

**State of Michigan
CIVIL SERVICE COMMISSION
Public Meeting
March 19, 2008**

Present: Bryan J. Waldman, Chairman
Andrew P. Abood, Commissioner
Thomas M. Wardrop, Commissioner
James D. Farrell, State Personnel Director

Absent: Sherry L. McMillan, Commissioner

1. CALL TO ORDER

The meeting of the Civil Service Commission was opened by Chairman Bryan J. Waldman at 10:00 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

a. Approval of Minutes

Chairman Waldman requested a motion to approve the minutes of the December 19, 2007 meeting. On motion duly made and supported, the Commission approved the minutes of the December 19, 2007, meeting.

b. Retirement Resolution – Carol Troia

On motion duly made and supported, the Commission adopted the following Resolution:

Whereas, Carol Troia has decided to retire from state government after more than 15 years of service with the Civil Service Commission, Office of Hearings, Employee Relations and Mediation, and

Whereas, Carol has demonstrated commitment and dedication throughout her career as a public servant, gaining the respect and admiration of her colleagues, and

Whereas, Carol as the Hearings Administrative Officer has demonstrated extensive knowledge of the duties and responsibilities of the position and served our customers in a manner that has brought credit to public service, and

Whereas, Carol has distinguished herself for her willingness to listen to the concerns of our customers and respond to all in a thoughtful, courteous manner, and

Whereas, Carol will always be remembered for her kindness, compassion, sense of humor, and ability to see the best and bring out the best in others, and

Whereas, Carol will now be able to spend more time with her family, friends, the outdoors she loves so immensely, and doing those things that bring her joy, purpose, and accomplishment, be it therefore

Resolved, that the Michigan Civil Service Commission does hereby extend to Carol Troia its sincere appreciation for her dedicated efforts and many accomplishments during her years of service

Resolved, that the Commission extends to Carol its warmest wishes for much health and happiness throughout her retirement.

2. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

3. INFORMATIONAL REPORTS

A. **Director's Report:** The Commission received the following report from State Personnel Director James D. Farrell:

Unclassified Position Report

Since the last report, the following approvals were processed:

Department of Attorney General

1. A request dated January 16, 2008, to serve as the Special Assistant to the Attorney General. Concurrently, the position of Administrative Assistant for Legislative Affairs was abolished. The request was approved effective January 31, 2008.
2. A request dated February 6, 2008, to serve as the Constituent Relations Analyst. Concurrently, the vacant Director of External Affairs position was abolished. The request was approved effective February 20, 2008.

Department of Environmental Quality

1. A request dated January 7, 2008, to serve as the Assistant Energy and Environmental Policy Advisor. Concurrently, the vacant Deputy Director position was abolished. The request was approved effective January 8, 2008.
2. A request dated January 18, 2008, to serve as the Legislative Advisor. Concurrently, the vacant Executive Office Assistant to the Communication Director position was abolished. The request was approved effective January 31, 2008.

Regulations

Civil Service Commission Rules require that the State Personnel Director report to the Commission on the promulgation of regulations, which are issued to further implement Commission rules.

2.03. Leaves of Absence (Effective January 13, 2008)

Since the last revision of this regulation in 2002, numerous rule amendments affecting leaves of absence, including disaster response leave, military leave, banked leave, and leave for appointment to an unclassified position have been adopted. Therefore, this regulation has been amended to clarify the administration of FMLA leaves, leaves of absence with and without pay and waived rights leaves of absence.

This regulation has also been reorganized to facilitate the understanding of, and clarify the relationship between rights under the Federal Family and Medical Leave Act and similar rights granted under the Civil Service Rules and Regulations.

8.07. Technical Military Benefit Complaints (Effective February 21, 2008)

Civil Service Rule 2-14.7(a)(2) provides that a person who is entitled to employment or return-to-work rights or benefits under Rule 2-14 [Rights of Employees Absent due to Service in the Uniformed Services] or Regulation 2.04 [Military Leaves of Absence and Return to Work: Basic Rights] may file a technical complaint. Therefore, I issued Regulation 8.07 to provide the procedures for filing technical military benefit complaints.

State's Government Performance Project

On March 3, 2008, on behalf of NASPE, I attended a luncheon for the 2008 Grading of the State's report card, which is based on a survey of all 50 states conducted every three years by the Pew Center and Governing magazine. I am pleased to report that only 3 states received a higher grade than Michigan. Michigan is one of just thirteen states that earned grades above the national average and improved in 3 of the 4 rating categories with an overall grade of B+ for its management of money, people, infrastructure, and information. The category that the Civil Service Commission was most involved was the "People" category which received an overall grade of B+. The "People" category examined the state's human resources area from employee hiring to workforce succession planning and everything in between.

