

**State of Michigan  
CIVIL SERVICE COMMISSION  
Public Meeting  
March 14, 2012**

Present: Thomas M. Wardrop, Chair  
James Barrett, Commissioner  
Charles Blockett, Jr., Commissioner  
Robert W. Swanson, Commissioner  
Jeremy Stephens, State Personnel Director

**1. CALL TO ORDER**

The meeting of the Civil Service Commission was opened by Chair Thomas Wardrop at 10:06 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

**a. Approval of Minutes**

Chair Wardrop requested a motion to approve the minutes of the December 15, 2011 meeting. On motion duly made and supported, the Commission approved the minutes of the December 15, 2011, meeting.

**b. Tribute**

Chair Wardrop requested a motion to approve a Tribute to former Commissioner Andrew Abood. On motion duly made and supported, the Tribute was adopted.

**2. AMENDMENTS TO AGENDA**

There were no amendments to the agenda.

**3. INFORMATIONAL REPORTS**

**State Personnel Director's Report**

The Commission received the following report from Jeremy Stephens, State Personnel Director:

Unclassified Position Report

- On December 19, 2011 a request was received from the Department of Military & Veterans Affairs to establish an unclassified position to serve as the Executive Director of Public Safety. The request was approved on January 13, 2012.
- On December 27, 2011, a request was received from the Department of Attorney General to establish an unclassified position to serve as the Solicitor General.

Concurrently, the Director of Constituent Relations for SE Michigan and the Constituent Relations Representative positions are abolished. The request was approved on January 4, 2012.

### 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 5.18, Complaints About Benefits

Director Stephens indicated the following changes:

1. Updated references to new insurance plan offerings and newly selected third-party administrators.
2. Added new definitions.
3. Streamlined the appeal process for complaints over benefit decisions made by Civil Service staff.
4. Clarified the plans over which the Employee Benefits Division may hear HIPAA privacy complaints.

#### **4. UNFINISHED BUSINESS**

There was no unfinished business.

#### **5. NEW BUSINESS**

### Rules

General Counsel John Gnodtke presented the following proposed Rule amendments:

- **Amendments to Rule 6-6.3, Insurance Examiners Working Out of State**

Mr. Gnodtke stated that this amendment updates references to the Department of Labor and Economic Growth, which is now the Department of Licensing and Regulatory Affairs. Chair Wardrop requested a motion to approve the proposed amendment to Rule 6-6.3. On motion duly made and supported, the motion was unanimously approved.

- **Amendment to Rule 6-16, Payroll Deduction for Contributions to Separate Segregated Funds**

Mr. Gnodtke stated that this rule was never implemented and is being rescinded due to recently concluded litigation. Chair Wardrop requested a motion to approve the proposed amendment to Rule 6-16. On motion duly made and supported, the motion was unanimously approved.

**6. PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

There being no further items for Commission approval or public comments to be heard, Chair Wardrop adjourned the meeting at 10:11 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, Jeremy Stephens, State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission meeting of March 14, 2012.

  
\_\_\_\_\_  
Jeremy S. Stephens  
State Personnel Director

**State of Michigan  
CIVIL SERVICE COMMISSION  
Public Meeting  
May 23, 2012**

Present: Thomas M. Wardrop, Chair  
James Barrett, Commissioner  
Charles Blockett, Jr., Commissioner  
Robert W. Swanson, Commissioner  
Jeremy Stephens, State Personnel Director

**1. CALL TO ORDER**

The meeting of the Civil Service Commission was opened by Chair Thomas Wardrop at 11:03 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

**Approval of Minutes**

Chair Wardrop requested a motion to approve the minutes of the March 14, 2012 meeting. On motion duly made and supported, the Commission approved the minutes of the March 14, 2012 meeting.

**2. AMENDMENTS TO AGENDA**

There were no amendments to the agenda.

**3. INFORMATIONAL REPORTS**

**State Personnel Director's Report**

The Commission received the following report from Jeremy S. Stephens, State Personnel Director:

Unclassified Position Report

On May 10, 2012, a request was received from the Department of State Police to establish an unclassified position to serve as the Chief Administrative Officer. The request was approved on May 11, 2012.

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 3.04, Selection of Employees for Position Vacancies

Director Stephens stated that this Regulation modification formalizes a practice already used by many agencies allowing the consideration of applicants who will soon obtain the required educational credentials to assume a classified position, but seek employment while still concluding their studies.

