

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

FISCAL YEAR 2020 ANNUAL REPORT
(October 1, 2019 through September 30, 2020)



Prepared by Bureau of Employment Relations Staff
Adopted: December 11, 2020

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INTRODUCTION

MESSAGE FROM THE COMMISSION CHAIR

On behalf of the members of the Michigan Employment Relations Commission, I am pleased to present the 2020 Annual Report.

This has been a year unlike any other. The COVID-19 pandemic has forced all of us to alter the way we work and engage with society. And the Commission has been no different. Thanks to the incredible efforts of our staff, we were able to very quickly to make a transition to remote hearings and meetings, to encourage online filings, and generally to ensure that we could protect the safety of our staff and constituents while continuing to protect the important rights that MERC exists to safeguard.

In 1947, our Legislature adopted the Public Employment Relations Act. That statute granted public-sector workers in this State the right to decide to join together for their mutual aid and protection. The law, as it has been amended through the years, continues to reflect a recognition that government workers, like all workers, may legitimately determine that they are in a stronger bargaining position when they stand together rather than when they stand apart. Correlatively, the limitations the Legislature has placed on the statute's right to engage in such concerted activity reflect the recognition that the people have an important interest in the efficient, effective, and democratically responsive delivery of public services. At its best, PERA serves to ensure both that workers' rights are protected, and that public-sector employers and workers can engage with each other productively to serve the people.

This report describes the important work of the Commission during this past fiscal year. I want to take the opportunity to commend our staff for their herculean efforts to keep us operating at full speed during the pandemic. And I also want to thank two very important individuals who ended their service to the Commission during FY 2020. Ed Callaghan, who served as Chair for many years, set an example of collegiality, seriousness, and rectitude to which I can only aspire. Ruthanne Okun, the longtime Director of the Bureau of Employment Relations, supervised the Commission's staff with great skill. Together, former Chair Callaghan and former Director Okun built a strong reputation for the Commission as a fair and honest broker of labor relations in the state. That reputation is their legacy, and it is one that we work hard every day to carry forward.

Samuel R. Bagenstos, Commission Chair

MESSAGE FROM THE BUREAU DIRECTOR

WOW...the events of FY 2020 qualify it to be a commemorative period in this agency's history.

Chair Bagenstos previously noted the retirements of longtime Bureau Director, Ruthanne Okun and MERC Chair, Edward Callaghan. Both individuals contributed much energy, wisdom, and personal sacrifice to the continued growth of this agency during their respective years of service. Fortunate for me, they regularly entrusted me to spearhead many of the agency's trailblazing projects. Doing so, exposed me to the intricacies of many MERC processes and helped to jumpstart my preparedness for this new role as Interim Bureau Director. With the foundation of an extremely talented staff, MERC and the Bureau shall continue to provide the highest quality service to every union, employer and individual that seeks our assistance.

COVID-19 unquestionably caused this agency to quickly evaluate many future plans and implement them sooner. Telecommute working assignments, virtual meetings and hearings, along with streamlined processes using less paper and more technology were all concepts contained in a longer-range strategic plan for consideration in the upcoming years. Fortunately, the dedicated MERC staff and close agency partners (e.g., MOAHR ALJs, MERC Panel members, etc.) quickly adjusted to the challenge to successfully bring those functions into place by the end of the 2nd quarter of the fiscal year (March 2020)--- just in time to effectively operate in a COVID-19 world.

As FY 2021 begins, rest assured that this agency is ready, willing, and able to carry out the obligations vested unto us as State authorized ambassadors to promote labor peace and worker protections promulgated under the various laws that the agency administers. With or without the presence of a novel coronavirus, the Michigan Employment Relations Commission and MERC staff remain committed to provide prompt and competent service in the resolution of your dispute or concern. Thank you for your continued confidence in the services we offer.

Sidney McBride, Interim Director
Bureau of Employment Relations

COMMISSION MEMBERS

MERC CHAIR SAMUEL BAGENSTOS

Samuel Bagenstos was appointed on December 18, 2019 to serve as MERC Commissioner and Chairperson. He currently is the Frank G. Millard Professor of Law at the University of Michigan Law School teaching courses in constitutional law, civil rights law, and labor and employment law.

From 2009 to 2011, he was a political appointee in the U.S. Department of Justice, where he served as the Principal Deputy Assistant Attorney General for Civil Rights. Bagenstos's work is widely published in law reviews and non-academic outlets. He is an experienced advocate who has appeared before trial and appellate courts around the country, including the Michigan Supreme Court and the Supreme Court of the United States. He has argued four cases before the United States Supreme Court, including *Young v. United Parcel Service*, 135 S. Ct 1338 (2015), which established new protections for pregnant workers.

Bagenstos served as a law clerk for Justice Ruth Bader Ginsburg on the Supreme Court and for Judge Stephen Reinhardt on the Ninth Circuit. He is a graduate of the University of North Carolina and the Harvard Law School.

Commissioner Bagenstos' appointment expires on June 30, 2022.

MERC COMMISSIONER ROBERT S. LABRANT

Robert S. LaBrant was appointed as MERC Commissioner on July 1, 2012 and re-appointed in 2015 and 2018.

Commissioner LaBrant previously was employed as Senior Vice President and General Counsel at the Michigan Chamber of Commerce before retiring in 2012. Subsequently, he served as Senior Counsel at the Sterling Corporation until 2017.

Before moving to Michigan in 1977, Commissioner LaBrant worked at the Appleton, Wisconsin Area Chamber of Commerce, the Metropolitan Milwaukee Association of Commerce, and the Business-Industry Political Action Committee. Commissioner LaBrant was on the staff of Congressman Harold V. Froehlich of Wisconsin. He was a Captain in the U.S. Army with service in Viet Nam in 1971-72.

Commissioner LaBrant holds a Juris Doctorate, *cum laude*, from Western Michigan University's Thomas M. Cooley Law School in Lansing, Michigan. He completed his graduate certificate in public relations from the American University in Washington, DC, and received his bachelor's degree from the University of Wisconsin in Stevens Point, WI.

Commissioner LaBrant has served as an adjunct faculty member at Lansing Community College and at the Thomas M. Cooley Law School. He was admitted to State Bar of Michigan in 1983.

Commissioner LaBrant's current appointment expires on June 30, 2021.

MERC COMMISSIONER TINAMARIE PAPPAS

Tinamarie Pappas was appointed as MERC Commissioner on August 24, 2020 by Governor Whitmer. Commissioner Pappas has 33 years of experience in various aspects of labor law including legal proceedings before state and federal courts; unfair labor practice and representation case proceedings before the NLRB and MERC; arbitration hearings; and the negotiation of collective bargaining agreements.

Commissioner Pappas began her legal career as a trial attorney for Region 7 of the National Labor Relations Board where she worked from 1987 to 1995. She subsequently became a partner in the law firm of Rose, Weber, & Pappas. Since 1998, she has been the owner and principal of the Law Offices of Tinamarie Pappas.

Commissioner Pappas earned a Bachelor of Arts from the University of Michigan, and a Juris Doctor from Wayne State University Law School.

The 3-year term for Commissioner Pappas expires on June 30, 2023.

STAFF BIOGRAPHIES:

Sidney McBride, Interim BER Director, joined the MERC staff in 2009 and currently serves in dual roles as Interim Bureau Director and Mediation Division Administrator. He was previously a MERC Labor Mediator for several years. Before becoming a mediator, he worked as a MERC Administrative Law Specialist with responsibilities that included drafting Commission decisions, conducting election matters, and administering the Act 312 and Fact-Finding programs. Prior to MERC, Sidney worked at the state's largest circuit court in management and labor roles that included, in part, collective bargaining, grievances, arbitrations and MERC proceedings. He is an active member of the State Bar of Michigan and member of the Labor and Employment Law Section. Sidney graduated from Wayne State Law School in the top third of his class.

Miles Cameron has been a MERC Labor Mediator since July of 2008. Prior to joining MERC, he had been an active member of the United Steelworkers since 1978 and held many positions in his local union including Safety Chair, Steward, Committee Man, Negotiations Chair, Grievance Chair, Educational Coordinator and President. In 1995, he began working as a staff representative for the United Steelworkers with duties that included representing members in arbitrations, settling grievances, negotiating contracts and other responsibilities.

Micki Czerniak has been a MERC Labor Mediator since 1998, and with state government since 1988. Prior to coming to the Bureau, she served as the state's Compensation Specialist with the Department of Civil Service where she managed the Employment Relations Board's Impasse Resolution and Coordinated Compensation Proceedings. Prior to joining state government, Ms. Czerniak was employed by Sachs, Waldman, et al., during which time, she testified as an expert witness on subjects of compensation and benefits in more than 30 Act 312 and other arbitration proceedings. Ms. Czerniak has a B.A. from Michigan State University and an M.A. in Industrial Relations from Wayne State University.

Ed Eppert has been a MERC Labor Mediator since 2004 assigned to the Upper Peninsula area where he lives with his family. His previous work experience has been balanced between management and labor, including retail, education, and other government service. He has held Teamsters, RCIA and MEA union cards, serving 17 years in school union leadership roles while a teacher/coach. He then was a school superintendent for 11 years. He later worked several years promoting small business growth at the county level through Michigan State University. He holds a B.A. from Michigan State University majoring in economics, an M.B.A. from Central Michigan University, and an Ed. Specialist Degree in School Administration from Northern Michigan University.