5. NEW BUSINESS

A. Approval of Tentative Agreement on Union Business Between OSE & MPE (Human Services Support Unit)

General Counsel, D. Daniel McLellan addressed the Commission regarding the proposed amendments to the primary collective bargaining (CBA) agreement for the Human Services Support Unit. Mr. McLellan indicated the parties inadvertently omitted the amendments which were agreed upon during bargaining when the Civil

Service Commission considered the primary agreement on December 19, 2007. He further stated the amendments to Article 7 of the CBA addressed issues related to leave use for union business. Staff's review of the tentative agreement did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed.

B. Approval of Secondary Collective Bargaining Agreements

General Counsel McLellan addressed the Commission on the approval of Secondary Collective Bargaining Agreements reached for the period from March 19, 2008 to December 31, 2010, as follows:

American Federation of State, County, and Municipal Employees Council 25, AFL-CIO (AFSCME) and Education.

International Union, United Automobile, Aerospace and Agricultural Implement Workers (UAW) and Auditor General, Education, Environmental Quality, History, Arts and Libraries, Human Services, Labor and Economic Growth, Management and Budget, Michigan Strategic Fund, Lottery, Military and Veteran's Affairs, State and State Police.

Michigan State Employees Association (MSEA) Council 25, AFL-CIO (AFSCME) and Community Health, Education, Environmental Quality, Human Services, Labor and Economic Growth, Lottery, Natural Resources, Military and Veteran's Affairs, and State Police.

General Counsel McLellan indicated staff reviewed secondary agreements and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

Commissioner Abood moved to approve Resolution 08-01, Approval of Secondary Collective Bargaining Agreements. Commissioner Wardrop seconded and the motion passed.

C. Amendments to Rules

General Counsel McLellan addressed the Commission on the amendment to Civil Service Rule 3-8, Veteran's Preference. General Counsel McLellan indicated that Governor Granholm requested that the Civil Service Commission amend Rule 3-8 to extend indefinitely the time during which a hiring preference is available to veterans, rather than the current 5-year limitation, thereby making veterans' preference available without a time limit.

General Counsel McLellan also addressed the Commission on an amendment to Rule 5-4.2, Overtime and Regulation 5.02, Premium Payment of Overtime. General Counsel McLellan stated that the rule provides overtime pay for time in pay status (excluding sick leave) in excess of 8 hours in a day and 40 hours in a week or as otherwise provided in the regulation. The amendment clarifies that overtime is generally only paid for work in excess of 40 hours in a week.

Mr. Dale Threehouse (President) and Mr. John Strachan of Michigan Association of Governmental Employees (MAGE), addressed the Commission with concerns regarding Rule 5-4 and the Commission's December 19, 2007 approval of an amendment that excludes sick leave in computation of overtime calculation. Mr. Strachan indicated they did not object to the rule change at that time as they did not fully understand what the outcome would mean until they were provided with additional information regarding the implementation of the rule. Mr. Strachan indicated that they believed the rule creates disparate treatment among NERE employees, specifically between nurses in the Department of Community Health and Department of Military and Veteran's Affairs who would receive overtime pay and to those nurses in the Department of Corrections who would not receive overtime pay; and also between Corrections Officer's Supervisors and Corrections Officers. Mr. Strachan asked that the Commission revisit the issue on exclusion of sick leave for overtime calculation and for equitable treatment of NEREs to contract employees.

The Commissioners discussed the impact of the amendments being considered, and stated their action today by voting on the amendment would not have any affect on the issues raised by MAGE, as MAGE's issues are concerning the Commission's initial approval of the amendment to Rule 5-4 at its December 19, 2007 meeting. The Commissioners indicated if they find it necessary to revisit this approval they could do so at a later date.

Commissioner Wardrop moved to approve Resolution 08-03, Amendments to Rules, as amended. Commissioner Abood seconded and the motion passed.

6. PUBLIC COMMENT

7. COMMISSION APPEALS

In closed session the Commission considered 24 recommended decisions of the Employment Relations Board. Copies of the review sheets indicating the Commission's actions on these decisions are on file with Civil Service.

ADJOURNMENT

There being no further items for Commission approval or public comments to be heard, Chairman Waldman adjourned the meeting at 10:42 a.m.