**4. UNFINISHED BUSINESS**

There was no unfinished business.

**5. NEW BUSINESS**

**A. Rules**

General Counsel John Gnodtke presented the following proposed Rule amendments:

**Amendments to Rule 5-6, Additional Compensation: Miscellaneous**

Mr. Gnodtke stated that these amendments are updates reflecting approvals that were made in the Coordinated Compensation Panel process in 2008 but not memorialized in the Rules regarding the Lottery Sales Incentive Payments Program and updating the classifications for some positions in the Department of Licensing and Regulatory Affairs that are eligible for an out-of-state premium. The amendments were circulated in April 2012. On motion duly made and supported, the Commission approved the Amendments to Rule 5-6.

**B. Collective Bargaining Agreement**

General Counsel John Gnodtke presented the following Collective Bargaining Agreement between the Office of the State Employer (OSE) and the Michigan State Police Troopers Association (MSPTA):

The OSE and the MSPTA reached an agreement for a new Collective Bargaining Agreement which was ratified on March 5, 2012. It was then transmitted to the Commission on March 27, 2012. On motion duly made and supported, the Commission approved the Collective Bargaining Agreement between OSE and MSPTA.

**C. Secondary Agreements (Interim Approval Granted) – Resolution 12-01**

General Counsel John Gnodtke presented Resolution 12-01:

Resolution 12-01 is to affirm and approve the Interim Approval Granted by the State Personnel Director with consent of the Commission Chair for two secondary agreements between AFSCME Council 25; Department of Corrections (DOC) and the Department of Human Services (DHS). On motion duly made and supported, the Commission approved the AFSME Secondary Agreements for the DOC and the DHS.

**D. Secondary Agreements (New) – Resolution 12-02**

General Counsel John Gnodtke presented Resolution 12-02:

Resolution 12-02 addresses four Secondary Agreements with the International Union and the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) for the Department of Community Health, Department of Education, Department of Licensing and Regulatory Affairs, and the Department of Technology, Management and Budget. On motion duly made and supported, the Commission approved all four Secondary Agreements.

**6. PUBLIC COMMENT**

There was no public comment.

## **ADJOURNMENT**

There being no further items for Commission approval or public comments to be heard, Chair Wardrop adjourned the meeting at 11:08 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, Acting State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission meeting of May 23, 2012.

---

Janet McClelland  
Acting State Personnel Director

**State of Michigan  
CIVIL SERVICE COMMISSION  
Public Meeting  
September 19, 2012**

Present: Thomas M. Wardrop, Chair  
James Barrett, Commissioner  
Charles Blockett, Jr., Commissioner  
Robert W. Swanson, Commissioner  
Janet McClelland, Acting State Personnel Director

**1. CALL TO ORDER**

The meeting of the Civil Service Commission was opened by Chair Thomas Wardrop at 10:05 a.m. in Conference Room A, Lower Level, Capitol Commons Center, 400 S. Pine Street, Lansing, Michigan.

**Approval of Minutes**

Chair Wardrop requested a motion to approve the minutes of the May 23, 2012 meeting and the revised minutes of the December 15, 2011 meeting. On motion duly made and supported, the Commission approved the minutes of the May 23, 2012 meeting and the revised minutes of the December 15, 2011 meeting.

**2. AMENDMENTS TO AGENDA**

There were no amendments to the agenda.

**3. INFORMATIONAL REPORTS**

**State Personnel Director's Report**

The Commission received the following report from Janet McClelland, Acting State Personnel Director:

**Unclassified Positions Report**

Civil Service Commission Rules require the State Personnel Director to report on the establishment or abolishment of positions in the state unclassified service. Since the last report, the following approvals were processed:

- On June 1, 2012, a request was received from the Department of Human Services requesting the establishment of an exempt unclassified position to serve as the Program Specialist for interagency and private partner collaboration. Concurrently, the vacant Deputy Director for Policy & Compliance position was abolished. This request was approved on June 1, 2012.
- On July 25, 2012, a request was received from the Department of Environmental Quality requesting the establishment of an exempt unclassified position to serve as the Legislative Affairs Director. Concurrently, the vacant Public Information Officer position was abolished. This request was approved on July 31, 2012.

- On August 3, 2012, a request was received from the Department of Natural Resources requesting the establishment of an exempt unclassified position to serve as the Resource Economic Development Liaison. This request was approved on August 3, 2012.
- On August 27, 2012, a request was received from the Department of Community Health requesting the establishment of an exempt unclassified position to serve as the Special Assistant to the Director. Concurrently, the vacant Communications Director position was abolished. This request was approved on August 28, 2012.

