

MICHIGAN CIVIL SERVICE COMMISSION
Public Meeting
July 25, 2022

Present: Janet McClelland, Chair
Jase Bolger, Commissioner
Nick Ciaramitaro, Commissioner
Jeff Steffel, Commissioner
John Gnodtke, State Personnel Director

1. CALL TO ORDER

The meeting of the Michigan Civil Service Commission (Commission) was opened by Chair McClelland at 10:04 a.m.

Approval of Minutes

Chair McClelland requested a motion to approve the minutes of the December 15, 2021 meeting. On motion duly made and supported, the minutes of the December 15, 2021 meeting were approved.

2. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

3. INFORMATIONAL REPORTS

State Personnel Director's Report

The director reported on all unclassified position creations and abolitions since the last meeting. Details on the positions, departments, and titles are in the written report.

Since the last meeting, notice was given in SPDOCs 22-03 and 22-04 of potential amendments to regulations 1.03, 1.04, 5.16, 5.18, 6.02, 8.01, and 8.05.

Matthew Wesaw was reappointed to the Employment Relations Board to serve as a member for a term through May 1, 2025.

4. NEW BUSINESS

A. Certification of FY21 Aggregate Payroll

Director Gnodtke explained that last December the commission tentatively certified the aggregate payroll for the classified state service from October 1, 2020, through September 30, 2021, as \$6,025,529,514. The state's accounting records for fiscal year 2021 closed in March, which slightly modified the aggregate payroll amount to \$6,025,539,150. The modified certification was approved on an interim basis and transmitted to the governor and the legislature.

On motion duly made and supported, Resolution 4.A. was unanimously approved.

B. EGLE Meal Pilot Extension

General Counsel Nick Kechkaylo explained a request from the Department of Environment, Great Lakes, and Energy to extend a pilot program previously approved by the DTMB

director and commission over meal reimbursements for EGLE employees. The pilot was later extended through March 2022. The state personnel director, with the consent of the chair, has granted interim approval to extend the pilot through September 30, 2022.

On motion duly made and supported, Resolution 4.B. was unanimously approved.

C. MSPTA CBA Resolution

General Counsel Kechkaylo reported on Item 4.C., the voluntary agreement reached by the Michigan State Police Troopers Association (MSPTA) and Office of the State Employer for employees in the Troopers and Sergeants bargaining unit through September 30, 2024. Staff has reviewed the agreement and identified no prohibited subjects of bargaining implicated. Interim approval with the chair's consent was previously granted to facilitate seeking a legislative waiver to allow pay increases outside the normal budget process.

On motion duly made and supported, Item 4.C. was unanimously approved.

D. Corrected CBA Resolutions

General Counsel Kechkaylo summarized Items 4.D.1 through 7, corrected collective bargaining agreements for AFSCME, MCO, MSEA, SEIU HSS, S&E, Tech, and UAW. The commission approved primary agreements for these seven bargaining units at its December 2021 meeting. Earlier this year, the Office of the State Employer requested interim approval for corrected versions of these primary agreements because certain minor provisions over which the parties had previously agreed were inadvertently left out of the tentative agreements presented to the commission for review. The state personnel director has granted interim approval for corrected agreements with the chair's consent for those corrections received before last week.

On motion duly made and supported, Resolutions 4.D.1 through 4.D.7 were unanimously approved.

E. Amendment to Rule 5-6, Recruitment and Retention Pilot Program

General Counsel Kechkaylo explained Item 4.E amending rule 5-6. The Office of the State Employer agreed to a recruitment-and-retention pilot program in letters of understanding for exclusively represented employees in certain classifications and agencies. The OSE requested that similar changes be adopted for nonexclusively represented employees in certain classifications that generally supervise those exclusively represented employees. In response, in April the state personnel director took interim rule action with the chair's consent to allow an appointing authority to pay an eligible employee a biweekly \$250 recruitment and retention payment during 13 consecutive full pay periods. The pilot program began on May 1, 2022.