Maria Greenough has been the MERC Court Reporter since 1982. Prior to MERC, Maria was a freelance reporter affiliated with several court reporting firms in southeast Michigan, handling medical malpractice and auto negligence matters for insurance companies. She has a B.A. in Business from Cleary Business College; her certifications include Registered Professional Reporter and Certified Stenograph Reporter.

Denise A. Hinneburg has been employed at MERC since 1996. She came to the agency as a Governor's Management Intern and became an Elections Officer in 1998. Prior to joining the Bureau, Denise had experience as a Human Resource Generalist, Academic Advisor and Placement Director. Denise received a B.A. from Michigan State University and a M.A. in Industrial Relations from Wayne State University.

Tracy Marr has been the Mediation Division Secretary in MERC's Lansing Office and provides secretarial support to the Elections functions since August 2015. In 2008, Tracy returned to State service as a Legal Secretary for the MOAHR Administrative Law Judges. In 2013, she became a shared service Legal Secretary with MERC. Before her return to State service, she worked as a Legal Secretary in private practice and as the Office Manager to a family owned construction business; she still performs the latter responsibility on a part-time basis.

Wanda Mayes became a MERC Labor Mediator in 2000. Her educational background includes a B.S. in Business Administration (1985), a M.A. in Industrial Relations (1998), and a Juris Doctorate (2016), all from Wayne State University. Her labor relations career began in 1988 with the City of Detroit's labor relations division. There she was responsible for negotiating labor contracts, conducting grievance hearings and preparing written responses, advising department human resources officers concerning grievance and contract administration, preparing and presenting arbitration cases before arbitrators and umpires, and coordinating unfair labor practice and election petitions with the Michigan Employment Relations Commission.

Barbara Norris joined the MERC team in 1981; she currently is the longest serving member of the agency's current staff. She functions as Mediation Division Secretary in the Detroit Office. Prior to MERC, she worked in the Wage and Hour Division of the then Department of Labor. Barbara has a degree from George C. Wallace State Junior College & Technical Institute in Selma, Alabama.

Sharon Peper joined the MERC staff in 2019 with over 25 years of legal experience. Prior to MERC, she worked as a Legal Secretary with the MI Attorney General's office. Before state

service, she was a Legal Assistant in private practice. While employed in private practice, she developed a training manual for E-Filing and a training manual for new legal secretaries.

Elizabeth Peters joined MERC in January 2019 as a Labor Mediator after had 38 years prior experience negotiating private and public sector agreements. She began her career as a teacher serving as the President of her local association, President of the Saginaw County Co-ordinated Bargaining Council, Vice President of MEA's Region 11, and the local MEA/NEA representative. After law school, she joined U.S. Steel in Pittsburgh, PA as in-house labor and employment counsel until she was promoted to negotiations and arbitration staff attorney, then as the Employee Relations Manager for two coke works and a steel plant. During the recent 20 years, Elizabeth was in private practice representing employers in various aspects of labor and employment law including ULPs, negotiations, grievance arbitrations, and Act 312 hearings. Elizabeth has a B.S., M.A., and Specialist in Education from Michigan State University and a J.D. from Thomas M. Cooley Law School where she received the President's Award upon graduation. Elizabeth has been a frequent author and creator/presenter of labor and employment law articles and trainings. She is admitted to the Michigan and Pennsylvania Bars and several state, federal district, and federal Circuit Courts of Appeal throughout the U.S.

Ashley M. Rahrig joined the MERC in 2014 and serves as the agency's Departmental Analyst/Paralegal. Prior to her employment with the MERC, Ashley worked as an HR Specialist with Imetris Corporation and as the Lead Paralegal in a firm specializing in family law. In 2009, Ashley earned her B.S. from Eastern Michigan University, majoring in Paralegal Studies, and in 2012, earned her M.P.A. with a concentration in Human Resources from Wayne State University. Ashley is an active member of the Labor and Employment Law Section of the State Bar of Michigan.

Deborah Stewart joined MERC in 2011 with over 25 years of prior legal experience. She currently serves as Senior Executive Management Assistant to the Bureau Director and providing secretarial and executive support to the Commissioners. She has also held the position of Legal Secretary at MERC and supported a diverse set of functions in the Labor Relations Division and Mediation Division (namely, Act 312 and Fact Finding). Prior to MERC, Deborah worked served as Legal Secretary/Paralegal/Assistant Operations Manager at the law firm of Kelley, Casey & Moyer, P.C. There in a multi-faceted role, she developed and implemented a training program, including a manual for incoming legal secretaries. She also assisted in managing various facets of the office support administration including IT and employee-related matters.

Robert Strassberg has been a MERC Labor Mediator since January of 2009. He previously headed MERC's Election Department for 12 years during which he supervised and conducted two of the largest elections in MERC history. Prior to MERC, Bob was a Personnel Director (Knopow Industries), Management Labor Relations Consultant (primarily in the health care industry) and a labor representative. Bob has a B.A. from Wayne State University and also attended Wayne State University's Masters in Industrial Relations Program.

Carl Wexel works as MERC's Staff Attorney/Administrative Law Specialist and previously served as a Law Clerk with the agency beginning in 2013. Prior to law school, he was Director of Labor Relations for CSX Corporation, where he handled contract negotiations and administration, and as a Field Examiner for the National Labor Relations Board. He is a member of the Labor and Employment Law Section of the State Bar of Michigan. Mr. Wexel has a B.A. with High

Distinction from the University of Michigan, a Master of Industrial and Labor Relations from Cornell University and a J.D. from Wayne State University.

Richard Ziegler has been a MERC Labor Mediator since 1997. From 1982 to 1997, he worked as a Field Representative (business agent), for the Fraternal Order of Police, Labor Council/Police Officers Labor Council. From 1968 to 1982, he worked as a Police Officer in the cities of Detroit and Wixom. While working as a police officer, he served in several union positions, including: Executive Board Member of the Detroit Police Officers Association and Secretary and Vice President of the AFSCME police local in Oakland County. Rich has a B.A. in Law Enforcement and Business Administration from Mercy College of Detroit and an M.A. in Industrial Relations from Wayne State University.

Tom Zulch joined the MERC as a Labor Mediator in 2017. Prior to joining MERC, he was Senior Staff Attorney for the Police Officers Labor Council from 2004 through 2017, handling all legal matters including critical incidents, contract and discipline arbitrations, Act 312, and Fact-Finding cases. Tom was appointed to serve as Commissioner on the Michigan Commission on Law Enforcement Standards. In addition, Tom served as an Attorney for the Detroit Police Officers Association from 1999 to 2004. He was a Public Safety Officer for the City of Berkley from 1987 to 1998, serving as the President of the Berkley Police Officer Association for 6 years. Tom was in the last graduating class from the Detroit College of Law in 1997 prior to it relocating to Michigan State University.

MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES (MOAHR)

In 2005, Michigan became the State with the largest centralized hearings panel in the nation with the creation of the State Office of Administrative Hearings and Rules (SOAHR). Subsequently, SOAHR was renamed to the Michigan Administrative Hearing System (MAHS) in 2011, and to the Michigan Office of Administrative Hearings and Rules (MOAHR) in 2019.

The mission of MOAHR is to provide all parties in need of administrative hearings and rules with a timely, professional, sound, and respectful process. Two Administrative Law Judges from MOAHR are assigned to conduct hearings on MERC cases involving unfair labor practice charges and election matters (R and UC petitions).

MOAHR Administrative Law Judges (ALJ)

ALJ David M. Peltz has been hearing cases on behalf of MERC since 2001. Prior to that, he was employed by MERC in the capacity of Legal Specialist to the Commission. Mr. Peltz was previously on the faculty at Michigan State University Law School where he taught Legal Research, Writing, and Advocacy. From 1994 to 1997, ALJ Peltz worked as a Research Attorney with the Michigan Court of Appeals in Detroit. He received a B.A. from the University of Michigan and a J.D. from Wayne State University. Mr. Peltz was a contributor to and assistant editor of the MERC publication-- *A Guide to Public Sector Labor Relations in Michigan*. He has often been a presenter on matters pertaining to public sector labor law to outside organizations, including to the State Bar of Michigan's Labor & Employment Law Section.

ALJ Travis Calderwood began hearing cases on behalf of MERC in May of 2014. He previously was employed at MERC as an Administrative Law Specialist beginning in 2013, handling matters related to the “Freedom to Work” laws. Prior to joining MERC, Travis was employed at the law firm of Collins & Blaha, P.C. in Farmington Hills, where he represented numerous public school districts in all areas of employment and labor law, as well as in state and federal compliance and regulatory issues. Travis attended Hillsdale College where he earned numerous scholarships and awards and graduated with a B.A. in Political Economy. He received his law degree from Ava Maria School of Law in Ann Arbor, where he was awarded a full tuition scholarship. Travis is a member of the State Bar of Michigan.

MERC FACTS

Agency Services

MERC’s activities are conducted through two separate divisions – the Labor Relations Division and the Mediation Division. The Labor Relations Division assists in resolving unfair labor practice charges (ULPs) and union representation matters (e.g., bargaining unit determinations). The Mediation Division assists with settling contract disputes involving negotiations and grievance violations. Other services provided through MERC include fact finding; compulsory arbitration; grievance arbitrator selection; last offer elections; labor-management committees; and several training modules involving labor management relations.