### **Regulation Amendments**

#### **Regulation 5.05, Longevity Compensation**

This Regulation modification was issued to clarify the acceptable documentation required for military service credit. The change reflects the deletion of previous Standard A.2.e.(1)(c).

#### **Regulation 6.02, Unfair Labor Practice Charges (ULP)**

This modification made the following three revisions:

- 1) Formally states that attorney fees and costs are not available as relief in ULP charges.
- 2) Formally states that hearings procedures in Regulation 8.01, which have long been informally used to conduct ULP hearings, apply.
- 3) Clarifies the standing of employees, the employer, and labor organizations to file and participate in ULP charges.

#### **Regulation 4.02, Preauthorized Position Classification Actions and Regulation 4.05, Frequency of Review of Positions**

- Regulation 4.02:  
The primary change recommended identifies the standards of Regulation 4.05 that grant the appointing authority authorization to execute an early reclassification.
- Regulation 4.05:  
The recommended change identifies when an early reclassification is allowed. This includes updates to Standard E and establishes Standard F.

#### **Regulation 1.04, Reasonable Accommodation**

This modification made the following two revisions:

- 1) Removed outdated references to form names and retention schedules.
- 2) Provided additional flexibility in evaluating the efficacy of accommodations.

#### **4. UNFINISHED BUSINESS**

There was no unfinished business.



## **5. NEW BUSINESS**

### **A. Tribute to Richard I. Warner**

Richard I. Warner resigned from the Employment Relations Board after 13 years of service. On motion duly made and supported, the Commission adopted a Tribute to Mr. Warner.

### **B. New Appointments to the Employment Relations Board**

General Counsel John Gnodtke stated that ERB members have been serving in expired terms and now, with the resignation of board member Richard Warner, Resolution 12-03 is presented to reestablish the schedule of staggered appointments contemplated in Rule 1-15 by reappointing William Braman through May 1, 2013; appointing Marie Wallkes through May 1, 2014, and reappointing Susan Zurvalec as chair through May 1, 2015.

On motion duly made and supported, the Commission approved the appointments.

### **C. Proposed Fiscal Year 2013 Civil Service Commission Budget**

Carol Vargovich presented and requested approval of Resolution 12-04, the proposed Civil Service Commission budget for fiscal year 2013. On motion duly made and supported, the Commission approved the proposed budget.

### **D. Proposed Fiscal Year 2013 Travel Rates**

Joyce VanCoevering of the Department of Technology, Management and Budget presented the proposed fiscal year 2013 travel reimbursement rates. Ms. VanCoevering stated that the only change from last year is the hotel rate, which changed from \$65 per night to \$75 per night. Commissioner Swanson and Chair Wardrop asked questions about the decision to establish the reimbursement rate at \$75 per night. Ms. VanCoevering answered the questions to the Commissioners' satisfaction. Upon motion duly made and supported, the Commission approved the proposed travel rates.

### **E. Letter of Understanding (LOU) between the Office of the State Employer (OSE) and the Michigan Corrections Organization (MCO), Department of Corrections Security Unit**

General Counsel John Gnodtke presented an LOU between OSE and MCO, and stated that this LOU creates a 12-hour shift pilot program for the Muskegon Correctional Facility. With the consent of the Chair, the State Personnel Director granted interim approval to this LOU in July. Under Rule 1-1.4, that approval is now before the Commission for consideration. Upon motion duly made and supported, the Commission approved the letter of understanding.

### **F. Memorandum of Understanding (MOU) on Retiree Benefits: EGWP/Wraparound**

General Counsel John Gnodtke presented a MOU between the Civil Service Commission and the Department of Technology, Management and Budget on retiree benefits.

The Commission and DTMB are charged with authorizing any group health insurance for retirees and their beneficiaries. This MOU approves a restructuring of the prescription drug benefit to institute an Employer Group Waiver Plan (EGWP) wraparound dual plan. This restructuring is intended to maximize federal reimbursements. The EGWP portion will

recreate the benefits Under Medicare Part D while the wraparound portion will attempt to replicate current parts of the existing coverage for retirees that exceed those minimum Part D requirements. The copays will not change. The restructuring is intended to increase those payments back to the state under federal law without significantly affecting the benefits to retirees. This is simply a restructuring to maximize federal reimbursement to the state but not an enhancement to the benefits. Commissioner Swanson disclosed that he is a SOM retiree and this is his insurance, too. Commissioner Blockett stated that as a retiree, the same applies to him.