NOTE

Copies of any written statements, reports, or staff proposals which were presented to the Commission may be obtained by contacting the Civil Service Commission, Executive Office, Capitol Commons Center, 400 S. Pine Street, P.O. Box 30002, Lansing, Michigan, 48909, or by telephone at 517-373-3020.

I, Janet McClelland, Acting State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission Meeting of March 19, 2008.

Acting State Personnel Director

**State of Michigan
CIVIL SERVICE COMMISSION
Public Meeting
May 21, 2008**

Present: Bryan J. Waldman, Chairman
Andrew P. Abood, Commissioner
Sherry L. McMillan, Commissioner
Thomas M. Wardrop, Commissioner
Janet McClelland, Acting State Personnel Director

1. CALL TO ORDER

The meeting of the Civil Service Commission was opened by Chairman Bryan J. Waldman at 10:10 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

A. Approval of Minutes

Chairman Waldman requested a motion to approve the minutes of the March 19, 2008 meeting. On motion duly made and supported, the Commission approved the minutes of the March 19, 2008, meeting.

B. Retirement Resolution

On motion duly made and supported, the Commission adopted the following retirement Resolutions:

Galen Anderson
Josetta Duhart
Rita Engardio
Gloria Hastings
Claudia Miller

2. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

3. INFORMATIONAL REPORTS

A. Director's Report: The Commission received the following report from Acting State Personnel Director, Janet McClelland:

Unclassified Position Report

Since the last report, the following approvals were processed:

Department of Attorney General

1. A request dated April 16, 2008, to serve as Director of External Affairs to the Attorney General. Concurrently, the position of Special Assistant to the Attorney General was abolished. The request was approved effective April 14, 2008.

Department of Human Services

1. A request dated April 16, 2008, to serve as the Special Assistant to the Director. Concurrently, the transitional Chief Deputy Director position that was vacated was abolished in October 2007. The request was approved effective April 20, 2008.

Regulations

Civil Service Commission Rules require that the State Personnel Director report to the Commission on the promulgation of regulations, which are issued to further implement Commission rules.

Regulation 2.03, Leaves of Absence (effective January 13, 2008)

Since the last revision of this regulation in 2002, there were numerous rule amendments affecting leaves of absence. Therefore, this regulation was amended to clarify the administration of the Family and Medical Leave Act (FMLA) leaves, leaves of absence with and without pay and waived rights leaves of absence. This regulation was also reorganized to facilitate the understanding of, and clarify the relationship between rights under the federal FMLA and similar rights granted under the Civil Service Rules and Regulations.

Regulation 5.02, Premium Payment of Overtime, On-Call Compensation, and Callback-Compensation (effective March 23, 2008)

As a result of the Civil Service Commission's approval of rule 5-4.2, Overtime, regulation 5.02 was amended to reflect that overtime payment is made to eligible employees for time worked in excess of 40 hours in a week excluding sick leave.

4. NEW BUSINESS

A. Civil Service Commission Budget – FY 09

Carol Vargovich, of the Budget & Financial Services Division, addressed the Commission regarding the budget proposal for Fiscal Year '09. Ms. Vargovich stated the budget that was presented is a continuation of the current year enacted budget with the exception of the consolidation and centralization of human resources services into the Civil Service Commission. The proposed budget was modeled using the statewide cost allocation plan model as a funding mechanism beginning with Fiscal Year '09. Ms. Vargovich requested Commission approval of Resolution 5A.

On motion duly made and supported, the motion passed.

B. Letter of Understanding between UAW and OSE regarding recall rights for Family Independence Specialists

General Counsel D. Daniel McLellan addressed the Commission on the approval of the Letter of Understanding (LOU) to amend the primary collective bargaining agreement. The LOU permits employees in Family Independence Specialist positions in the Department of Human Services to be placed on Assistance Payment Worker recall lists.

General Counsel McLellan indicated staff reviewed the LOU and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed.

C. Letter of Understanding between UAW and OSE regarding parking for employees assigned to the Change Reporting Center

General Counsel McLellan addressed the Commission on the approval of the Letter of Understanding (LOU) to amend the primary collective bargaining agreement. The LOU authorizes free parking for certain employees at the Cadillac Place.

General Counsel McLellan indicated staff reviewed the LOU and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed.

D. Letter of Understanding between SEIU Local 517M and OSE regarding employees assigned duties which require a CDL

General Counsel McLellan addressed the Commission on the approval of the Letter of Understanding (LOU) to amend the primary collective bargaining agreement for the Scientific and Engineering Unit. The LOU addresses Commercial Drivers License requirements.