MERC Mission Statement

The mission of the Michigan Employment Relations Commission is to foster peaceful, cooperative, and effective public and private sector employer-employee relationships by neutral and timely resolution of labor disputes, application of conflict resolution processes and education and training

MERC History

The Michigan Employment Relations Commission (MERC or the Commission) is an independent agency charged with administering various laws governing labor-management relations throughout the State of Michigan. The Commission is comprised of three members, one of whom is the designated chairperson, appointed for staggered 3-year terms by the Governor with the advice and consent of the Senate. No more than two members may be of one political party. MERC, formerly known as the Michigan Labor Mediation Board, was established in 1939 pursuant to the Labor Relations and Mediation Act (LMA).

MERC administers two principal statutes: the Public Employment Relations Act, Act 336 of 1947 (PERA), and the Labor Mediation Act, Act 179 of 1939 (LMA). These statutes grant collective bargaining rights to public (PERA) and private (LMA) sector employees within the State of Michigan, except for employees in state classified civil service, the federal government, and those within the exclusive jurisdiction of the National Labor Relations Board (NLRB). MERC also administers the compulsory arbitration process available to municipal police and fire department employees (Act 312 of 1969) as well as to state police troopers and sergeants (Act 17 of 1980).

Commission Chairs from 1960 through 2020:

- Allen D. Chisholm 1960-1962
- Malcolm R. Lovell, Jr. 1963-1964
- Robert Howlett 1965-1975
- Charles Rehmus 1976-1980
- Morris Milmet 1980-1983
- William M. Ellmann 1983-1986
- David S. Tanzman 1986-1991
- Joseph B. Bixler 1991-1993
- Maris Stella Swift 1994-2003
- Honora J. Lynch 2003-2006
- Christine A. Derdarian 2006-2011
- Edward D. Callaghan 2011-2019
- Samuel Bagenstos 2019-Present

Bureau Directors from 1971 through 2020:

- Hyman Parker 1971-1975
- Robert Pisarski 1975-1980
- Barry Hawthorne, Acting Director 1980-1983
- Shlomo Sperka 1983-1998
- Ruthanne Okun 1998-2020
- Sidney McBride, Interim Director, 2020-present

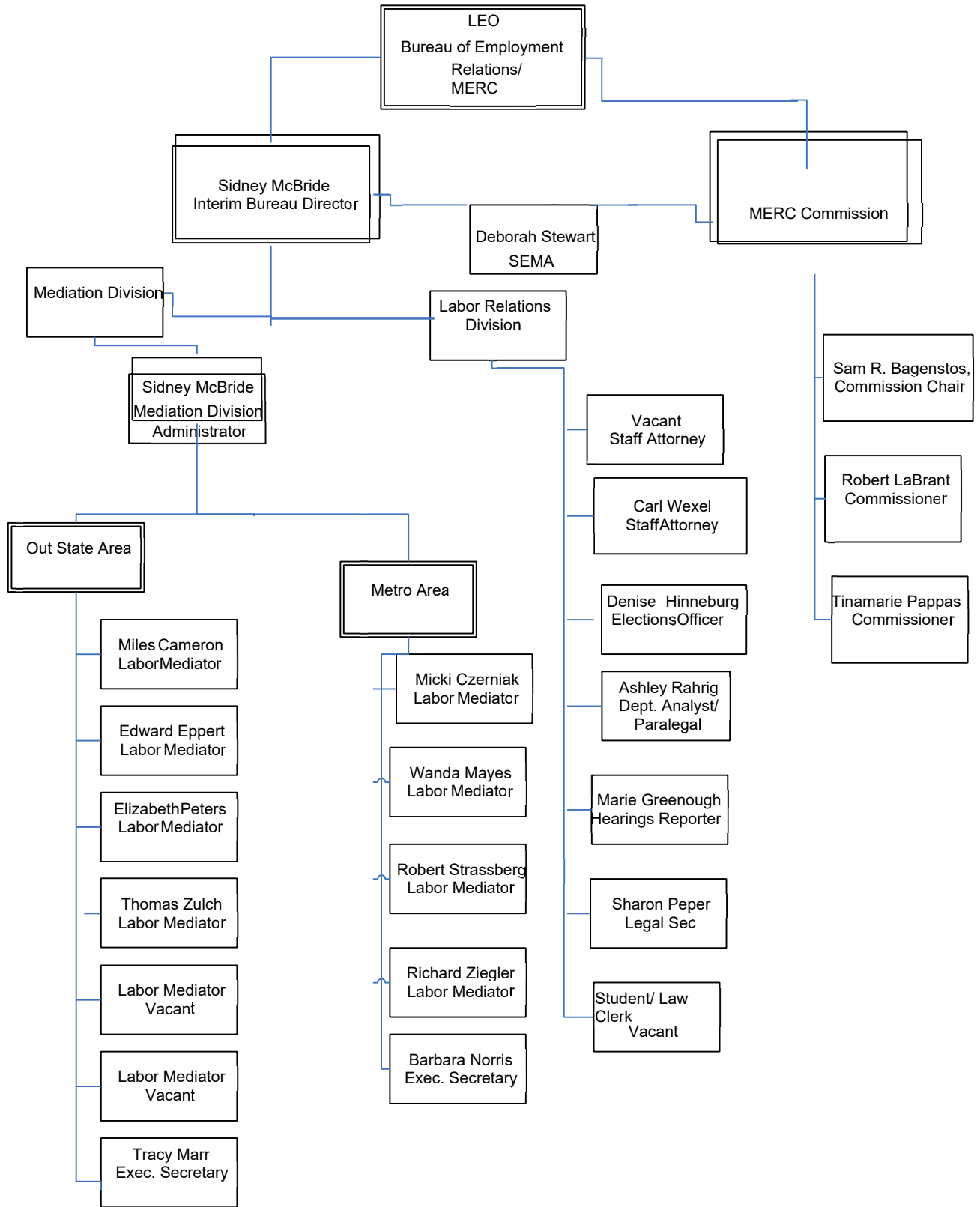
BUREAU OF EMPLOYMENT RELATIONS¹

The Bureau of Employment Relations (Bureau or BER) comprises two separate and distinct agencies—MERC and the Wage Hour division. The Bureau was transferred from to the Department of Labor and Economic Opportunity (LEO) on August 11, 2019 under Governor Whitmer’s Executive Order 2019-13. The BER/MERC side serves as the administrative arm of the Commission (MERC).

¹ The Wage and Hour Division (WHD) merged into BER in FY 2016. The two agencies always have operated separate and independent. Each agency maintains separate budgets, personnel, and supervision aside from the oversight of the BER Director. The Commission has no authority or involvement with the operations the WHD.

MERC Organizational Chart

As of September 30, 2020



STATUTORY OVERVIEW

JURISDICTION AND STATUTORY AUTHORITY

MERC administers the following statutes:

- Public Act 176 of 1939, the Labor Relations and Mediation Act (LMA) – regulates collective bargaining relationships between private sector unions and small private sector employers not falling within the jurisdiction of the National Labor Relations Act.
- Public Act 336 of 1947 as amended, the Public Employment Relations Act (PERA) – grants all public employees within the State of Michigan excluding classified civil service employees of the State and employees of the federal government the right to organize and be represented by labor organizations of their choice and to refrain from such activities.
- Public Act 312 of 1969 as amended by PA 116 of 2011, the Compulsory Arbitration Act (Act 312) – provides for compulsory binding arbitration of labor-management disputes involving public police and fire department employees.
- Public Act 17 of 1980 provides for compulsory binding arbitration of labor-management disputes involving this State and the Michigan State Police Troopers and Sergeants.

KEY LEGISLATIVE CHANGES AND ENACTMENTS

Since 2011, collective bargaining in Michigan (primarily public sector) was impacted by several amendments to PERA, the LMA and Act 312, as well as other legislative changes affecting the administration of these statutes. A chart of these key legislative changes is available from the MERC website which includes:

- Expansion of the prohibited subjects of bargaining for employees subject to the Revised School Code and the Teachers' Tenure Act, including discipline, discharge, evaluation, layoff, and recall (2011 PA 100 through 103);
- Limits on employer contributions to employee health care costs (2011 PA 152);
- Restrictions on pay/benefit increases to employees after contract expiration (2011 PA 54);
- Changes in Act 312 for eligible police and fire department employees (2011 PA 116);
- Public employers' ability to consolidate or transfer services (2011 PA 258-263);
- Union audit filing requirements (2011 PA 53); (2014 PA 414)
- Enactment of Right-to-Work laws (2012 PA 348 and 349);
- Re-definition of emergency manager laws (2012 PA 436);
- Exclusion of Act 312 eligible employees from the provisions of Act 54 (2014 PA 322);
- Expedited procedures on cases involving work stoppages in public schools (2016 PA 194);
- Limited exemption from the Open Meetings Act to discuss the merits of a case (2016 PA 504).

An updated chart of these legislative changes, annotated with a brief description and references to related MERC decisions, appears on the agency's website at www.michigan.gov/merc.