Upon motion duly made and supported, the Commission approved the MOU.

#### **G. Secondary Agreements (Interim Approval Granted)**

General Counsel John Gnodtke presented secondary agreements (interim approval granted) between the Office of the State Employer and the UAW, AFSCME, MSEA, and MCO. Resolution 12-05 lists eleven secondary agreements that have been received since the last Commission meeting and were granted interim approval by the Acting State Personnel Director and the Commission Chair. Upon motion duly made and supported, the Commission approved Resolution 12-05, secondary agreements.

#### **H. Secondary Agreements**

General Counsel John Gnodtke presented secondary agreements between the Office of the State Employer and the UAW that are covered by Resolution 12-06. This resolution lists nine secondary agreements between the UAW and various agencies that had not been granted interim approval. Upon motion duly made and supported, the Commission approved Resolution 12-06, Secondary Agreement.

### **6. PUBLIC COMMENT**

There was no public comment.

### **ADJOURNMENT**

There being no further items for Commission approval or public comments to be heard, Chair Wardrop adjourned the meeting at 10:19 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, Acting State Personnel Director, hereby certify that the foregoing are the Minutes of the Civil Service Commission meeting of September 19, 2012.

---

Janet McClelland  
Acting State Personnel Director

**State of Michigan  
CIVIL SERVICE COMMISSION  
Public Meeting  
December 12, 2012**

Present: Thomas M. Wardrop, Chair  
James Barrett, Commissioner  
Charles Blockett, Jr., Commissioner  
Robert W. Swanson, Commissioner  
Janet McClelland, Acting State Personnel Director

**1. CALL TO ORDER**

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

**Approval of Minutes**

Chair Wardrop requested a motion to approve the minutes of the September 19, 2012 meeting. On motion duly made and supported, the minutes of the September 19, 2012 Civil Service Commission meeting were approved.

**2. AMENDMENTS TO AGENDA**

There were no amendments to the agenda.

**3. INFORMATIONAL REPORTS**

**State Personnel Director's Report**

The Commission received the following report from Janet McClelland, Acting State Personnel Director:

**Unclassified Positions Report**

Civil Service Commission Rules require the State Personnel Director to report on the establishment or abolishment of positions in the state unclassified service. Since the last report, the following approvals were processed:

- On October 2, 2012, a request was received from the Department of Civil Rights to establish an exempt unclassified position to serve as the Senior Executive of Initiatives. Concurrently, the vacant Deputy Director position was abolished. This request was approved on October 8, 2012.
- On October 25, 2012, a request was received from the Department of Civil Rights to establish of an exempt unclassified position to serve as the Outreach Liaison. This request was approved on October 30, 2012.
- On October 29, 2012, a request was received from the Department of Community Health to establish an exempt unclassified position to serve as the Senior Deputy Director for External Affairs and Communication. Concurrently, the vacant Public

Deputy Director of Policy and Planning position was abolished. This request was approved on October 30, 2012.

- On November 2, 2012, a request was received from the Department of Environmental Quality to establish an exempt unclassified position to serve as the Director of Communications. Concurrently, the vacant Regulatory Affairs Officer position was abolished. This request was approved on November 8, 2012.
- On November 9, 2012, a request was received from the Department of Agriculture and Rural Development to establish an exempt unclassified position to serve as the Director of Strategy & Business Performance. This request was approved on November 9, 2012.

#### **4. UNFINISHED BUSINESS**

There was no unfinished business.

#### **5. NEW BUSINESS**

##### **A. Civil Service Commission Budget**

##### Items 5.A.1. and 5.A.2., Civil Service Budget

Carol Vargovich, Director of the Office of Budget and Financial Services, presented Agenda Items 5.A.1. and 5.A.2. Ms. Vargovich stated agenda Item 5A is the annual update of the financial activities of the Civil Service Commission which includes the certification of aggregate payroll for the prior fiscal year, summary of financial activity for FY 2012 and the budget proposal for FY 2014.