General Counsel McLellan indicated staff reviewed the LOU and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed.

E. Approval of Tentative Agreement between MPE and OSE on union security and referenced Letter of Understanding on a Pilot Program on Alternative Work Schedules

General Counsel McLellan addressed the Commission on the amendments to the primary collective bargaining agreement for the Human Services Unit. The parties submitted a corrected Article 4 (Union Security) and a Letter of Understanding regarding a pilot program for alternative work schedules.

General Counsel McLellan indicated staff reviewed Article 4 and the LOU, and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed.

F. Approval of Secondary Collective Bargaining Agreements

General Counsel McLellan addressed the Commission on the approval of Secondary Collective Bargaining Agreements reached for the period from May 21, 2008, to December 31, 2010, as follows:

American Federation of State, County, and Municipal Employees Council 25, AFL-CIO (AFSCME) and Corrections.

International Union, United Automobile, Aerospace and Agricultural Implement Workers (UAW) and Agriculture, Civil Rights, Community Health, Corrections, MSHDA, and Treasury.

Michigan State Employees Association (MSEA) Council 25, AFL-CIO (AFSCME) Local 5 (MSEA) and Agriculture, History, Arts and Libraries, Information Technology, Management and Budget, Transportation and Treasury.

Michigan Corrections Organization, Local 526-M SEIU (MCO) and Community Health.

General Counsel McLellan indicated staff reviewed secondary agreements and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed.

6. PUBLIC COMMENT

Mr. John Strachan, Michigan Association of Governmental Employees (MAGE), addressed the Commission on three items. The first item was regarding Civil Service Rule 6-8.3 that precludes Office of the State Employer and Civil Service Commission employees from being members of a Limited Recognition Organization (LRO). Mr. Strachan expressed concern regarding human resources employees who were recently transferred to the Civil Service Commission, as a result of Executive Order 2007-30, who are ineligible to belong to a LRO as a result of the rule. He stated that membership in a LRO is voluntary and the LRO offers representation to employees to provide assistance when dealing with workplace issues, adverse employment actions and dealing with the Coordinated Compensation process. Mr. Strachan further stated that the LRO representation is given to the employee who may be adversely impacted; the role of the LRO is not of a bargaining nature and it does not interfere with collective bargaining practice.

Mr. Andre Friedlis, Association of State Employees in Management (ASEM), addressed the Commission in concurrence with MAGE's position regarding the prohibition of LRO membership for employees in the Civil Service Commission and the Office of the State Employer.

Chairman Waldman stated that the Commission would look at the history of the rule on prohibition and proceed as necessary.

The next item addressed by Mr. Strachan to the Commission concerned Labor Relations employees with the Department of Corrections (DOC) who were not transferred to the Civil Service Commission (CSC) as a result of the consolidation of Human Resources under Executive Order 2007-30. Mr. Strachan indicated the employees impacted would have a decrease in job security due to loss of bumping rights as Labor Relations employees in DOC, and they are not able to bump other labor relations employees within the CSC. He indicated that these employees are also denied the opportunity to compete for promotions when positions are posted for agency-only employees within the CSC.

The final item presented by Mr. Strachan to the Commission was in regard to Rule 5-4, Additional Compensation, Overtime, etc. which he addressed at a previous Commission meeting. Mr. Strachan reiterated his opposition to Rule 5-4, and stated since the implementation of the rule, he continues to believe the rule creates disparate treatment among Corrections Shift Supervisors and their subordinate employees. Mr. Strachan asked the Commission to reconsider their position on this rule.

The Commissioners asked CSC staff for further review and analysis regarding the issues brought forth. Based on that review, items will be addressed as deemed necessary.

7. COMMISSION APPEALS

In a closed session conference call on April 23, 2008, the Commission considered 12 recommended decisions of the Employment Relations Board (ERB). In a closed session meeting on May 21, 2008, the Commission considered 7 ERB recommendations. Copies of the review sheets indicating the Commission's actions on these decisions are on file with the Civil Service Commission.

ADJOURNMENT

There being no further items for Commission approval or public comments to be heard, Chairman Waldman adjourned the meeting at 11:17 a.m.

NOTE

Copies of any written statements, reports, or staff proposals which were presented to the Commission may be obtained by contacting the Civil Service Commission, Executive Office, Capitol Commons Center, 400 S. Pine Street, P.O. Box 30002, Lansing, Michigan, 48909, or by telephone at 517-373-3020.