MERC PROCESSES

ELECTION PROCEEDINGS

The Public Employment Relations Act (PERA) provides most public employees in Michigan with the right to organize and be represented by a labor organization of their choice. Section 15 requires a public employer to participate in the collective bargaining process with the employees' chosen representative. The Commission is authorized to conduct the proceedings that determine an exclusive bargaining representative through an election (R petition) or decision (UC petition).

Representation and Unit Clarification Petitions

A petition for election proceedings (R or UC petition) is used to determine a collective bargaining representative, to decertify an existing bargaining representative, or to clarify a position(s) when an employer and labor organization disagree on the placement of a newly-created or substantially changed position. Aside from voluntary recognition by an employer, the determination of a bargaining representative can occur by one of three procedures: Consent Election, Commission Directed Election or Unit Clarification. The election petition form has five distinct sub-types to choose from:

- **Certification of Representative (RC)**, used when a group of employees wish to be represented by a union or association or change to a new representative or to accrete historically excluded position(s) into the bargaining unit;
- **Decertification (RD)**, used when a group of employees in a bargaining unit assert that their current representative no longer maintains majority support and they no longer want to be represented by it;
- **Self Determination (SD)**, when a union representing multiple bargaining units under the same employer wants to merge the separate units into a single bargaining unit;
- **Representation (Employer) (RM)**, filed by an employer when multiple labor organizations claim to be the collective bargaining representative of the same unit of employees;
- **Unit Clarification (UC)** used to determine placement of a new or substantially changed position established after a unit has been certified. With a UC petition, the Commission reviews the record and issues an order resolving the dispute over the placement of the contested position or positions. No balloting or election occurs with a UC petition.

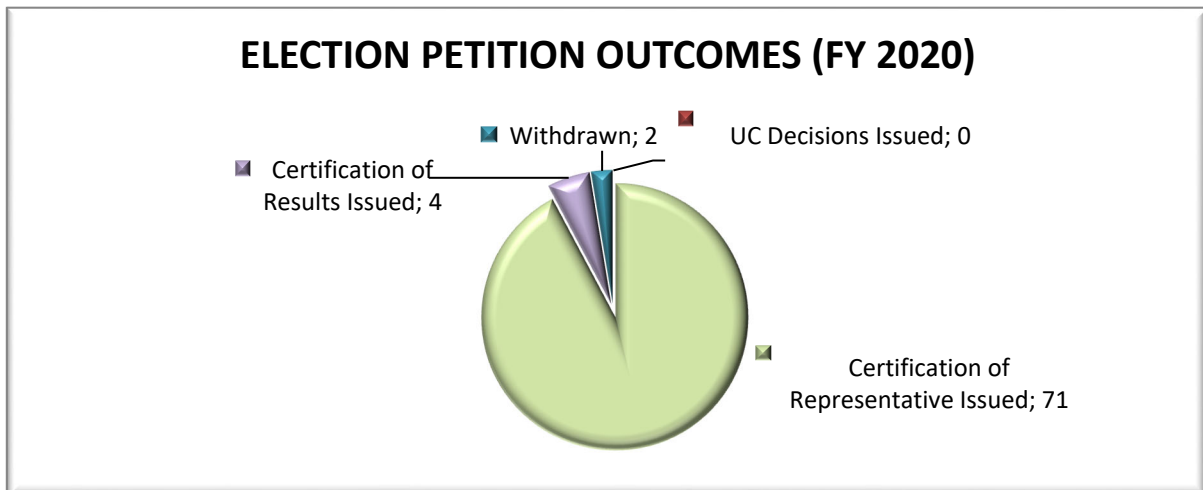
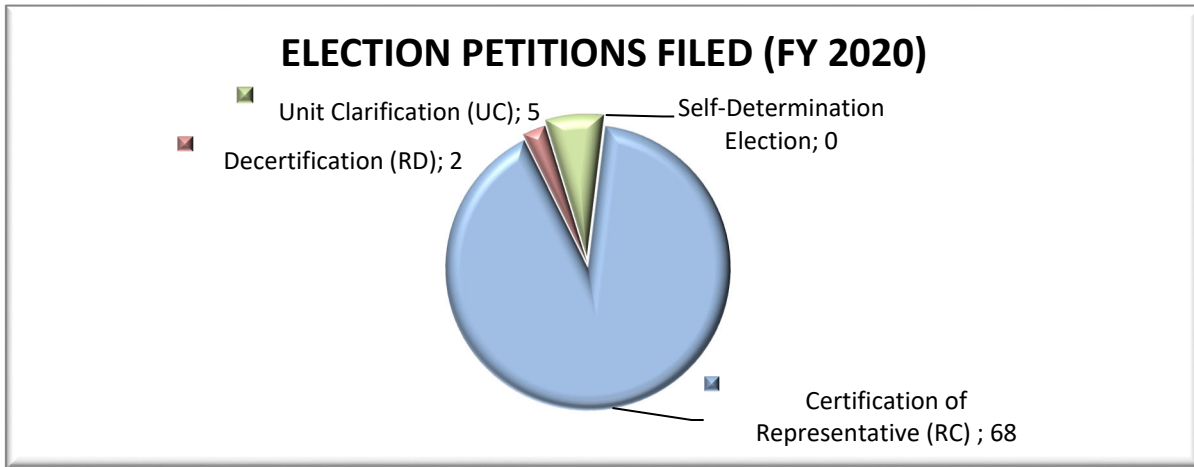
Consent Election or Commission Directed Election

MERC elections (other than UC petitions) are conducted one of two ways—consent of the parties, or Commission order. A Consent Election occurs when the parties mutually authorize MERC to conduct an election. A Commission Directed Election occurs when the parties are unable to consent to an election, and the dispute is referred to an ALJ for a factual and legal determination. Based on those findings, the Commission will order (directs) an election or dismiss the petition.

Election Outcomes

When a labor organization receives a majority of the valid ballots cast in a representation election, the Commission issues a **Certification of Representative** declaring that entity as the exclusive representative of the bargaining unit. If no labor organization receives a majority of the valid ballots cast or the election results in a tie, MERC issues a **Certification of Results** indicating that no exclusive bargaining representative was certified.

During FY 2020, the following election activity occurred:



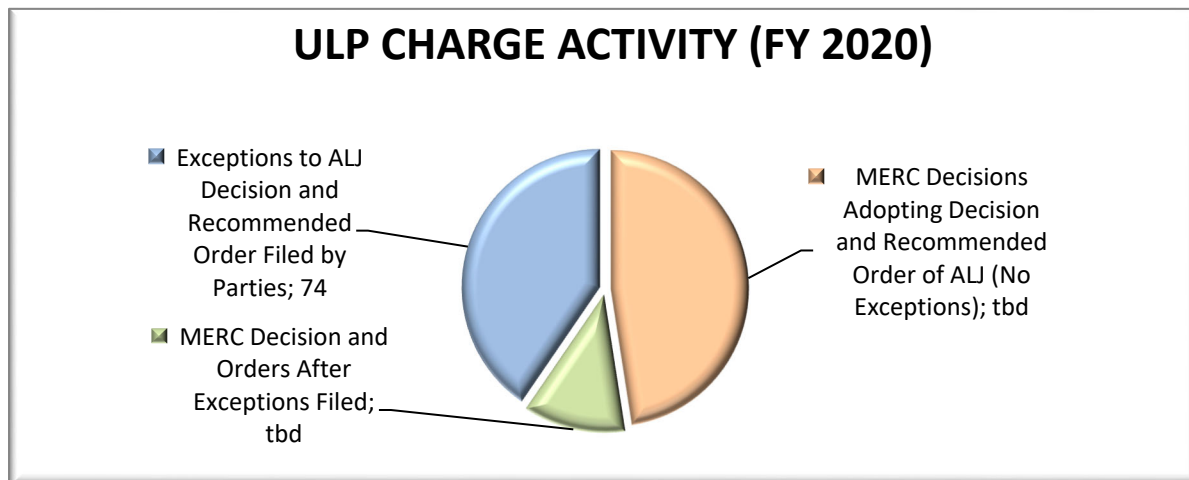
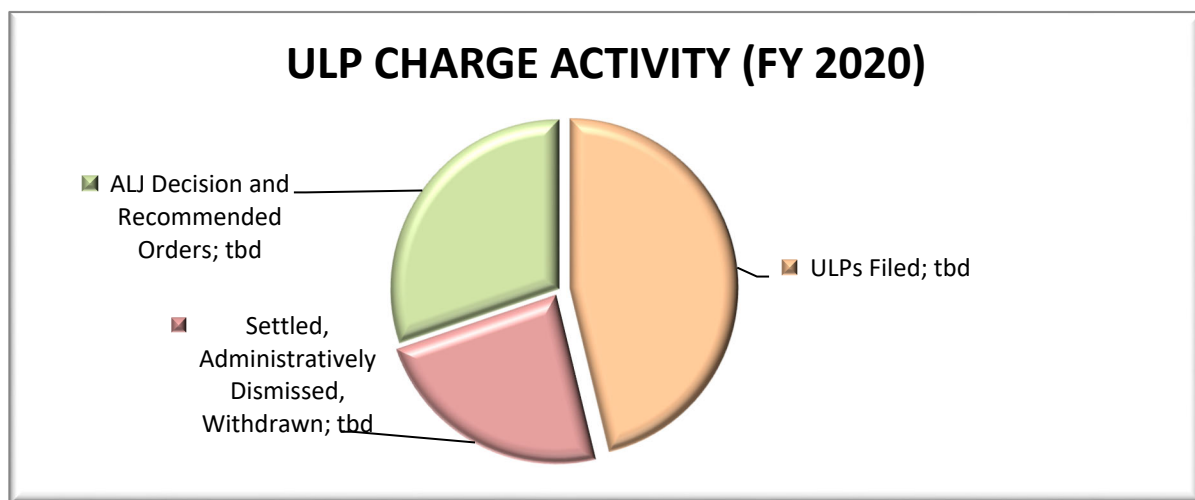
UNFAIR LABOR PRACTICES

MERC authority derived from PERA (and the LMA) provides the basis for an aggrieved party to file an unfair labor practice charge (ULP or charge) against an employer (CE case) and/or labor organization (CU case). After a charge is filed and case initiated at MERC, the case is referred to a MOAHR ALJ. The ALJ reviews the filed materials and may request additional information

and/ or conduct a formal hearing to make a factual and legal determination on whether the allegations establish a violation of the applicable Act (PERA or LMA). Based on the case record, the ALJ issues a summary order or a written decision and recommended order (DRO). The DRO contains the findings of fact, conclusions of law, reasons for those conclusions, and the ALJ’s recommended order for case disposition.