After the pilot program took effect, the OSE requested a special wage increase for certain NERE positions under conditions similar to conditions under bargained letters of understanding. One such condition under those LOUs is a potential early termination of similar recruitment and retention pilot programs for affected exclusively represented employees. Some NERE positions for which the special wage increase was requested are also eligible for this pilot program under rule 5-6.17. To provide a potential early termination of the pilot program if a special wage increase is approved for an eligible classification, Resolution 4.E. would approve the promulgation of rule 5-6.17 creating the pilot program, modified to include language in subsection (a)(4) to end the pilot for any employee in an

otherwise eligible classification upon the effective date of any approved special wage increase.

On motion duly made and supported, Resolution 4.E was unanimously approved.

F. Amendments to Rules 8-2 and 9-1

General Counsel Kechkaylo indicated that Item 4.F amends rules 8-2 and 9-1 to end the NERE arbitration alternative. The arbitration alternative was first implemented decades ago in response to backlogs in the civil service grievance appeal process. As noted in the memo circulating these proposed changes, the arbitration alternative has been slower in recent years. The arbitration alternative also requires appellants and agencies to equally share the costs of arbitration, whereas the civil service grievance appeal process has no cost for the parties. These amendments would affect only the NERE arbitration alternative to the civil service grievance appeal process. They would not affect grievance processes in approved collective bargaining agreements. Finally, as noted when the amendments were circulated, the amendments would apply prospectively. Any grievant electing the arbitration alternative before the effective date of the amendments, if adopted, would proceed under the rules and regulations in effect when elected.

Commissioner Ciaramitaro pointed out that Resolution 4.F would modify the proposed amendment to rule 8-2.4(b) by striking the phrase “designated or appointed by the state personnel director” appearing after “hearing officer.” General Counsel Kechkaylo indicated that was correct, and that a motion to approve the resolution would be appropriate.

On motion duly made and supported, Resolution 4.F was unanimously approved.

G. Amendments to Rules 1-8, 3-1, 5-11, and 9-1

General Counsel Kechkaylo summarized Item 4.G, proposed amendments to rules 1-8, 3-1, 5-11, and 9-1. The proposed changes to rules 1-8 and 3-1 broadly state that, consistent with state and federal law, accommodations for persons with a disability are granted and that discrimination based on disability or genetic information is prohibited. Some definitions for related terms no longer in the rules would also be deleted. These changes are similar to other recent changes on provisions dealing with drug and alcohol testing and FMLA leaves that replaced attempts to generally summarize requirements of state and federal laws. The changes do not alter any rights under state and federal law but should reduce potential confusion that summaries in the rules and regulations exhaustively describe those rights or that state and federal laws can be enforced under civil-service processes. Non-substantive amendments to rule 5-11 and 9-1 to simplify and update language on insurances are also proposed. None of the proposed amendments would change how group insurance benefits are administered for any current employee. Notice of these rule amendments was circulated just over two weeks ago, so a motion agreeing to waive the normal 28-day notice requirements and adopting the amendments was required.

On such motion duly made and supported, Item 4.G was unanimously approved.

H. Amendment to Rule 5-6, Joint Lab Retention Payment

General Counsel Kechkaylo summarized Item 4.H. The Office of the State Employer agreed to a retention recognition program in letters of understanding for eligible exclusively represented Department of Health and Human Services employees at the Joint Laboratory who assisted in COVID-19 efforts. The OSE requested that similar changes be adopted for

similarly situated nonexclusively represented employees. Item 4.H is a proposed amendment to rule 5-6 to allow the DHHS to pay eligible NEREs assigned to the Joint Laboratory on July 25, 2022, a one-time retention payment. Notice of these rule amendments was circulated just over two weeks ago, so a motion agreeing to waive the normal 28-day notice requirements and adopting the amendments was required.

On such motion duly made and supported, Item 4.H was unanimously approved.

I. Letters of Understanding

General Counsel Kechkaylo summarized Items 4.I.1 through 12 as several letters of understanding agreed to by the Office of the State Employer and exclusive representatives. Staff reviewed them and found no prohibited subjects of bargaining. Interim approval has been granted for all those which, by their terms, could have effect before this meeting. The letters of understanding include a retention recognition payment for eligible employees of the Department of Health and Human Services assigned to the joint laboratory who assisted in COVID-19 efforts, agreements to discuss how funds under the American Rescue Plan Act may be used, exceptions and alterations for overtime for certain positions, a reclassification bonus for Nursing Graduate RNs, an extension of the recruitment and retention program for MCO-represented employees, and several recruitment and retention bonuses for certain health-care related classifications in other units similar to the MCO program.

