



Michigan Public Employees
SEIU Local 517M

—Board Policies—

(Revised and Amended January 26, 2019)

BOARD POLICIES

Policy #1 Travel Expense & Mileage Reimbursement

Policy #2 Annual Leave Buy-Back

Policy #3 Guidelines for Hearings/Presentations to the Board

Policy #4 Grievance Committee Authority

Policy #5 Grievance Appeal Procedure/Internal Complaint Appeal Procedure

Policy #6 Legal Expenses

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NOTE: These are the approved Executive Board Policies for the Michigan Public Employees, SEIU Local 517M hereinafter in this booklet referred to as SEIU Local 517M.

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Authority for establishing policies for the Union is vested in Article VI, Section 3 of the SEIU Local 517M Constitution.

Article VI - Administration; Executive Board

Section 3: The Executive Board shall have the authority and responsibility to conduct the affairs of the Union in a manner compatible with membership rights and Union objectives. The Executive Board shall have the authority to establish policy, conduct ratification votes, conduct Elections and take any other action necessary to conduct the affairs of the Union. [Emphasis added]

Michigan Public Employees, SEIU Local 517M

POLICY #1

POLICY: TRAVEL EXPENSE & MILEAGE REIMBURSEMENT

1. Executive Officers, Directors and Bargaining Unit Members traveling on official Union business shall be reimbursed for expenses as per the State Employees Travel Expense Allowance Schedule except as follows:
 - a) Effective with the November 5, 1988 Board of Directors Meeting all SEIU Local 517M Executive Officers, Directors and SEIU Local 517M staff shall be reimbursed at the approved Internal Revenue Service rate for all miles traveled for SEIU Local 517M business.
 - b) Based upon prior approval of the Finance Committee, general Union members acting on official SEIU Local 517M business, shall be reimbursed for expenses under the State Travel Expense Allowance Schedule and reimbursed at the approved Internal Revenue Service rate for all miles traveled.

Adopted: 11-21-81
Revised: 01-11-86
Revised: 03-08-86
Revised: 11-05-88
Revised: 01-14-89
Revised: 03-16-02

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POLICY #2

POLICY: ANNUAL LEAVE BY-BACK

The Union will reimburse members for the cost of buying back annual leave used by the members for approved Union business. Approval of the Finance Committee shall be obtained before the annual leave is used.

Adopted: 06-18-83
Revised: 03-08-86
Revised: 03-16-02

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POLICY #3

POLICY: GUIDELINES FOR HEARINGS OR PRESENTATIONS TO THE BOARD.

1. A written request must be delivered to the President at least fifteen days prior to a scheduled Board meeting by any member(s) or otherwise properly interested party wishing to appear before the Board.
2. A time period shall be allotted in the agenda by the Chair under "Old Business" or "New Business". For an individual presentation twenty (20) minutes will be allotted; for two persons or parties, fifteen (15) minutes each, for three to six persons or parties, ten (10) minutes each; for more than six parties, a total period of one hour shall be allotted, the time to be equally divided among the several parties. Any person or party may yield his/her allotted time to another except that no party shall thus use more than half the total allotted time.
3. Any party appearing before the Board shall provide the Chair with a sufficient quantity for each Board member, a brief written outline of his presentation stating name, relationship to the Union (member, vendor, attorney, etc.) subject of presentation, person's position thereon and the action requested of the Board.
4. Every agenda shall have a unit member comment section. Each unit member will be limited to five minutes for comment.

Adopted: 07-16-83
Revised: 02-02-85
Revised: 03-08-86
Revised: 03-16-02

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POLICY #4

POLICY: GRIEVANCE COMMITTEE AUTHORITY

All State Bargaining Unit Boards and all School and Local Government Regional Boards shall have written policy regarding grievance appeal procedures that are approved by the Executive Board.

Adopted: 10-30-82
Revised: 03-08-86
Revised: 11-08-86
Revised: 03-16-02

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POLICY #5

INTERNAL COMPLAINT/APPEAL PROCEDURE

This policy shall be used in all cases when a bargaining unit member wishes to file a written Internal Complaint against the Union as a result of some specific action or policy as enacted or applied by the Union .

INTERNAL COMPLAINT

1. Within ten (10) days of the action complained of or within ten (10) days of the date the unit member should have known of the action complained of, the unit member shall submit a written complaint to the Executive Officers. Said complaint shall be sent to the Executive Vice President by certified mail, return receipt requested. The complaint shall state the specific action taken by the Union, the date, the harm as seen by the unit member and the remedy sought. The Executive Officers, or their designee, shall respond in writing to the complaint within ten (10) days of receipt of the Appeal. (Reference Policy 3)

APPEAL (Contract Grievances)

2. Any grievant not satisfied with the decision of the Grievance Committee, or any complainant not satisfied with the decision/answer of the Executive Officers may, within ten (10) days of receipt of the answer, appeal to the Board of Directors by submitting a written request for a hearing. Said request shall be sent to the Executive Vice President by certified mail, return receipt requested. The Board of Directors shall hear the appeal at the next regularly scheduled Board meeting. The unit member may appear at the hearing and present his/her case to the Board. The Board of Directors, or its designee, shall issue a decision within thirty (30) days of the hearing.
3. The Board of Directors may reverse a decision of the Grievance Committee if substantial rights of the grievant have been prejudiced because the decision was based upon an erroneous interpretation of the Collective Bargaining Agreement. The Board of Directors reserves the right to proceed to arbitration in any grievance.
4. When an appeal is filed as a result of the unit member's Grievance against the Employer, the Union shall send a reactivation letter to the employer and take whatever steps necessary to protect the unit member's grievance against the Employer from a challenge for timeliness while the Union processes the appeal.
5. As used throughout this procedure, the term "day" shall mean the days of the week, Monday through Friday, exclusive of paid holidays.