I, Janet McClelland, Acting State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission meeting of May 21, 2008.

Acting State Personnel Director

**State of Michigan
CIVIL SERVICE COMMISSION
Public Meeting
September 24, 2008**

Present: Bryan J. Waldman, Chairman
Andrew P. Abood, Commissioner
Sherry L. McMillan, Commissioner
Thomas M. Wardrop, Commissioner
Janet McClelland, Acting State Personnel Director

1. CALL TO ORDER

The meeting of the Civil Service Commission was opened by Chairman Bryan J. Waldman at 10:08 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

A. Approval of Minutes

Chairman Waldman requested a motion to approve the minutes of the May 21, 2008 meeting. On motion duly made and supported, the Commission approved the minutes of the May 21, 2008, meeting.

B. Retirement Resolutions

On motion duly made and supported, the Commission adopted the following retirement Resolutions:

Debra Carr	Joseph Slivensky
Linda Garcia	Christy Somers
Kathy Gose	Louise Snow
Ila Nickerson	

2. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

3. INFORMATIONAL REPORTS

A. Director's Report: The Commission received the following report from Acting State Personnel Director, Janet McClelland:

Unclassified Position Report

Since the last report, the following approvals were processed:

Department of Attorney General

A request dated August 8, 2008, to serve as Special Assistant to the Attorney General. Concurrently, the position of Constituent Relations Analyst position was abolished. The request was approved effective August 24, 2008.

Department of Education

A request dated September 4, 2008, to serve as the Administrative Aide to the Superintendent of Public Instruction. Concurrently, the Community Outreach Coordinator position was abolished. The request was approved effective August 24, 2008.

Department of State Police

A request dated May 22, 2008, to serve as a Deputy Director of the Field Services Bureau. The request was approved May 15, 2008.

A request dated May 29, 2008, to abolish the unclassified position of Deputy Director of the Administrative Services Bureau.

Regulations

Civil Service Commission Rules require that the State Personnel Director report to the Commission on the promulgation of regulations, which are issued to further implement Commission rules.

Regulation 3.13, Information Technology Programmer/Analyst Trainee Program (Effective May 18, 2008)

This regulation was used prior to the consolidation of information technology resources. With the existence of the Department of Information Technology, this regulation is now obsolete. Therefore, this regulation has been abolished.

Regulation 3.12, Return-To-Work Appointments (effective July 27, 2008)

Changes to this regulation clarify civil service processes with regard to the requirements for determining qualifications and appointments to classified positions when returning employees to active state employment from workers' compensation or long-term disability programs.

Premium Mileage Reimbursement Rate Change

Rule 5-7.1(c) provides that the state premium reimbursement rate shall be the standard mileage rate established by the IRS, unless otherwise ordered by the Civil Service Commission. Therefore, effective July 1, 2008, the state premium reimbursement rate increased from \$0.505 to \$0.585 per mile.

4. NEW BUSINESS

A. Approval of Secondary Collective Bargaining Agreements

General Counsel D. Daniel McLellan addressed the Commission on the approval of Secondary Collective Bargaining Agreements reached for the period from September 24, 2008 to December 31, 2010, as follows:

American Federation of State, County, and Municipal Employees Council 25, AFL-CIO (AFSCME) and Departments of Labor and Economic Growth, Human Services, and Military & Veterans Affairs.

International Union, United Automobile, Aerospace and Agricultural Implement Workers (UAW) and Departments of Attorney General, Information Technology, and Natural Resources.

Michigan State Employees Association, AFSCME Local 5 (MSEA), and Departments of Attorney General, Corrections, State, and Strategic Fund.

General Counsel McLellan indicated staff reviewed secondary agreements and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed and the agreements were approved.

B. Letter of Understanding between OSE and MCO on overtime at Muskegon, Brooks, and West Shoreline correctional facilities

General Counsel McLellan addressed the Commission on the approval of the Letter of Understanding (LOU) to amend the primary collective bargaining agreement. The LOU permits bargaining unit members who have already worked 120 hours in a pay period to volunteer for overtime at three correctional facilities: Muskegon, Brooks, and West Shoreline.

General Counsel McLellan indicated staff reviewed the LOU and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed and the LOU was approved.