Either party may “appeal” the ALJ’s recommended order to the full Commission. The appeal or “exceptions” are reviewed by the Commission. The Commission issues a final written decision and order that—(i) affirms the ALJ, (ii) reverses the ALJ in whole or in part, or (iii) remands the matter for further factual findings by the ALJ. If no exceptions are filed, the Commission issues a final order that adopts the ALJ’s recommended order.

During FY 2020, ULP case activity included:



During FY 2020, ULP case activity involved cases filed by employers, labor organizations, and individuals asserting violations of PERA. Highlights of a few noteworthy cases included:

- **City of Bay City -and- Utility Workers Union of America, AFL-CIO, Local 542, Case No. C18 G-067, issued May 14, 2020.** A Commission majority held that the Employer's implementation of Electronic Pay Statements did not violate its duty to bargain in good faith. The majority Commissioners relied on MERC's longstanding precedent recognizing management's prerogative as to technological advances in the workplace, as well as the parties' successor CBA covered the issue. The dissenting Commissioner noted the unilateral change involved a mandatory subject of bargaining which violated PERA.
- **City of Bay City -and- Utility Workers Union of America, AFL-CIO, Local 542, Case No. C18 I-091, issued on 6/19/2020.** A unanimous Commission held that the Employer's unilateral implementation of cameras in its sanitation trucks and later used for disciplinary purposes did not constitute a bargaining breach under PERA. The Commission reasoned that the parties' subsequent CBA contained provisions covering the issue, so further bargaining was not required
- **City of Grayling -and-POAM -and- Todd Hatfield, Case No. 20-A-0145-CU, issued on 8/11/2020.** A unanimous Commission held that the Union committed a DFR violation by repeatedly ignoring a member's (Charging Party) request to file grievances over his job reclassification, loss of seniority and later discharge. The Commission had different views on the appropriate remedy owed to Charging Party due to the violation.
- **Hurley Medical Center -and- Registered Nurses & Registered Pharmacists Association, Case No. 19-H-1753-CE, issued on 9/20/2020.** (no exceptions). The Commission adopted the ALJ's conclusion that the Employer's unilateral decision to eliminate the Union's office space violated PERA. The ALJ reasoned the provision of an office space and related amenities constituted a mandatory subject of bargaining to discontinue.

MERC decisions, including case summaries, are assessable from the agency's website located at www.michigan.gov/merc.

“FREEDOM” (RIGHT) TO WORK (FTW)

In December 2012, Michigan enacted “Freedom (Right) to Work” laws PA 348 and 349 of 2012. Public Act 348 amended the Labor Relations and Mediation Act (LMA) that applies to most private sector employees, while Public Act 349 amended the Public Employment Relations Act (PERA) and applies to most public sector employees. Both laws became effective on March 28, 2013 making it unlawful to require an employee to join a union or pay union dues or agency fees as a condition of obtaining or continuing employment.

Later in 2018, the United States Supreme Court in *Janus v. Am. Fed'n of State, Cty., & Mun. Employees, Council 31*, 138 S. Ct. 2448 (2018), held that public-sector agency-shop arrangements violate the First Amendment of the United States Constitution. Consequently, all public-sector employers and unions, including those initially exempt from FTW under 2012 Act 349, could no longer enter into any agreement that requires employees to join or financially support a union as a condition of obtaining or continuing employment.

Under FTW laws, covered employees have the right to voluntarily choose to do, or not to do, any of the following:

- Organize together or form, join, or assist in labor organizations;
- Engage in lawful concerted activities for the purpose of collective negotiation, bargaining or other mutual aid and protection; and
- Negotiate or bargain collectively with their employers through representatives of their own free choice.

UNION AUDITS

In 2014, PERA was amended to require that labor organizations representing public sector employees in the state to file an independent audit with MERC. Section 423.210(9) provides:

Sec. 10 (9) By July 1 of each year, each exclusive bargaining representative that represents public employees in this state shall have an independent examiner verify the exclusive bargaining representative's calculation of all expenditures attributed to the costs of collective bargaining, contract administration, and grievance adjustment during the prior calendar year and shall file that verification with the commission. The commission shall make the exclusive bargaining representative's calculations available to the public on the commission's website. The exclusive bargaining representative shall also file a declaration identifying the local bargaining units that are represented. Local bargaining units identified in the declaration filed by the exclusive bargaining representative are not required to file a separate calculation of all expenditures attributed to the costs of collective bargaining, contract administration, and grievance adjustment.

Independent audits must be submitted in pdf format using the MERC e-File system which is accessible from the MERC website home page at www.michigan.gov/merc. The posted audits and information for registering to file an audit are available on the MERC website. During FY 2020, the agency received 377 filed audits.

MEDIATION – CONTRACT AND GRIEVANCE

Mediation Overview

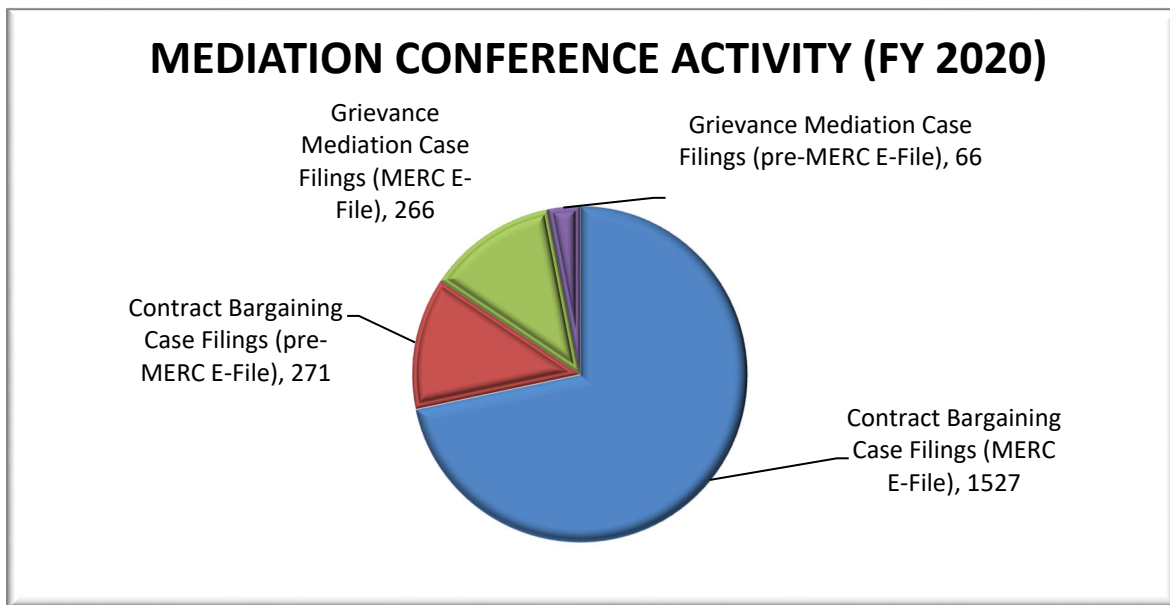
MERC encourages labor and management representatives to use the agency’s experienced Labor Mediators. The staff’s services are available at no cost to the parties. The Labor Mediator’s role as a highly skilled, confidential “neutral party” is to assist parties in settling their outstanding dispute(s) by offering suggestions and recommendations.

Contract Bargaining cases (CB) are initiated with MERC near the expiration of an existing bargaining agreement. After case initiation, at any point during negotiations either party may request the assistance of a MERC Labor Mediator. Once assigned, the MERC Labor Mediator will work with the parties toward resolution. In certain circumstances (especially when there is a threat of a work stoppage), the Commission will initiate a CB case and invoke the mediation process to help expedite resolution of a critical time sensitive workplace dispute.

Grievance Mediation cases (GM) utilize a skilled MERC Labor Mediator to assist the parties in reaching an acceptable resolution to a pending grievance dispute and avoid grievance arbitration (if available). Either party may initiate a grievance mediation case (GM) in the MERC e-file system. Unlike CB cases, GM cases require consent from the Union and Employer representatives in the form of an existing contractual provision and other written consent. Once a GM case is initiated, a MERC Labor Mediator is assigned and will contact the parties. The process is designed for expedited resolution, often with a meeting being held within 14 days of case initiation. Settlement of the grievance is solely within the control of the parties. The Labor Mediator is present to actively “engage” the discussion process using joint and separate caucuses. The process is non-binding and confidential. If resolution is reached, it becomes binding and settles the dispute.