Also included are 9 letters of understanding that would increase the pay steps of certain classes' pay schedules by 20%, with employees in those classifications being placed at pay steps of the amended schedules according to a promotional formula. These are classes involved in healthcare, skilled trades, and transportation with longstanding recruiting concerns due to higher wages offered by competing employers. These pay increases would take effect on the earlier of the first full pay period after any legislative waiver under article 11, section 5, or, under the budget process described in article 11, section 5, on October 1, 2023. These LOUs also provide that if a legislative waiver is approved before the end of a recruitment and retention pilot program for an affected classification, the pilot program ends concurrently with the implementation of the new pay schedules.

Roderick Jackson, SEIU 517M, thanked the commission for its support of state of Michigan employees' hard work. Approving the LOUs will help retain current technical employees and recruit future employees while bringing wages to a competitive level. This will cause many to stay, which we need. It will help work/life balance and save money in the long run. Employees are happy to be recognized and appreciated for their hard work during the pandemic and over the past years. The raise will be appreciated and keep people working for the state.

On motion duly made and supported, Items 4.I.1 through 4.I.12 were unanimously approved.

J. NERE Rate of Compensation Adjustments

General Counsel Kechkaylo summarized Item 4.J. The Office of the State Employer has agreed to, and the commission has considered, increases to the pay schedules of certain classifications for exclusively represented employees. Item 4.J is the OSE's request that similar increases be adopted for (1) specific nonexclusively represented employee classifications that supervise the represented classes receiving special increases to avoid

wage compression, and (2) confidential NEREs where represented employees in the same classes will receive increases under letters of understanding. These are classes involved in healthcare, skilled trades, and transportation with longstanding recruiting concerns. Resolution 4.J amends the compensation plan to provide similar increases to affected classifications' pay schedules and place employees according to a promotional formula. The effective date of the increase would be the earlier of (1) October 1, 2023, if included in the budget as described in article 11, section 5, or (2) the start of the first full pay period after any legislative waiver granted under article 11, section 5.

Peter Neu, Legal Counsel for MAGE, informed the commission that MAGE advocated vigorously for the last several years for wage increases for its licensed professional members—specifically nurses, psychiatrists, psychologists, and physician manager—by bringing evidence to commission meetings of wage compression and local employers who pay more than the state. MAGE also provided testimony and statements from members showing that the state paid less. These increases should help cure the recruitment and retention problem and make it so we can encourage licensed professionals to come to the state and let us better serve the public. MAGE supports this in its entirety and requests its approval.

On motion duly made and supported, Resolution 4.J was unanimously approved.

K. IP 2022-01 (MSEA and DNR)

General Counsel Kechkaylo explained that Item 4.K. is the impasse panel's recommendation in the matter of the request for impasse assistance in secondary negotiations between the Michigan State Employees Association and Department of Natural Resources. The panel recommended the status quo for the provision at impasse because it was not being properly at impasse because the primary agreement did not delegate the subject for secondary negotiations.

On motion duly made and supported, Item 4.K. was unanimously approved.

5. PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further items for Commission approval or public comments, Chair McClelland called for a motion to adjourn. On motion duly made and supported, the meeting was adjourned at 10:30 a.m.

These minutes will become final upon approval by the Civil Service Commission.

MICHIGAN CIVIL SERVICE COMMISSION
Public Meeting
December 19, 2022

Present: Janet McClelland, Chair
Jase Bolger, Commissioner
Nick Ciaramitaro, Commissioner

John Gnodtke, State Personnel Director

1. CALL TO ORDER

The meeting of the Michigan Civil Service Commission (Commission) was opened by Chair McClelland at 10:06 a.m.

Approval of Minutes

Chair McClelland requested a motion to approve the minutes of the July 25, 2022 meeting. On motion duly made and supported, the minutes of the July 25, 2022 meeting were approved.

2. AMENDMENTS TO AGENDA

There were no amendments to the agenda.