C. Letter of Understanding between OSE and MCO modifying the collective bargaining agreement to allow pay protection for Corrections Officers transferring to Forensic Security Aide Positions

General Counsel McLellan addressed the Commission on the approval of the Letter of Understanding (LOU) to amend the primary collective bargaining agreement. The LOU permits bargaining unit members from select Department of Correction's facilities to transfer with pay protection to the Forensic Security Aide classification at the Center for Forensic Psychiatry for the Department of Community Health.

General Counsel McLellan indicated staff reviewed the LOU and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed and the LOU was approved.

D. Letter of Understanding between OSE, UAW and MPE-SEIU on Jobs for Veterans Act

General Counsel McLellan addressed the Commission on the approval of the Letter of Understanding (LOU) to amend the primary collective bargaining agreement for the Human Services and Human Services Support Units. The LOUs address the use of a portion of the state's annual Veterans' Employment and Training Services grant allocation to cover training and other capacity building activities, in accordance with the Jobs for Veterans Act.

General Counsel McLellan indicated staff reviewed the LOU and did not identify any violations of the Commission's rules on prohibited subjects of bargaining.

On motion duly made and supported, the motion passed and the LOU was approved.

E. FY '08-09 Schedule of Travel Rates and changes to the Standardized Travel Regulations regarding meal receipts and reimbursement of deductibles

Ms. Joyce Van Coevering, with the Department of Management and Budget (DMB) addressed the Commission regarding travel expense reimbursement rates for FY '09. Ms. Van Coevering requested that the standard mileage rate increase from \$0.349 to \$.0399, effective October 1, 2008. Additionally, in a memo from Director Lisa Webb Sharpe, DMB requested changes to the travel regulations which now will require receipts for meal reimbursement, and will provide reimbursement up to \$999.99 for deductibles in the event an employee's personal vehicle is damaged while being used for state business. A copy of the letter from Director Webb Sharpe is, by reference, a part of the record of this meeting.

On motion duly made and supported, the Commission approved the motion for travel expense reimbursement rates for FY '09, and changes to the DMB travel regulations.

F. Retiree Health Benefits

General Counsel McLellan addressed the Commission on the Interagency Memorandum of Understanding between the Michigan Civil Service Commission and the Department of Management and Budget regarding changes to retiree health benefits. He indicated effective October 1, 2008 those employees who retired on or after January 1, 1987 will see increases in co-pays for both retail and mail order prescription drugs. Those employees retired prior to January 1, 1987 will only see increases in co-pays for mail order drugs for a three-month supply. In addition, effective January 1, 2009, increases in office visit co-pays, a new emergency room visit charge if not admitted, and increase in deductibles will occur for all retirees.

Mr. Alan Kilar with UAW Local 6000 addressed the Commission noting for the record that UAW retirees should only have a two-tiered co-pay system similar to current UAW represented state employees.

Chairman Waldman indicated a request from the Department of Management and Budget and the State Personnel Director would be necessary in order for the Commission to address retiree health plan changes.

On motion duly made and supported, the motion passed and the Memorandum of Understanding was approved.

6. PUBLIC COMMENT

No public comment.

7. COMMISSION APPEALS

In a closed session conference call on August 20, 2008, the Commission considered 14 recommended decisions of the Employment Relations Board (ERB). In a closed session meeting on September 24, 2008, the Commission considered 6 ERB recommendations. Copies of the review sheets indicating the Commission's actions on these decisions are on file with the Civil Service Commission.

ADJOURNMENT

There being no further items for Commission approval or public comments to be heard, Chairman Waldman adjourned the meeting at 10:30 a.m.

NOTE

Copies of any written statements, reports, or staff proposals which were presented to the Commission may be obtained by contacting the Civil Service Commission, Executive Office, Capitol Commons Center, 400 S. Pine Street, P.O. Box 30002, Lansing, Michigan, 48909, or by telephone at 517-373-3020.

I, Janet McClelland, Acting State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission meeting of September 24, 2008.

Acting State Personnel Director

**State of Michigan
CIVIL SERVICE COMMISSION
Public Meeting
December 10, 2008**

Present: Sherry McMillan, Interim Chair
Andrew P. Abood, Commissioner
Kelly G. Keenan, Commissioner
Thomas M. Wardrop, Commissioner
Janet McClelland, Acting State Personnel Director

1. CALL TO ORDER

The meeting of the Civil Service Commission was opened by Acting State Personnel Director, Janet McClelland at 10:00 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

a. Election of Chair

Acting State Personnel Director, Janet McClelland, requested the election of a Chair due to the resignation of former Chair, Bryan Waldman. Commissioner Kelly Keenan moved to elect Sherry McMillan as Interim Chair of the Civil Service Commission. Commissioner Andrew Abood seconded the motion and the motion passed.

