

Michigan Civil Service Commission

Regulation 6.06

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| Subject: Coordinated Compensation Plan | | |
| SPDOC No.: 22-09 | Effective Date: September 4, 2022 | Replaces: Reg. 6.06 (SPDOC 19-11, October 1, 2019) |

1. Purpose

This regulation establishes procedures to determine the coordinated compensation plan for all nonexclusively represented employees (NEREs).

2. CSC Rule References

1-15 Employment Relations Board

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1-15.4 Duties

The employment relations board has the following duties:

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(c) Serve as the members of any impasse panel or coordinated compensation panel. However, the board instead may appoint one or more of its own members or other persons to serve as the panel.

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5-1 Civil Service Compensation Plan

5-1.2 Amendments to Compensation Plan

The civil service commission may amend the compensation plan at any time, consistent with article 11, section 5, of the constitution. The state personnel director may submit to the commission recommended amendments to the compensation rules at any time. The director shall also submit to the commission for its review (1) any proposed collective bargaining agreement or amendment agreed to by the state employer and an exclusive representative, (2) any recommendation of the impasse panel, and (3) any recommendation of the coordinated compensation panel.

5-1.3 Coordinated Compensation Plan

The coordinated compensation panel shall send a recommended coordinated compensation plan for all nonexclusively represented classified employees to the civil service commission. The panel shall consider negotiated collective bargaining agreements, any impasse panel recommendations, and any recommendations of the employer or employees. The panel shall send its recommendation on or before the date set by the state personnel director.

3. Definition

A. Definition in This Regulation.

1. **Position statement** means a written statement proposing a change to the compensation or benefits plan with supporting rationale and documentation addressing the coordinated compensation plan (CCP) guidelines.

4. Standards

A. Scheduling. Determinations under these procedures must be consistent with the budget cycle established by law and the constitutional provisions governing the timing of increases in rates of compensation for classified employees. The Coordinated Compensation Panel or its designated representative may adjust deadlines for submissions, with the director's consent, to effectively carry out this process and coordinate with collective-bargaining and impasse schedules.

B. Participation. The Office of the State Employer (OSE) and limited-recognition organizations (LROs) may participate in the CCP process. NEREs who are not members of LROs may also request to participate. Any request to participate must be submitted in writing by the Friday before Labor Day to MCSC-ERB@mi.gov. The panel's designated representative shall respond in writing to a request. A valid request must contain (1) the name, address, e-mail address, and phone number of the employee or spokesperson for a group of employees; (2) a certification that no employee or group member requesting to participate is a member of an LRO; (3) the specific compensation or benefits changes proposed and the classifications of employees for whom the change is requested; and (4) a brief explanation of why the requested change is necessary.

C. Procedures.

1. **Position Statements.** All parties participating in the CCP process shall submit a written position statement to the panel before the deadline established by the panel or panel's designee. The OSE shall simultaneously serve a copy of its submission on participating LROs and NEREs. Participating LROs and NEREs shall simultaneously serve a copy of their submissions on the OSE. If resubmitting a request to modify the CCP previously considered by the panel, a party must provide compelling evidence of a material change since the last request.
2. **Response Statements.** A party who submitted a position statement may submit a written response to a position statement filed by another party before the deadline established by the panel or panel's designee. The OSE shall simultaneously serve a copy of any response to a participating LRO or NERE. Participating LROs and NEREs shall serve a copy of any response to the OSE.
3. **Conference.** The panel's chair or the chair's designee may conduct a preliminary conference with the parties before any CCP hearing to identify the general types of

information necessary for a relevant and material hearing record for the panel's eventual deliberations. The panel may reject specific requests from further consideration in the CCP hearing if the request was previously considered and no compelling evidence was offered to justify reconsideration.

4. **CCP Hearing.** At the hearing convened by the panel, the parties may present their positions and respond to other parties' positions.

D. Guidelines.

1. **Standards.** Position statements and participants' oral presentations in the CCP process should address the following guidelines, which the panel shall use in making recommendations to the commission:
 - a. The public interest and welfare, including the current and forecasted financial condition of the state.
 - b. Comparison of the overall compensation received by NEREs with the overall compensation received by exclusively represented employees.
 - c. Comparison of the rates of pay, the continuity and stability of employment, and the overall compensation and benefits received by state employees with employees performing similar services in other public and private employment.
 - d. Other appropriate considerations to the sound and rational determination of a coordinated compensation plan.
2. **Consensus Agreements.** The panel shall also consider any recommendations that represent an agreement or consensus between the OSE and LROs or other participants in the CCP process.
3. **Post-hearing Information.** If the panel finds good cause to consider information brought to its attention after the hearing closes, the panel may use that information in its recommendation. The information must be appended to the panel's proposal to the commission or incorporated by reference in that document.

- E. **Alternative Procedures.** The director may establish alternative procedures and schedules for the CCP process, after providing written notice, if deemed necessary.

CONTACT

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