3. INFORMATIONAL REPORTS

State Personnel Director's Report

The director reported on all unclassified position creations and abolitions since the last meeting. Details on the positions, departments, and titles are in the written report.

Since the last meeting, notice was given in SPDOCs 22-07, 22-08 and 22-09 of amendments to regulations 3.09, 4.01, 6.05, and 6.06. The amendments were effective September 4, 2022.

The director also expressed his appreciation to outgoing Chair Janet McClelland for her years of steadfast service to the commission and state government as a deputy director, acting director, and commissioner. He spotlighted her involvement with several transformative projects to modernize the classification, selection, compensation, and IT systems and her guiding the commission during HR consolidation. He indicated his gratitude for her unswerving focus on an effective merit system that leaves a lasting legacy to all fortunate enough to have worked with her.

Chair McClelland in turn thanked the commissioners for the past eight years of professional, thoughtful discourse on changes to the rules and regulations and cooperative exchanges. She also thanked the executive office staff, central office staff, HR directors and staff, unions, and all she has been in contact with during her career with the civil service commission. She expressed appreciation for everyone's collegiality, professionalism, and friendship.

4. NEW BUSINESS

A. Proposed Amendments to Rule 5-7.1

General Counsel Nicholas Kechkaylo explained that the Office of the State Employer (OSE) requested amendments to rule 5-7.1 to permit potential later approval of standardized travel

regulations providing meal allowances. The Department of Technology, Management, and Budget (DTMB) had requested amendments to the standardized travel regulations to implement on a statewide basis a meal allowance program beginning January 1, 2023. Notice of these proposed rule amendments was circulated less than 28 days ago, so a motion agreeing to waive the normal 28-day notice requirements and adopting the amendments was required. Additionally, because notice of the proposed rules was circulated less than 14 days ago, a unanimous vote of a quorum was required to approve the proposed amendments.

On such motion duly made and supported, Item 4.A was unanimously approved.

B. Standardized Travel Regulations

General Counsel Kechkaylo stated that the commission and DTMB director jointly approve standardized travel regulations for state employees. Three requests regarding the travel regulations have been submitted to the commission for its review and approval. First, the DTMB requested increases to the standard mileage and meal reimbursement rates. Interim approval was granted for rate increases effective October 1, 2022. Second, the commission previously approved a pilot program providing meal allowances for EGLE employees. The commission later approved the pilot's extension through September 30, 2022. Interim approval was granted to extend the pilot through December 31, 2022. Finally, the DTMB reviewed the results of the EGLE pilot and found it saved costs by reducing the amount of staff time needed to review and audit receipts for meal reimbursement. The DTMB requested that the commission approve amendments to the standardized travel regulations to make the meal allowance pilot program a statewide program, effective January 1, 2023, which would be a return to a meal-allowance system as used before 2008.

Commissioner Ciaramitaro questioned the standardized rules as to select cities. He asked why Macomb County was not designated as a select city, while Wayne, Oakland and Grand Traverse counties were?

Ronda Whiting from DTMB stated that the travel rate setting process requires DTMB include in the select-city listing all communities that are at the highest level of the General Services Administration (GSA) for federal employee travel per diem. Macomb County is not at the highest level for the GSA and therefore is not considered a select city.

On motion duly made and supported, Resolution 4.B was unanimously approved.

C. Proposed Amendments to Rules 1-3, 2-7, 2-14, 3-7, 4-6, 4-7, 5-4, 5-5, 5-6, 5-7, 5-8, 5-10, 5-17, 8-7, and 9-1

General Counsel Kechkaylo reported on Item 4.C. Proposed amendments to several rules were circulated for comment last month in SPDOC 22-10. The proposed amendments generally delete or correct obsolete and expired provisions, more accurately reflect longstanding practices, and streamline certain functions. Grammatical clarifications and improvements are also offered throughout. These amendments are proposed to take effect January 1, 2023.

Commissioner Ciaramitaro indicated that rule 5-4.6 deals with exclusions for SES and ECP overtime and compensatory time. He asked whether it complies with the federal labor standards act. General Counsel Kechkaylo confirmed that it does. Commissioner Ciaramitaro also asked whether rule 5-4.6(c) that refers to the state police is consistent with the CBAs. General Counsel Kechkaylo clarified that these changes affect only non-

exclusively represented employees (NEREs), who are not under a collective bargaining agreement.