b. Approval of Minutes

Chair Sherry McMillan requested a motion to approve the minutes of the September 24, 2008 meeting. On motion duly made and supported, the Commission approved the minutes of the September 24, 2008, meeting.

c. Commissioner Tribute

On motion duly made and supported, the Commission adopted the Tribute to former Civil Service Commission Chair Bryan Waldman.

d. Retirement Resolutions

On motion duly made and supported, the Commission adopted the following retirement Resolutions:

LuAnn Cannell
Robert Kaczorowski
Susan Niles
Jeff Simbob

2. AMENDMENTS TO AGENDA

Commissioner Kelly Keenan moved to approve amendment Item 5e – Letter of Understanding between the Office of the State Employer and the Michigan Corrections Organization. Commissioner Thomas [Mac] Wardrop seconded and the motion passed.

3. INFORMATIONAL REPORTS

- a. **Director's Report:** The Commission received the following report from Acting State Personnel Director, Janet McClelland:

Unclassified Position Report

Since the last report, the following approvals were processed:

Department of Attorney General

A request dated November 24, 2008, for two positions to serve as a Senior Advisor and a Director of Constituent Relations. Concurrently, the position of Director of External Affairs will be abolished. The request was approved effective December 8, 2008 for the Director of Constituent Relations position and December 15, 2008 for the Senior Advisor.

Department of Corrections

A request dated November 6, 2008, to serve as the Administrator of the Office of Offender Re-Entry. Concurrently, the Deputy Director of Field Operations Administrator position was abolished. The request was approved effective November 13, 2008.

Department of Environmental Quality

A request dated November 26, 2008, to serve as the Legislative Director. Concurrently, the Assistant Energy & Environmental Policy Advisor position was abolished. The request was approved effective November 16, 2008.

Regulations

Civil Service Commission Rules require that the State Personnel Director report to the Commission on the promulgation of regulations, which are issued to further implement Commission rules.

Regulation 8.07, Technical Military Benefit Complaints (Effective November 16, 2008)

This regulation clarifies the scope of civil service staff decisions subject to its exclusive complaint procedure. Civil service staff determinations, as to the proper calculation of military service credit hours for service hours before joining the classified service was inadvertently omitted from the listing of technical decisions from which a technical complaint could be filed.

4. NEW BUSINESS

a. Civil Service Commission Financial Reports

- 1. Certification of Payroll – FY 2008**
- 2. Budget – FY 2009**

Ms. Carol Vargovich, Director, Budget & Financial Services Division, summarized the financial activity for the Civil Service Commission, which included a summary of FY '08, certification of payroll of the classified state service, and the proposed budget for FY '09. Ms. Vargovich requested Commission approval of the following two resolutions:

1. Certification of Payroll – Fiscal Year 2008 – Resolution 08-06

The Civil Service Commission, in fulfillment of the constitutional requirement to certify the aggregate payroll of the classified service for the preceding fiscal year, certified a payroll of \$4,726,287,730, as recorded in the state's Michigan Administrative Information Network as of November 24, 2008, for the fiscal period October 1, 2007 to September 30, 2008.

2. Budget Resolution – Fiscal Year 2008-2009 – Resolution 08-07

Consistent with the Civil Service Commission's constitutional authority, and recognizing the funding requirements for employee economics and CSS&M reductions, the Civil Service Commission increased the previously approved FY 08-09 budget for the Civil Service Commission by \$58,600.

On motion duly made and supported, the Commission approved Resolutions 08-06 and 08-07.

b. Coordinated Compensation Panel Recommendations – Fiscal Year 2010

Mr. Matthew Fedorchuk, Director, Compensation Division, presented the recommendations contained in the proposed Coordinated Compensation Proposal (CCP) for FY '10 that was developed by the members of the Employment Relations Board, serving as the CCP under Civil Service Rule 5-1.3.

The Panel recommended Commission approval of the following for FY '10:

- A one percent across-the-board pay increase effective October 1, 2009.
- A special two percent per hour wage increase for Financial Institutions Examiners 9-12, Financial Institutions Specialists 13-15 and Financial Institutions Managers 13-15, effective October 1, 2009.
- An increase of the maximum annual award from \$3,600 to \$6,000 for the Lottery Sales Incentive Program, effective October 1, 2009.
- Renewal of the Professional Development Fund for MSC employees at \$150,000, and renewal of the Professional Development Fund for B & A unit employees at \$50,000.