- With regard to Item 5.A.1., Certification of Aggregate Payroll of Classified State Service, Ms. Vargovich stated that the total payroll cost for FY 2012 was \$4,974,653,980 with an average of 49,600 Full-Time Employees. Certification of the Aggregate Payroll of the Classified State Service is required by the Michigan Constitution.
- Ms. Vargovich provided a summary of the FY 2012 financial activity for the Civil Service Commission, which included a general fund lapse of \$1,088,500 due to a reduction in expenditures.
- With regard to Item 5.A.2., Ms. Vargovich stated that the proposed 2014 budget is a continuation of the FY 2013 Commission-approved budget. The only anticipated adjustment is for the transfer of four full-time positions to the Department of Human Services that had been part of the Human Resources Consolidation. The responsibilities of those four positions are primarily training and may be transferred back to the Department of Human Services. In addition, the proposed budget reflects the elimination of employee lump sum payments but does not recognize economic adjustments for retirement, insurances, and workers' compensation.

Ms. Vargovich stated that it appears that the proposed FY 2014 budget is below the appropriation amount for the FY 2012 budget. This is due to the fact that the proposed FY2014 budget is simply the baseline; it does not have the economics factored into it yet.

Ms. Vargovich asked the Commission to approve Resolution 5.A.1., Certification of the Aggregate Payroll FY 2012 and Resolution 5.A.2., Civil Service Commission budget for FY 2014.

Chair Wardrop requested a motion to approve Item 5.A.1., Certification of the FY 2012 Aggregate Payroll. On motion duly made and supported, the motion was unanimously approved.

Chair Wardrop requested a motion to approve Item 5.A.2., FY 2014 Budget Proposal. On motion duly made and supported, the motion was unanimously approved.

## **B. Coordinated Compensation Panel Recommendation**

General Counsel John Gnodtke presented the Coordinated Compensation Plan Recommendation (CCP) for FY 2014. After his presentation, Chair Wardrop asked if there was any public comment regarding the CCP. The following persons addressed the Commission:

- Jan Winters, Office of the State Employer (OSE) Director expressed her support of the 1% base pay increase and the remainder of the CCP recommendation.
- Mike Herendeen and Alan Quattrin of the Michigan Association of Governmental Employees (MAGE) also addressed the Commission.
- Andre Friedlis of the Association of State Employees in Management (ASEM) addressed the Commission to summarize a position statement issued by ASEM President, Jennifer Fields. Copies of the position statement were provided to the Commissioners. Mr. Friedlis stated that during the CCP process for FY14, ASEM requested a 3% general wage increase and a 1% lump sum payment, as well as raising the caps on annual leave accrual. Mr. Friedlis explained that there has been unequal treatment of NEREs since FY 11 when NEREs did not receive the same 3% wage increase as union represented employees. He expressed that while ASEM appreciates the compensation awarded in FY 13 and the CCP recommendation for FY 14, the disparity still exists. Therefore, ASEM is respectfully requesting that NEREs also be awarded a 1% lump sum payment.

Chair Wardrop asked if anyone else wished to address the Commission on this topic. Seeing none, he requested a motion to approve the Coordinated Compensation Panel recommendation for FY 2014. Upon motion duly made and supported, the Commission approved the recommendation.

## **C. Unclassified Compensation Recommendation**

General Counsel John Gnodtke recommended that the Commission approve Resolution 12-07, Recommended Rates of Compensation for Unclassified Positions. This resolution recommends a 1% lump sum, with no increase in base pay, consistent with the bargained for compensation increases for the coming fiscal year. Upon motion duly made and supported, the Commission approved the recommendation.

#### **D. Letter of Intent (Interim Approval Granted)**

General Counsel John Gnodtke presented a Letter of Intent between MSEA and OSE. This letter changes the date of observance of one state holiday that fell in the midst of the 18<sup>th</sup> Motor Carrier Recruit School. Mr. Gnodtke recommended that the Commission give final approval of this Letter of Intent. Upon motion duly made and supported, the Commission approved the recommendation.

#### **E. Secondary Agreements (Interim Approval Granted)**

General Counsel John Gnodtke presented nine secondary agreements to the Commission. Upon motion duly made and supported, all nine secondary agreements were approved.

#### **F. Secondary Agreements**

General Counsel John Gnodtke presented new secondary agreements between the Michigan State Employees Association and the departments of Attorney General, Natural Resources, Human Services, and Transportation. Upon motion duly made and supported, the Commission approved all four Secondary Agreements.

### **6. PUBLIC COMMENT**

There was no public comment.

### **ADJOURNMENT**

There being no further items for Commission approval or public comments to be heard, Chair Wardrop adjourned the meeting at 11:00 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.