

   b. As previously announced, ALJ Julia Stern will retire on October 18, 2019; Labor Mediator, Fred Vocino will retire on December 15, 2019; and Director Ruthanne Okun will retire in January 2020.

   c. Staff Attorney, Lynn Morison, has resigned from MERC and is now serving as Commissioner with the Unemployment Insurance Appeals Commission.

   d. A service award was presented by the Commission to Ashley Rahrig, Departmental Analyst, in recognition of her five years of service with the State of Michigan.

   e. ALJ Julia Stern was recognized by the Commission for approximately 38 years of exemplary and outstanding service as she retires from State Government on October 18, 2019. A Resolution was read and presented to ALJ Stern by Commission Chair Callaghan. Commission Chair Callaghan stated that in baseball terminology, Judge Stern would easily be inducted into the “Administrative Law Judge’s Hall of Fame.”

2. The Hot Issues Report ending October 11, 2019. Noteworthy on that report is the continuing strike between General Motors Corporation and UAW. Director Okun stated that Mediation Supervisor, Sidney McBride, recently contacted the parties.

3. The September 2019 Pathways Report was reviewed. The Commission thanked Mediation Supervisor, Sidney McBride; Labor Mediator, Micki Czerniak, Departmental Analyst, Ashley Rahrig; Executive Secretary, Deborah Stewart;
Mediation Secretary, Tracy Marr and the entire staff for a very successful Act 312/Fact Finder training held on September 25, 2019 at Schoolcraft College.

4. 2019 Annual Report (2018-19) status update. Ashley Rahrig has provided the information that she has received from staff with some sections still outstanding. Chair Callaghan stated that this is the last chance for Commissioners to provide input for any information they would like to add to the report. A meeting to review the draft Report is to be scheduled for the end of October.

5. Director Okun stated that we are continuing to integrate into the Department of Labor and Economic Opportunity (LEO). No other deputies have been appointed to date. We have had some contact with persons in Lansing regarding the Annual Report and its publication and are waiting to learn if the MERC strategic plan matches up with what the intentions are for the other LEO agencies.

6. The next regular meeting of the Commission was confirmed for Tuesday, November 12, 2019, 10:00 a.m. at the Library of Michigan, Lake Superior Room, 720 W. Kalamazoo, Lansing, Michigan. A draft proposed schedule of 2020 meeting dates is to be prepared to review at the November MERC meeting in Lansing. The remaining meeting for 2019 is confirmed as follows:

   - December 10, 2019 – Detroit

DECISIONAL AGENDA

The Commission decided the following matters:


2. Berrien County and Berrien County Sheriff -and- Police Officers Labor Council, Case No. C17 L-112.

TENTATIVE DECISIONAL AGENDA, November 2019


NEW BUSINESS

1. The Department of Treasury/Michigan Department of Education Emergency Manager/Deficit Elimination Plan and Quarterly Report to the Legislature on Deficit Districts was reviewed. The information is current through June 30, 2019.

OLD BUSINESS

1. Act 312/Fact Finding Training was held on September 25, 2019 at Schoolcraft College, VistaTech Center. Comments and feedback for the conference was reviewed and discussed.
PUBLIC COMMENT

None.

ADJOURNMENT

There being no further business before the Commission at this time, Commissioner Natalie P. Yaw moved to adjourn the meeting and seconded by Commissioner Robert S. LaBrant that the meeting be adjourned at 10:47 a.m. A vote was called. Edward D. Callaghan, Aye; Robert S. LaBrant, Aye; Natalie P. Yaw, Aye. The motion passed.