Mediation cases (CB and GM) are initiated by party representatives from the agency’s website using the MERC e-File system. (Traditional filing methods of mail, fax and email can also be used for now but is subject to change in future years. Refer to the electronic Filing Policy on the website to ensure the necessary steps are followed.) Requests for a Labor Mediator can be made via email to merc-mediation@michigan.gov or by contacting any MERC Labor Mediator. A more detailed description of the agency’s mediation processes is found in the “Guide to Public Sector Labor Relations” located on the MERC website under the “Publications” tab.

Mediation Activity FY 2020



During FY 2020, in addition to the routine CBA topics like wages, retirement and health care, there were uniquely different issues encountered by MERC Labor Mediators that were an offshoot of the COVID-19 experience. A few of the reoccurring or complex issues included:

1. Concerns related to PPE, safety precautions, paid leave time, absenteeism and discipline (Public and Private)
2. Effective use of “virtual” or remote negotiations and mediation (Public and Private)

3. Impact of diminished profitability due to restricted business operations (Private mostly)
6. Front line responders mandated to work while others work remotely (Public and Private).
7. Unconventional duties for teachers due to COVID-19 (e.g., classroom meal handouts, disinfecting classrooms, monitoring 3rd parties who teach/facilitate on-line classes)
8. Threatened funding losses due to state and local budget uncertainties (Public and Private).
9. New wage contingencies, sudden per pupil losses due to home school, truancy etc.
10. Effect of uncertain funding and other issues on the parties' obligations under existing CBA terms (Private and Public).
11. Impact on school schedules, virtual classes, and other services under existing CBA terms.

In August 2020, MERC Labor Mediators facilitated fast track mediation sessions to avert work stoppages at 18 different nursing homes throughout SE Michigan—Metro Detroit area. The mediators were successful, in part due to the use of virtual mediation sessions which allowed multiple contracts to be bargaining separately in the same day with party representatives participating in 3 to 4 different states.

CB CASES-- HEARING STAGE (Fact Finding & Act 312 Arbitration):

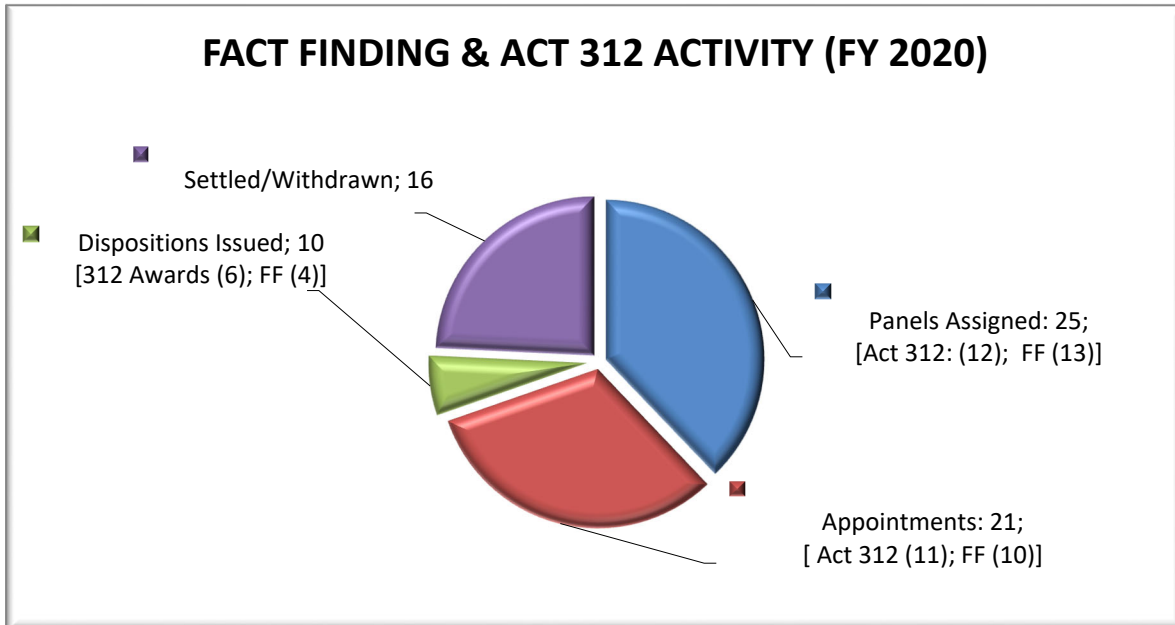
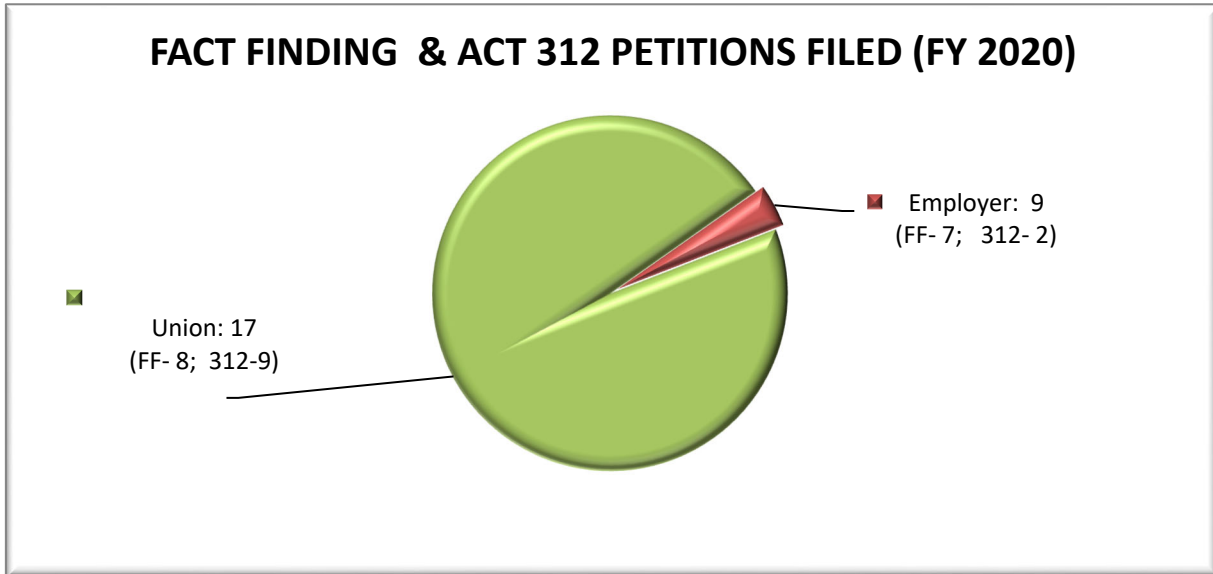
In public sector collective bargaining, the parties are prohibited from undertaking self-help remedies such as strikes or lockouts (work stoppages). Instead, a special type hearing can be requested where a 3rd party neutral (not the mediator) hears and reviews information related to the outstanding disputed issues. Generally, if a ratified bargaining agreement has not resulted following the mediation process, either party may initiate the hearing stage of an existing CB case by filing a fact-finding petition, or, if eligible, an Act 312 petition. A neutral person (fact finder or Act 312 arbitrator) is appointed by the Commission to conduct hearings and issue a written ruling that seeks to resolve the disputed issues and complete the labor contract. The written ruling is a non-binding recommendation in the Fact-Finding process or a binding award in the Act 312 Arbitration process.

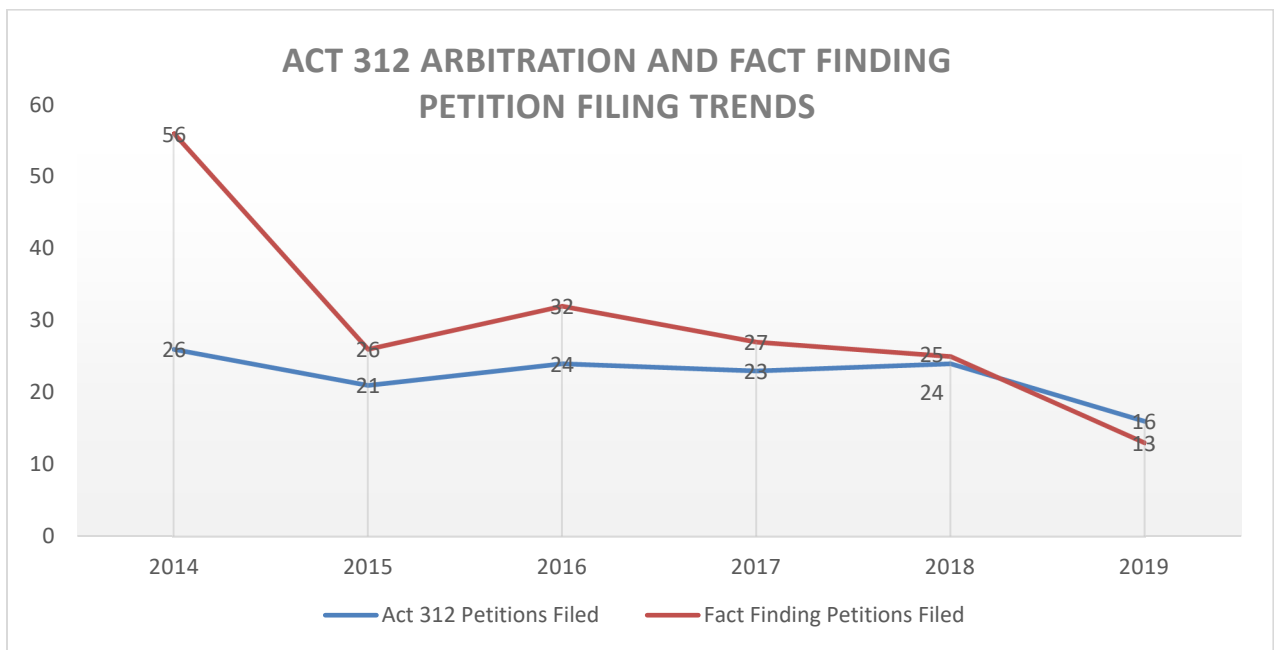
Fact Finding & Act 312 Compulsory Arbitration