The Panel recommended denial of the following:

- A special base wage increase for State Police Lieutenants 14 and 15, as recommended by Michigan State Police Command Officers Association.

The Panel also proposed to the Commission to direct staff, along with representatives from the Office of State Employer and the Department of Labor and Economic Growth, to conduct an in-depth study of the Financial Institutions Examiner/Specialist/Manager class series. The study should be completed by July 1, 2009, and results presented to the Panel prior to the 2009 CCP proceedings for FY '11.

On a motion duly made and supported, the Commission approved the CCP recommendations.

c. Unclassified Pay Recommendations – Fiscal Year 2010

Mr. Fedorchuk presented staff's proposal for the annual unclassified pay recommendation required under Article XI, Section 5 of the Michigan Constitution.

A survey of department director salaries in large states was conducted by staff, and information on Michigan county official and university president salaries was compiled. The salary levels of Michigan elected officials and classified deputy department directors was also reported.

Based on a review of the data, staff requested Commission approval and transmission of the following recommendations to the Governor and the Legislature for FY '10.

- One percent merit salary increase, effective October 1, 2009.

On motion duly made and supported, the Commission approved the unclassified pay recommendations for FY '10.

D. Impasse Panel Recommendation (UAW & MDOT)

Assistant General Counsel John Gnodtke addressed the Commission regarding the Impasse hearing held by members of the Employment Relations Board and the Michigan Department of Transportation (MDOT) and the United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) where agreement on two issues – worksite and work location definitions, could not be reached. The Panel recommended accepting MDOT's proposals which continued current language.

Mr. Gary Peterson, representative for the UAW, addressed the Commission in opposition of the Panel's decision. He indicated due to the way MDOT is now doing business, that broader work sites and locations are no longer appropriate, and that the proposed definition of work location is consistent with the primary agreement's definition and that the current language conflicts with it. The UAW also believes that the region-based definition of work site is similarly inappropriate.

Commissioner Kelly Keenan requested to table the vote regarding the Impasse Panel's recommendation to allow for further review of the language provided in the primary and secondary agreements.

Commissioner Abood motioned to table the Impasse Panel Recommendation, Resolution 08-08 until the next meeting. The motion was seconded by Commissioner Wardrop and the motion passed.

e. Letter of Understanding between OSE & MCO regarding reorganization and transfer of bargaining unit work from Camp Valley to Huron Valley Women's Correctional facility.

General Counsel D. Daniel McClellan addressed the Commission regarding the Letter of Understanding which establishes shift preference and regular day off schedules for bargaining unit members affected by the reorganization and transfer of work from Camp Valley to Huron Valley Women's Correction Facility.

On a motion duly made and supported, the Commission approved the Letter of Understanding between OSE & MCO.

6. PUBLIC COMMENT

John Strachan, Michigan Association of Government Employees (MAGE), addressed the Commission to again reiterate MAGE's position with respect to allowing Civil Service Commission and Office of State Employer employees the opportunity to belong to a Limited Recognition Organization (LRO).

Mr. Strachan also expressed MAGE's continued concern regarding over-time pay for Department of Correction's supervisors, specifically at the Standish Correctional Facility where supervisors are required to work 12 hour daily shifts and are not compensated for over-time if 80 hours of work is not completed in a pay period. Mr. Strachan asked the Commission to review the rule that defines security personnel, as MAGE believes supervisors should be included in the definition.

Mr. Melvin Farmer, Association of State Employees in Management (ASEM) also addressed the Commission in support of Mr. Strachan's position with respect to allowing Civil Service Commission and Office of State Employer employees the opportunity to belong to a LRO.

7. COMMISSION APPEALS

In a closed session conference call on October 22, 2008, the Commission considered 8 recommended decisions of the Employment Relations Board (ERB). In a closed session meeting on December 10, 2008, the Commission considered 15 ERB recommendations. Copies of the review sheets indicating the Commission's actions on these decisions are on file with the Civil Service Commission.

ADJOURNMENT

There being no further items for Commission approval or public comments to be heard, Chair McMillan adjourned the meeting at 10:50 a.m.

NOTE

Copies of any written statements, reports, or staff proposals which were presented to the Commission may be obtained by contacting the Civil Service Commission, Executive Office, Capitol Commons Center, 400 S. Pine Street, P.O. Box 30002, Lansing, Michigan, 48909, or by telephone at 517-373-3020.

I, Janet McClelland, Acting State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission meeting of December 10, 2008.

Acting State Personnel Director