Commissioner Ciaramitaro voiced concern over an amendment in rule 3-7.2(a)(2) making the stay of a revocation order optional. He objected to the change.

Director Gnodtke explained that the revocation of appointments is a very rare occurrence when staff determines whether someone does not meet the minimum qualifications. If there is a promotion, an unqualified appointee may be returned to perform some work during an appeal. The change was proposed to give the technical review officer discretion to issue a stay pending a final decision, rather than have a mandatory stay throughout the entire administrative process for a candidate that was found unqualified.

Commissioner Ciaramitaro expressed concern also for this change that got buried in a lot of the rules as being non-substantive. He stated that it is substantive, and he believes it should not be dealt with in this context. Director Gnodtke indicated that current rule language allows a subsequent order to stop the stay, which lessens the substantiveness of the change.

Chair McClelland reiterated that there are very few revocations of appointment and the word "shall" is very strong. The change gives the technical review officer discretion to make a determination in each situation. She would concur with the change.

Commissioner Bolger added that a stay could be lifted later and with this language change a two-step process could be achieved from "shall" to "may," so that a decision is not made in that first step.

A motion was duly made and supported to approve the rule changes in Item 4.C, except rule 3-7.2(a)(2). The motion was unanimously approved. A second motion was made to approve the proposed changes to rule 3-7.2(a)(2). Commissioners McClelland and Bolger approved the motion. Commissioner Ciaramitaro opposed it. The motion was approved.

D. Proposed Amendments to Rule 5-6.7

General Counsel Kechkaylo reported that the Office of the State Employer requested that rule 5-6.7 be amended to provide Conservation Officer-Law Supervisors the same biweekly premium provided to exclusively represented Conservation Officers by collective bargaining agreement. Proposed amendments to this rule that would implement the requested increase and eliminate unnecessary language were circulated for comment. These amendments were proposed to take effect January 1, 2023.

On motion duly made and supported, Item 4.D was unanimously approved.

E. MCSC Budget Resolutions

Amy Pung, Director of the Office of Financial and Administrative Services presented information on the FY22 Aggregate Payroll Certification and FY24 Commission Budget. She noted that the total aggregate payroll is \$6,019,547,431. That is a 0.1% decrease from last year. The certified aggregate payroll numbers are not finalized. If there are changes, she will notify the director for any interim approval for a modified certification before the next commission meeting.

Ms. Pung also reported that the budget proposal for FY24 is \$78,125,000, which is a continuation of the current fiscal year with pending economic adjustments for salary and

wages, retirement, insurance, and workers' compensation. It also includes a 5% increase in the line-item for HR Operations, which has been requested for consideration in this year's budget to the State Budget Office in response to requests from the majority of agencies serviced for additional staffing to assist with increased HR services.

On motions duly made and supported, Resolutions 4.E.1 and 4.E.2 were unanimously approved.

F. Memorandum of Understanding on Retiree Insurances

General Counsel Kechkaylo indicated that the commission and DTMB director jointly approve the health plan for retirees under state statutory retirement acts. With the chair's consent, this October the director entered into a memorandum of understanding with the acting DTMB director to amend the State Health Plan PPO for retirees to eliminate the copay for telehealth visits when using the carrier's online vendor from 2023 and to amend some eligibility requirements from 2023.

Bob Kopasz of State Employee Retirees Association (SERA) addressed the commission in support of the memorandum of understanding. He indicated that the Employee Benefits Division is always very responsive and answers any questions that SERA may have regarding healthcare benefits. He indicated that SERA would, however, like an increase in the cap for dental coverage to match what the active employees receive. SERA appreciates the work of the Employee Benefits Division.

On motion duly made and supported, Item 4.F was unanimously approved.