Fact Finding: MERC fact finding is available to public sector employers and employees subject to PERA who are not eligible for compulsory arbitration under Act 312. Although the recommendation of a fact finder is not binding, it is helpful as the parties return to negotiations to resolve their differences and, hopefully, reach contract resolution. Since labor strikes in the public sector are prohibited under PERA, fact finding is a dispute resolution procedure available to eligible public sector employees during the course of mediation, with the parties typically returning to mediation following receipt of the fact finding recommendation for settlement. The fact finder's recommendation serves as a basis to help resolve the issues with further assistance of a mediator.

Compulsory Arbitration: In 1969, the Michigan Legislature enacted Act 312 to provide certain employees of municipal police and fire departments a binding procedure for resolving negotiations over a labor contract. In 2011, the Act was further amended to expedite the process. Employees covered by Act 312 include: police officers, firefighters, emergency medical personnel as well as emergency telephone operators employed by a municipal police or fire department or

certain authorities, districts or boards created by these local units of government. Act 17 of 1980 provides similar binding arbitration for state police troopers and sergeants. The ruling of the 312 Arbitrator is binding on the parties and resolves the labor contract dispute without further bargaining or mediation assistance. Fact finding and Act 312 Arbitration activity during FY 2020 included:





ACT 312 ARBITRATION TRENDS

	PETITIONS FILED FOR ACT 312	PANEL ASSIGNED FOR ACT 312	ACT 312 ARBITRATOR APPOINTED	AWARDS FOR ACT 312
2014	26	37	26	10
2015	21	22	18	12
2016	24	26	22	10
2017	23	31	21	7
2018	24	27	25	14
2019	16	13	12	11
2020	11	12	11	6

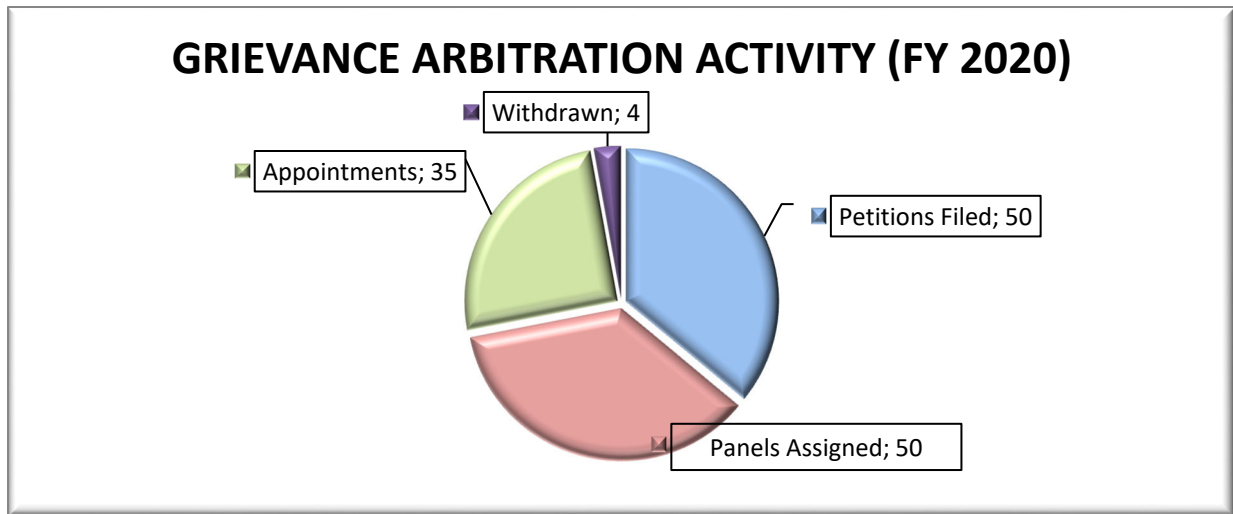
FACT FINDING TRENDS

	PETITIONS FILED FOR FACT FINDING	FACT FINDER PANEL ASSIGNED	FACT FINDER APPOINTED	REPORTS ISSUED FOR FACT FINDING
2014	56	58	43	25
2015	36	29	17	10
2016	32	28	22	4
2017	27	30	23	10
2018	25	27	16	15
2019	13	13	14	4
2020	15	13	10	4

GRIEVANCE ARBITRATION

Pursuant to the authority under the LMA to aid in the resolution of labor disputes in the public and private employer sectors, MERC can appoint a skilled arbitrator to help resolve an ongoing grievance involving an alleged contract violation. Parties can use this service based a provision in their existing labor agreement or by collateral written consent. MERC's role is solely limited to the appointment of the grievance arbitrator and there is no charge for MERC's service. The cost of the arbitration (arbitrator costs, etc.) are paid by the parties. MERC does not enforce, vacate, or maintain grievance arbitration awards and will not collect or enforce payment of fees.

Grievance Arbitration Appointment activity during FY 2020 was:



MERC CONSTITUENT TRAINING PROGRAMS

The Mediation Division offers the following training programs at no charge to union and employer groups using separate or joint training sessions:

- MERC Basics and MERC Beyond the Basics: Provides a summary review of MERC's authority and processes under PERA, LMA, Act 312 and other statutes administered by the agency. The training is tailored to the specific groups to focus on the areas of most interest to those in attendance.
- Collaborative Bargaining (Interest Based Bargaining): Promotes a less adversarial approach to collective bargaining and contract negotiations. Many parties believe that a collaborative approach is more effective than the traditional, adversarial methods of collective bargaining. This collaborative approach is intended to avoid situations where one party wins while the other loses. The process focuses on open and frank discussions, free exchange of information, an examination of issues, interests, and mutual concerns, and the use of consensus building for resolution.

- Interest Based Problem Solving (non-CBA): A variation of the Interest Based Bargaining training is a recently developed training program on collaborative problem solving. This program is typically presented along with training in the establishment of a labor-management committee to enhance communication and resolving workplace issues. This training is often done in conjunction or as a precursor to the Labor Management Committee training and facilitation.
- **Labor Management Committees**: Often used as the catalyst for strengthening the workplace relationship between labor and management, labor management committees provide an ongoing means for workplace disputes to be prevented or resolved earlier on due to the regular dialogue between the parties. MERC training and facilitation will help parties understand the underlying principles and methods necessary for setting up a productive labor management committee and help them advance toward that goal.
- **Collective Bargaining Basics**: Provides a summary review of the goals and objectives in the collective bargaining process. Also focuses on key nomenclature and principles of the bargaining process and means to reaching a tentative agreement and ratification.
- **Grievance Processing & Contract Administration Basics**: Provides a summary review of the goals and objectives in the grievance process under a collective bargaining agreement. Also focuses on key principles of the contract administration and steps in the grievance procedure of a collective bargaining agreement. Mock grievances and hands on simulations are often included in the training, depending on the particular group and time constraints.

OTHER FY2020 HIGHLIGHTS

COVID-19

The unexpected events posed by the COVID-19 pandemic since February 2020 have forced many Americans to embrace a “new normal” when handling the routine business operations of both personal and work lives. This same unpredicted shift occurred in the business operations at MERC. In the midst of various issued Executive Orders designed to protect lives and promote efficiency during this COVID-19 crisis, the Commission and MERC staff quickly pushed to develop and implement various changes to allow the agency to continue to provide superior public service while under less convenient conditions. Additionally, parties, constituents and public citizens who rely on MERC processes for dispute resolution purposes or to obtain general agency information needed a remote means to do so with few impediments or complexities. Within one week of Michigan’s initial Stay at Home order (issued on March 23, 2020), much of this agency’s operations were successfully retooled for staff to telecommute when working with minimal need to access a physical MERC office. Fortunately, the 2018 launch of the agency’s online case filing system—MERC e-File, helped to attain these goals for staff and non-staff users.

- ***Mandatory e-Filing***: The Commission unanimously affirmed this agency’s direction toward mandatory e-filing of MERC cases, which will involve minor changes to a few existing MERC rules. Also, on the horizon are operational and rule changes which support

the discretionary use of remote processes, including mediation and hearings, when circumstances make it more favorable to do so.

