Michigan Civil Service Commission Regulation 8.06
Computing Time and Filing Documents

SPDOC 26-05, effective June 7, 2026 (replaces Reg. 8.06, SPDOC 16-06)

1. Purpose

This regulation provides (1) uniform standards and requirements for computing periods of time in agency grievance proceedings and Civil Service proceedings and (2) requirements for filing documents in Civil Service proceedings.

2. Definitions

A. CSC Rule Definitions.

1. **Day** means a calendar day.
2. **Good cause** means an acceptable excuse for failing to file or take other required action timely. Good cause does not include a person's own carelessness, negligence, or inattention to the filing or other requirements.
3. **Special extenuating circumstances** means a compelling excuse for the failure to file a matter timely that arises out of one of the following:
   - **(a)** An intentionally or fraudulently misleading action by an appointing authority or party that prevented the filing.
   - **(b)** Serious physical or mental incapacity of the person that prevented the filing.
   - **(c)** Extraordinary unforeseen circumstances outside the control of the person that prevented the filing.
4. **Workday** means a day on which the employee is scheduled to work or in the absence of approved leave or temporary layoff would normally be scheduled to work.

B. Definitions in This Regulation.

1. **Agency grievance proceeding** means the steps of the Civil Service grievance process authorized by regulation 8.01 conducted at the agency level leading to a final grievance decision of the appointing authority.
2. **Business day** means a day, Monday through Friday, on which state executive offices are open for business. Business day does not include a Saturday, Sunday, or state holiday.
3. **Civil Service proceeding** means any administrative, technical, or quasi-judicial proceeding conducted by Civil Service, the State Personnel Director, the Employment Relations Board, or the Civil Service Commission. Civil Service proceeding does **not** include steps of the grievance process conducted at the agency level.
4. **Document** means any paper required to be filed, mailed, or received in any Civil Service proceeding. Document includes, but is not limited to, a grievance appeal, technical

complaint, claim of appeal, application for leave to appeal, motion, brief, decision, order, or recommendation.

5. **Mailed** means deposited in a United States Postal Service mail receptacle properly addressed, containing the document to be mailed, and with first-class postage fully prepaid on the envelope.

6. **Postmark** means a date stamp placed on a mailed envelope or a receipt issued by the United States Postal Service indicating the date the envelope was mailed or received by the United States Postal Service for mailing. A postmark does not include a date stamp placed by the sender, such as a postage meter stamp.

3. Standards

A. Application of Regulation.

1. § 3.B and applicable definitions apply to all (1) agency grievance proceedings and (2) Civil Service proceedings.

2. § 3.C and applicable definitions apply to all Civil Service proceedings, but do **not** apply to agency grievance proceedings.

B. Computing Time Periods.

1. **Application.** Unless a rule or another regulation specifically provides a different method, all time periods required by a rule or regulation for a Civil Service proceeding or an agency grievance proceeding are measured in days, weeks, months, or years, as provided in this regulation.

2. **Counting time.**

   a. **Counting days.** The first day of a period measured in days is the day after the occurrence that starts the period. The last day of the period is included. For example, a regulation states that "An appeal must be filed within 14 days after the final grievance decision is issued." If the final decision is issued on a Wednesday, the 14-day appeal period begins the next day, on Thursday. The grievance appeal must be received by Civil Service staff no later than the second Wednesday, two weeks later, subject to § 4.b.2.d below.

   b. **Counting weeks.** The first day of a period measured in weeks ends on the same day of the week as the occurrence that starts the period. For example, a regulation states that "An appeal must be filed within 3 weeks after the final decision is issued." If the final decision is issued on a Tuesday, any appeal must be received by Civil Service staff no later than the third Tuesday, three weeks later, subject to § 4.b.2.d below.

c. **Counting months or years.** A period measured in months or years ends on the same day of the month as the occurrence that begins the period. If what would otherwise be the final month does not include that day, the last day of the period is the last day of that month. For examples a regulation states that "An appeal must be filed within 6 months after the date the final decision is issued." If the final decision was issued on May 15, any appeal must be filed on or before November 15, subject to § 4.b.2.d below. If the final decision was issued on October 31, any appeal must be filed on or before April 30 of the following year. Because April has no 31st day, the last day of April, the 30th, is the last day of the appeal period.

d. **Effect of a Saturday, Sunday, or state holiday.** The occurrence of a Saturday, Sunday, or state holiday does not lengthen a filing period unless the last day of the period is a Saturday, Sunday, or state holiday. In such an event, the period runs until the next business day. For example, a regulation states that "An appeal must be filed within 14 days after the final grievance decision is issued." If the final grievance decision is issued on December 18, the grievance appeal must be received by Civil Service staff no later than the first business day of the new year. The 14-day period is not extended by any state holidays on December 24, 25, or 31, but since the last day of the period would fall on January 1, the period is extended to the next business day. If January 1 fell on a Friday, this could be as late as January 4.

C. Delivery and Receipt of Documents in Civil Service Proceedings.

1. **Documents received by Civil Service.** If a period ends or begins on the date a document is received in a Civil Service office, the document is deemed received on the date the document is **received** in the Civil Service office while the office is open to the public. A document must be received in the Civil Service office before the relevant period expires to be timely. Receipt of documents by email is determined by the time-stamp for the message.

2. **Documents sent by Civil Service.** If a period begins on the date a document is issued by a Civil Service office, the period begins on the **earliest** of the following:

   a. The date the document is mailed or sent by other courier by Civil Service to the last address provided by the recipient. The mailing date is the date on the document, unless the postmark or other document is offered to demonstrate otherwise.

   b. The date the document is delivered to a responsible person in the office of the recipient while the office is open.

   c. If delivered by fax, the date the document is sent to the fax number provided by the recipient and receipt is confirmed.

d. If delivered by email, the date the document is sent to the email address provided by the recipient.

e. The date the recipient actually receives the document.

3. **Extension of period.** Unless a rule or regulation permits the parties to stipulate to an extension of time, a deadline for filing a document in a Civil Service proceeding cannot be extended without the prior consent of an authorized Civil Service officer before a deadline has passed.

4. **Effect of time limits.** A document filed late in a Civil Service proceeding shall be dismissed as untimely unless accompanied by a written explanation of the reasons for the late filing that establishes either good cause or special extenuating circumstances.

   a. Good cause. A filing that is up to 28 days late shall be denied as untimely, unless the filing party establishes good cause that was not due to the filing party's own negligence.

   b. Special extenuating circumstances. A filing that is over 28 days but less than 1 year late shall be denied as untimely, unless the filing party establishes special extenuating circumstances.

   c. Maximum limit. A filing that is 1 year or more late shall be denied as untimely.

5. **Correcting deficiencies in documents.** If a party in a Civil Service proceeding files a document that does not substantially comply with the requirements of a rule, regulation, or order, an adjudicating officer shall issue a deficiency notice to the party. If the party does not correct the deficiency within 14 days after the date the notice was issued, the adjudicating officer shall reject the document, dismiss the party's claim, or take other appropriate action.

Contact: Direct questions on this regulation to 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.