G. Coordinated Compensation Panel Recommendation

General Counsel Kechkaylo reported that the Coordinated Compensation Panel (CCP) provided its recommendation for NERE pay rates for FY 2024. The panel recommended adopting the same 2% base wage increase effective October 1, 2023, that is in voluntary agreements for exclusively represented employees reached during the last round of bargaining and was consistent with the OSE's proposal. MAGE sought a higher base-pay increase for all NEREs and an additional special base-pay increase for certain NERE classifications supervising security unit employees. The panel did not recommend adopting MAGE's proposals. The panel recommended \$200,000 in funding for the NERE professional development fund as proposed by the state employer. The panel also did not recommend special pay adjustments or a request for a sick-leave payout sought by NEREs participating in the CCP process.

Peter Neu of Michigan Association of Governmental Employees (MAGE) addressed the commission. He acknowledged Chair McClelland's years of service and thanked her for her work. Neu also thanked the OSE, Ms. Olson, Dr. Mellos, and DHHS HR Director, Mike DeRose for their efforts in getting licensed professionals, in particular nurses and doctors, a pay raise, and was hopeful the raise would improve retention. Neu stated that the consumer price index increases this year will have a negative impact on employees to buy goods and services. The 2% raise is not enough to compete with other states and the private sector. Though the state does not offer a pension and other incentive bonuses, it has a good working environment. Neu urged the commission to consider keeping NERE wages at least consistent with the consumer price index and the cost of living. Neu stated that additional incentives are needed for the MDOC to recruit and retain professionals for leadership positions. There is a disincentive for people to want to become sergeants,

captains, and lieutenants. While correction officers are receiving bonuses, MAGE urged the commission to give at least equal bonuses to the supervisors. Neu also asked the commission to look at the wage compression issue that MAGE has brought up each year. The cost of inflation and increases in healthcare contributions eat up last year's 5% percent raise, and the 2% raise recommended for next year is inadequate. NEREs and all state employees work hard while generally lacking bonuses or incentives. He hopes that it makes it so that the state can recruit and retain individuals in these facilities. MAGE urges the commission to keep NERE wages close to inflation.

On such motion duly made and supported, Item 4.G was unanimously approved.

H. Unclassified Pay Recommendation

General Counsel Kechkaylo indicated that article XI, § 5 of the state constitution requires the commission to make a non-binding recommendation on unclassified pay. Consistent with previous years, Resolution 4-H would recommend potential increases up to the amounts authorized for classified employees, which in this case would be 2%.

On motion duly made and supported, Resolution 4.H was unanimously approved.

I. Updated MSPTA CBA

General Counsel Kechkaylo explained that the commission approved the primary agreements for the Troopers and Sergeants bargaining unit at its July meeting. Subsequently, the Office of the State Employer requested interim approval for an updated version of this primary agreement to generally clarify the use of the word "member." Interim approval of the updated agreement with the chair's consent was granted.

On motion duly made and supported, Item 4.I was unanimously approved.

J. Letters of Understanding

General Counsel Kechkaylo summarized Items 4.J.1 through 4.J.9. The Office of the State Employer has agreed to several letters of understanding with exclusively represented employees. Staff have reviewed the LOUs and found no prohibited subjects of bargaining. The letters of understanding include a recruitment and retention pilot program for youth challenge academy aides which was given interim approval by the state personnel director; a recruitment and retention bonus program for security unit employees; extension of an overtime pilot for certain classifications in the state police and adding an additional classification to the program; optional signing bonus programs for eligible newly hired employees in certain classifications at MIOSHA; an extension of the previously approved holiday pay pilot program for employees in the security unit; and modifications to travel expense language to conform with the standardized travel regulations to take effect January 1, 2023. One LOU would increase veterinarian and veterinarian specialists pay schedules' steps by 20% with employees in those classifications being placed at the pay steps of the amended schedules according to a promotional formula. These classes have longstanding recruiting concerns. This LOU is similar to LOUs approved by the commission last summer for similar classifications. One other LOU would increase the minimum and maximum pay for non-career corrections officers by changing that class's pay schedule. These pay increases would take effect on the earlier of the first full pay period after any legislative waiver under article XI, § 5, or October 1, 2023, under the budget process described in article XI, § 5.

On motion duly made and supported, Agenda Items 4.J.1 through 4.J.9 were unanimously approved.