- ***Electronic Filing & Online Case Access***

Submit MERC case filings via MERC e-File, or by using the four distinct e-mail filing addresses for mediation, grievance arbitration, elections and ULPs. With MERC e-File, new cases can be filed without a login. Case filings on existing cases require a user to log into the system using their MI Login for Citizen account, searching for the specific case, and submitting the desired new event filing (e.g., brief filed) plus any associated uploads.

- **Virtual Mediation & Remote Hearings**

The several State issued Executive Orders helped jumpstart this agency's reliance on video conferencing technology to conduct prehearing conferences, mediation sessions and case hearings. Existing programs such as Zoom coupled with information available from the State Court Administrators Office (SCAO) and various state courts were used to fast track the process used at MERC. Agency staff became more skillful by viewing various webinars and other training materials focused on remote video conferencing business processes. Soon, agency labor mediators assisted parties to successfully reach settlement agreements in several collective bargaining negotiations using remote mediation (rather than the traditional "in-person" method). Likewise, remote hearings were conducted on MERC cases by agency panel members and the MOAHR ALJs). The ability to conduct mediation sessions and case hearings via remote means permitted parties to continue toward the resolution of their outstanding MERC cases, notwithstanding other interruptions caused by the COVID-19 crisis.

BUDGET

The authorized budget appropriations for the agency during FY 2020 was \$4.36M. That amount was reduced during the fiscal year as the result of the rolling layoffs experienced by most state agencies due to COVID-19. The budgeted funds are derived from state security fees exclusively.

MERC ACCOMPLISHMENTS

Aside from the routine work of the agency, below are a few highlights in light of COVID-19:

- Expanded our service format to include videoconferencing and remote options to meet the needs of parties and the public, especially during COVID-19.
- Outreach services to UIA claimants on basic account problems with receiving benefit payments.
- Expanded party and public online use of the MERC e-file system to initiate, process and view case activity 24 hours per day.
- Timely resolution of labor contract disputes notwithstanding reduced operations and limited access to public and private workplaces.
- Thwarted a widespread strike by workers in healthcare, secondary education, and transportation industry in metro Detroit metro, mostly due to COVID-19.

- Increased MERC staff's ability to work remotely from home with minimum disruption in service output and customer service.

RETIREMENTS, TRANSFERS & PROMOTIONS

Commission Chair Edward D. Callaghan was appointed Chair of the Michigan Employment Relations Commission on June 20, 2011 and was re-appointed two subsequent terms. Dr. Callaghan served as a full-time faculty member at Oakland Community College (OCC) from 2005 to 2015 and is currently an Adjunct Professor at OCC and Walsh College. He previously served as President of OCC's Orchard Ridge campus and as Vice Chancellor for Human Resources and College Communications.

Dr. Callaghan's extensive collective bargaining experience includes handling MERC elections, unfair labor practice claims, and mediation cases. He has negotiated labor contracts in the public sector for more than 30 years representing various public sector employers. Prior to serving as Commissioner, Ed served as an Act 312 arbitrator and as a fact finder on behalf of this agency.

Callaghan earned a Ph.D. from the University of Michigan, an MBA from Wayne State University, and a B.S. from the University of Detroit. Former Chair Callaghan's final appointment with MERC expired on June 30, 2020.

Ruthanne Okun served as Bureau Director since 1998 until she retired in January 2020. Ruthanne has been in the field of labor and employment relations for the past 39 years. She graduated *magna cum laude* from Michigan State University and from Notre Dame Law School, where she was the Assistant Legislative Research Editor of the Journal of Legislation. Prior to attending law school, Director Okun served as the Personnel & Employee Relations Director of Larden Company, with facilities in Davisburg, Michigan and Plymouth, Indiana. Director Okun was employed for nearly 5 years with the law firm of Miller, Canfield, Paddock & Stone in its labor and employment relations department and was a partner at the Riverview law firm of Logan, Wycoff and Okun, PC. Since 1998, she has served as the Bureau Director and supervises staff located in Detroit, Lansing, and out-state areas, including staff of the Bureau's Wage and Hour Division.

Julia Stern, MERC ALJ, retired from State service on October 18, 2019, after more than 38 years of service. Judge Stern was involved in the administration of the Public Employment Relations Act (PERA) and the Labor Mediation Act (LMA) for more than 31 years. She received her undergraduate and law degrees from the University of Michigan and University of Michigan Law School. She was employed as a Field Examiner in Region 7 of the National Labor Relations Board from 1973-1976, and in private practice as an attorney representing employers in the private sector before coming to work for MERC in 1981. She served as Staff Attorney for MERC from 1981 to 1997 and has been an ALJ with the State since 1997.

Fred Vocino served as a MERC Labor Mediator in the Grand Rapids area from October 2009 until he retired in December 2019. Before MERC, Fred held a staff position with the Michigan Nurses Association (MNA) from 1991 to 2009. There, he conducted contract negotiations/administration and rights arbitration, assisted with policy development, and led in mediation and ULP proceedings. Before 1991, he was an elected UAW official at Wayne State

University. He is a Wayne State graduate (B.F.A.) having developed an appreciation for alternative dispute resolution principles, the application of which he regularly practiced while at the MNA.

MERC E-FILE

The MERC e-File system launched in December 2018 and provided a public facing component that readily allows the public access to case related information and documents from the agency's website. For the first time in MERC history, public citizens (including MERC constituents) could search and view limited case information on any pending or disposed MERC cases that were initiated after mid- December 2018. Party representatives can electronically submit or "e-file" new cases and add new filings and materials on pending cases with greater convenience and less formality.

The MERC e-File system is available to the public 24 hours a day and seven days a week over any available internet source using a PC, laptop, tablet, or smart phone. There were 1722 new case filings during FY 2020 as follows: Contract Bargaining (1388); Grievance Mediation (177); Grievance Arbitration Appointments (50); Unfair Labor Practices (117); Elections (78) and Work Stoppage (4).

More MERC e-File details, including the system link, are located on the home page of the website at: <http://michigan.gov/merc>.

RULE MAKING

Preliminary steps were undertaken to advance rule making changes to the agency's General Rules and Act 312 Rules. A dedicated team of MERC staff reviewed a list of complied concerns that relate to rule concerns such as—mandatory electronic case filing, definition and application of the term "advocate" in the panel selection process, commissioner disqualification and recusal, remote hearings and processes and more. The formal rule making process includes a Public Comment segment that requires discussion with constituents and others on any proposed changes and additions. The process will be continued into FY 2021.

CONSTITUENT PRESENTATIONS and STAFF TRAINING

The bulk of the regular activity in this area was significantly halted due to COVID-19. However, a few presentations and trainings did occur including:

- Labor & Employment Update, MI Cmty College Human Resource Assn on 10/14/2019
- Mediation Basics, Montcalm Area Human Resource Association on 10/16/2019
- 27th Annual Bernard Gottfried Memorial Labor Law Symposium on 10/17/2019
- State Bar Labor & Employment Law Section, Mid-Winter Conference on 1/24/2020
- Fundamentals of PERA & MERC, Metro Bureau of School Studies on 2/11/2020

EMPLOYEE ENGAGEMENT

The annual survey is designed to help ensure that state employees are highly engaged, respected, and valued; and have the opportunity to express and explore views on issues related to their jobs. Due to the COVID-19 outbreak, employee engagement endeavors were suspended during FY2020.

WEBSITE RESOURCE MATERIALS & CONTACT INFORMATION

RESOURCE MATERIALS/ FORMS

- MERC Homepage
- MERC & Court Decisions Affecting Act 312 and Fact Finding
- MERC Case Decisions
- MERC Decisions Pending before the Michigan Court of Appeals
- MERC Decisions Pending before the Michigan Supreme Court
- MERC Elections Certifications
- MERC Annual Reports
- MERC Forms
- MERC Guide, Rules, Polices and Statutes
- Chart of Recent Significant Legislative Changes Impacting Collective Bargaining
- MERC Panel Members (Act 312 Arbitrators, Fact Finders and Grievance Arbitrators)
- Union Audit Filings
- BER/MERC Offices
- “What's New” link with new and significant agency information
- Freedom to Work Information with Frequently Asked Questions
- LEO FOIA Requests

CASE DECISION ACCESS

- The *MERC Website* has diligently sought to improve the public’s access to MERC decisions. Case searches may be conducted by year and month by clicking on the “1998-present MERC Commission Decisions Issued” link on the “MERC Decisions” page at www.michigan.gov/merc. Decisions on cases initiated in MERC e-File may be accessed by searching for the specific case, locating the event filing “MERC Decision Issued” and locating the associated attachment.
- The *Library of Michigan* houses scanned MERC Decisions dating back to the first decision, dated August 16, 1965. These older MERC decisions are available, compliments of the Library of Michigan, on the Governing Michigan web site, accessed via a link on the “MERC Decisions” section of the MERC webpage

OFFICE LOCATIONS

<p>Cadillac Place (Detroit) 3026 West Grand Blvd, Ste. 2-750 P.O. Box 02988 Detroit MI 48202-2988 313-456-3510 313-456-3511 (fax)</p>	<p>Mason Bldg. (Lansing) 503 W. Allegan Mason Bldg., Garden Level Lansing MI 48909 517-373-3580 517-335-9181 (fax)</p>
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