

# Michigan Civil Service Commission

## Regulation 6.03

<b>Subject:</b> <b>Dues and Fees Deduction</b>		
<b>SPDOC No.:</b> <del>16-0618-</del>	<b>Effective Date:</b> January 1, 2017 <del>9</del>	<b>Replaces:</b> Reg. 6.03 (SPDOC- <del>07-1416-06</del> , <del>October 7</del> <a href="#">January 1, 2017</a> )

### 1. Purpose

This regulation provides procedures to collect dues and service fees from labor-organization members and fee payers.

### 2. CSC Rule References

#### 6-7 *Dues and Service Fees*

*If agreed to in a collective bargaining agreement, the state may deduct the dues or service fee of a member of an exclusively represented bargaining unit through payroll deduction. ~~Notwithstanding any contrary provision of a collective bargaining agreement, a~~ An appointing authority ~~shall can~~ not deduct membership dues or service fees unless the employee has filed a current voluntary written authorization. The director shall establish the exclusive process for employees to authorize or deauthorize deduction of dues or fees.*

#### 6-8 *Recognition Rights for Labor Organizations*

\* \* \*

##### 6-8.3 *Limited-Recognition Organizations*

*Employees in excluded positions are not eligible for exclusive recognition but may join and be represented by limited-recognition organizations, unless otherwise prohibited by this rule. Employees in eligible positions in units that have not yet elected an exclusive representative may join and be represented by limited-recognition organizations. However, a limited-recognition organization shall not represent nor seek to represent an employee in an eligible position after an exclusive representative has been certified in the employee's unit.*

*(a) **Limited-recognition status and payroll deduction of dues.** The state personnel director shall recognize as a limited-recognition organization an organization that registers with the director and provides (1) a copy of its constitution, bylaws, or other governing documents; (2) the names and addresses of its officers; (3) proof of registration as a nonprofit corporation in the state of Michigan; and (4) proof of membership of 50 or more excluded employees. Proof of membership must be in the form of signed membership application forms. Upon submission to the office of the state employer of 50 or more appropriate dues deduction cards, such an organization has the privilege of payroll*

*deduction of dues for members who are excluded. An employee cannot have the privilege of payroll deduction of dues to more than one organization.*

*\* \* \**

### 3. Definitions

#### A. CSC Rule Definitions.

1. **Exclusive representative** means a labor organization granted recognition and certified as the sole representative of all employees in an appropriate unit.
2. **Labor organization** means an employee organization recognized by the state personnel director as (1) an exclusive representative of eligible employees or (2) a limited-recognition organization.
3. **Limited-recognition organization** means a labor organization recognized by the state personnel director to represent employees in nonexclusively represented positions.

### 4. Standards

- A. Dues or Fee Deduction to Exclusive Representative.** If agreed to in a valid collective bargaining agreement, an ~~employee organization~~ exclusive representative may use payroll deduction for dues or service fees as authorized ~~in writing~~ by individual members in ~~a its~~ bargaining unit. Employees in an exclusively represented unit cannot pay dues or fees through payroll deduction to, nor be represented by, an employee organization or agent other than the organization certified as the ir unit's exclusive representative ~~of their unit. The provisions of this procedure concerning the rights of an exclusive representative to payroll deduction of dues or fees may be changed by negotiation and agreement between an exclusive representative and the State Employer.~~
- B. ~~Right to Dues Deduction of Nonexclusively Represented Employees in to a~~ Limited-Recognition Organization.** A limited-recognition organization, upon approval of the ~~Office of the State~~ Employer, may use payroll deduction for dues as authorized individually by its ~~employee members in writing. A~~ nonexclusively represented employee members. An employee cannot ~~have dues deducted and remit dues~~ from earnings ~~and remitted to more than one~~ multiple organizations.
- C. Employee Deductions.**
1. **Payroll Deduction Authorization ~~Form.~~** ~~A labor organization shall print a payroll deduction authorization form for use by its members or service fee payers. The form must be approved by the State Personnel Director, consistent with the accounting convenience of the State.~~
    - a. ~~Current Deduction. As of the effective date of this regulation, all payroll deduction cards filed with state agencies supporting current individual employee deductions will continue to be honored.~~

- ~~b. Signatures. If a change in card design is required, employee organizations are not required to obtain signatures of current members on payroll deduction.~~ An exclusively represented employee who intends to pay member dues or service fees or a NERE who intends to pay dues to a limited-recognition organization by payroll deduction must authorize the deduction in HRMN using MI HR Self Service before any payment can be made. Valid payroll deduction cards in effect on December 31, 2018, provide authorization for continued deduction.
- ~~2. Starting. To initiate payroll deduction, an authorization form signed and dated by the employee must be submitted to the employing agency in accordance with its procedures.~~
- ~~3. Canceling. To terminate payroll deduction, a written request, signed and dated by the employee, must be submitted to the employing agency.~~ an employee must cancel the deduction in HRMN using MI HR Self Service. ~~The employing agency shall not print or provide withdrawal cards.~~
- ~~4. Service-Fee Payers. An exclusive representative may deduct a service fee from a non-member employee in its unit if the employee has filed a prior written authorization.~~
- ~~35. Effective Date. The initiating or termination of deductions, based on a request received during any pay period,~~ is effective no later than the ~~following~~ pay period after the request is received.
- ~~46. Automatic Cancellation. Separation from employment or layoff in excess of 180 calendar days terminates an employee's deduction authorization. A labor organization's Decertification or derecognition of a labor organization also terminates deduction authorization of all members and fee payers.~~ dues and service fees.
- ~~5. Reporting. Civil Service staff shall electronically provide a biweekly report of new authorizations and cancellations to labor organizations.~~

**D. Changes in Deduction Amounts.** Group increases or decreases in the amount of deductions require application to the Sstate Employer. The employee organization must provide the Sstate Employer ~~with~~ a certification that ~~the~~ membership authorized the change and that notice has been given to all members. The ~~Office of the~~ Sstate Employer shall ensure that the change is implemented ~~within three the~~ payroll periods after following Sstate Employer approval.

## 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; by telephone at 517-284-0093; or to [MCSC-OGC@mi.gov](mailto:MCSC-OGC@mi.gov).