K. Proposed Rule 5-6.16

General Counsel Kechkaylo explained that the Office of the State Employer has agreed to, and the commission has considered, optional signing bonus pilot programs in letters of understanding for newly hired employees in certain exclusively represented classifications in MIOSHA. Item 4.K are the state employer's requests that similar programs be adopted for a specific nonexclusively represented classification in MIOSHA, and for certain information technology classes in the DTMB, for which the agencies have raised recruiting concerns. Proposed rule 5-6.16, if adopted, would create such pilot programs for newly hired employees in these classifications. Notice of these proposed rule amendments was circulated less than 28 days ago, so a motion agreeing to waive the normal 28-day notice requirements and adopting the amendments was required.

On such motion duly made and supported, Agenda Item 4.K was unanimously approved.

L. NERE Rate of Compensation Adjustments

General Counsel Kechkaylo reported that the Office of the State Employer has agreed to, and the commission has considered, increases to the pay schedules of certain exclusively represented veterinary classifications. Item 4.L is the state employer's requests that similar changes be adopted for (1) the nonexclusively represented veterinarian manager class that supervise the represented veterinarian classes receiving special increases, and (2) non-exclusively represented veterinarians. The state employer has also requested that the pay schedule for the non-career state police cadet classification be changed to a pay schedule with a higher maximum rate of pay, citing pay-related recruitment difficulties. Resolution 4.L would amend the compensation plan to provide these increases to affected veterinarian classifications' pay schedules and place employees according to a promotional formula and change the pay schedule of the affected non-career class. The effective date of both increases would be the earlier of October 1, 2023, if included in the budget as described in article 11, section 5, or the start of the first full pay period after any legislative waiver granted under article XI, § 5.

Commissioner Ciaramitaro noted that the commissioners received some comments from NEREs expressing concern over signing bonuses at the exclusion of existing employees. Commissioner Ciaramitaro pointed out that these proposed pay increases are examples of where we are offering retention incentives. Commissioner Ciaramitaro also asked for clarification on pay incentives received by NEREs supervising exclusively represented employees who will receive base pay increases.

Director Gnodtke reported that in terms of the 20% increases last July and this recent one, there is both an LOU involving veterinarian classes and then this action before the commission for NERE veterinarian equivalents. The supervisory relationship between classes is not always this clear. Some of the represented classes may have a more general type of supervisor class. The earlier reference was to other outside retention bonuses which are different than the 20% wage-increase situation.

Commissioner Ciaramitaro asked whether the commission also approved parallel bonuses for NEREs in those situations.

Director Gnodtke stated the previous bonus with the IT classifications were primarily NERE classes. That was a retention program for security unit employees in one LOU that did not have a corresponding NERE version requested by the state employer.

On motion duly made and supported, Resolution 4.L was unanimously approved.

M. Secondary Agreements

General Counsel Kechkaylo reported that the state employer requested approval of 39 secondary agreements between exclusive representatives and agencies. Staff has reviewed the agreements and found no prohibited subjects of bargaining.

On motion duly made and supported, Agenda Item 4.M was unanimously approved.

N. Increased Minimum Compensation

General Counsel Kechkaylo explained that the commission is constitutionally charged with setting rates of compensation for classified employees. In recent years, Michigan's statutory minimum wage has increased several times. While Attorney General Opinion 5115 opined that the state's minimum wage act does not apply to the civil service, the commission has implemented equivalent increases to the minimum wage levels for the six state classifications in the civil service that have historically matched the minimum wage under state law. The minimum wage increase next year is from \$9.87 to \$10.10.

On motion duly made and supported, Resolution 4.N was unanimously approved.

5. PUBLIC COMMENT

There was no public comment.

Before the final agenda vote, Commissioner Ciaramitaro echoed the statements made in reference to Chair McClelland, emphasizing her professionalism and courteousness. He stated that she has been easy to work with, not only as the chair, but in her other positions throughout her career. Commissioner Ciaramitaro expressed his appreciation for her outstanding work.

ADJOURNMENT

There being no further items for Commission approval or public comments, Chair McClelland called for a motion to adjourn. On motion duly made and supported, the meeting was adjourned at 11:02 a.m.

These minutes will become final upon approval by the Civil Service Commission.