

Michigan Civil Service Commission

Regulation 1.01

Subject: Issuance of Civil Service Regulations		
SPDOC No.: 22-15	Effective Date: January 1, 2023	Replaces: Reg. 1.01 (SPDOC 16-06, January 1, 2017)

1. Purpose

This regulation establishes a procedure for issuing Civil Service regulations.

2. CSC Rule References

1-3 *Regulations and Advisories*

The state personnel director may issue regulations and advisories deemed necessary or useful. A regulation is binding, unless the commission finds that it violates a rule. An advisory does not have the force and effect of law and is not binding. The director shall make regulations and advisories available to employees through the internet.

3. Definitions

A. CSC Rule Definitions.

- 1. **Advisory** means a written statement issued by the civil service commission, state personnel director, or other civil service staff to provide direction, clarification, or other necessary or useful information.*
- 2. **Regulation** means a formal, general written enactment issued by the state personnel director that: (1) exercises, implements, or applies powers granted to the director in article 11, section 5, of the constitution; (2) exercises, implements, or applies powers granted to the director or civil service staff by civil service rule; or (3) prescribes the procedures or practices of the civil service staff.*
- 3. **Rule** means a statement of general applicability approved by the civil service commission and published by the state personnel director that (1) exercises, implements, or applies powers granted in article 11, section 5, of the constitution, or (2) prescribes the procedures or practices of the civil service commission or civil service staff. A rule has the force and effect of law unless a court of competent jurisdiction determines that the rule is unconstitutional or otherwise contrary to law.*

4. Standards

- A. Notice of Proposed Regulation.** The state personnel director shall give public notice of any proposed regulation or material amendment to a regulation to the commission, the Office of the State Employer, appointing authorities, and recognized employee organizations, at least 14 days before the proposed effective date. Any interested person may request a copy of the proposed regulation and may comment in writing on the proposal.
- B. Issuance.** After review of any comments, the director may issue the regulation as proposed or as revised. A regulation is issued when the regulation has been approved by the director and published by Civil Service. The regulation is effective on the date issued or any later date authorized by the director.
- C. Emergency Regulation.** If the director determines that the efficient and orderly administration of the classified service requires issuance of a regulation without the notice required in §4.A, the director may immediately issue such regulation without prior public notice or opportunity for comment.
- D. Notice to Commission.** The director shall place on the commission's agenda a notice of each regulation issued since the last meeting. Commission action is not required. However, the commission may act to amend or repeal a regulation at any time without notice.
- E. Publication.** The director shall number, organize, compile, certify, and publish all regulations. The regulations must be provided to the Office of the State Employer, all appointing authorities, and all employee organizations. The regulations must be available to the public and may be published in electronic form.
- F. Severability.** Each provision of these regulations is severable. Therefore, if a court of competent jurisdiction or the commission finds that any provision of a regulation is invalid or unenforceable, every other provision not found invalid or unenforceable remains valid and enforceable.

CONTACT

Questions on this regulation may be directed to the Office of the General Counsel, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; 517-284-0093; or MCSC-OGC@mi.gov.