Adopted: 02-02-85
Revised: 03-08-86
Revised: 11-08-86
Revised: 09-12-87
Revised: 03-11-89
Revised: 09-09-89
Revised: 03-16-02

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POLICY #6

POLICY: LEGAL EXPENSES

The Union shall be responsible for payment of the total amount, not otherwise covered by insurance, which the Union and/or its Executive Vice President, Staff Representatives or Board of Directors become legally obligated to pay as a result of a civil action brought against them based upon their activities for or on behalf of any Union member or representative. The total amount shall include, but is not limited to, damages, judgments, settlements, interest costs and attorney fees.

Adopted: 10-13-83
Revised: 02-02-85
Revised: 03-16-02

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POLICY #7

POLICY: ELECTION SERVICES PROVIDED BY SEIU Local 517M

In furtherance of the Union 's commitment to provide for a fair and impartial election process and its obligation to protect the privacy of its members, the following policy is hereby adopted:

1. No Union membership list, in part or in whole, shall be released to any group, individuals or to any member of the Union for any purpose other than to existing SEIU Local 517M Executive Officers, and SEIU Local 517M Executive Board Members for official Union business only.
2. A candidate whose name appears on the ballot as prepared by the SEIU Local 517M Election/Tally Committee, may request to mail election-related material to a Union member's home address or emailed to a Union member's home email address.
3. Any such request shall be:
 - a. in writing,
 - b. addressed to the Staff Liaison of the Election/Tally Committee in care of the Union office,
 - c. include the actual material to be sent, and
 - d. received at least fifteen (15) calendar days for mail or five (5) calendar days for email before the requested distribution date.
4. The Election/Tally Committee, or its Chairperson, shall determine whether the material requested to be sent is bona fide election-related.
5. If it is determined to be election-related, the Union shall mail the material to the membership or email the membership at their home email address. The Union reserves the right to have large bulk mailings processed by a mailing service.
6. Any such mailings shall be done in blocks of members only, that is, either by the appropriate Chapter or Department, or the Union as a whole.
7. The candidate shall provide, in advance, the cost of printing and/or sufficient paper, envelopes and postage for the mailing at his or her own expense.
8. Any unfavorable determination by the Election/Tally Committee, or its Chairperson, pursuant to #4 above, shall be subject to the Internal Complaint Procedure.
9. The candidate profile information included with the election ballot shall include the candidate's name, current work position, work history, SEIU Local 517M or other experience that qualifies the candidate for the elected position.
10. No campaign statements shall be included in the candidate profile information included with the election ballot.
11. The Election/Tally Committee shall meet prior to a general election to review and set the election process calendar.

Adopted: 01-11-86
Revised: 09-09-94
Revised: 03-16-02
Revised: 05-03-06
Revised: 03-09-12
Revised: 01-26-19

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POLICY #8

POLICY: CHAPTER FUNDING

The Executive Board shall establish a budget line item for chapter and small meeting expenses.

Adopted: 05-12-84
Revised: 07-21-84
Revised: 03-08-86
Revised: 03-16-02

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POLICY #9

POLICY: SEIU LOCAL 517M SERVICE FEE DISPUTE RESOLUTION PROCEDURE

It is the intent and purpose of this Policy to assure that persons in the Scientific and Engineering bargaining unit represented by the Michigan Professional Employees Union who choose not to become members of the Union are assessed Service Fees reflecting only their fair share of costs attributable to collective negotiations, contract administration and other operating expenses properly chargeable to such individuals.

Further, it is the intent of the Michigan Professional Employees Union to implement this Policy by providing information annually to all Service Fee payers describing the expenditures of the Union and the purposes for which said expenditures have been made.

Further, SEIU Local 517M desires to provide a prompt and fair mechanism for settling any disputes regarding the amount annually established by the Union as a proper Service Fee.

Finally, it is the intent of SEIU Local 517M to assure that reasonable disputed amounts of an individual bargaining unit member's Service Fees be placed in an interest bearing escrow account pending resolution of any dispute initiated by an objecting bargaining unit member respecting calculation of such Service Fee amount.

In light of the foregoing purposes, SEIU Local 517M adopts the following procedure for resolution of Service Fee disputes.

- A. Each Service Fee Payer will annually be provided with information by June 1 detailing all budgeted expenditures of the Union for the ensuing fiscal year and the allocation of said budgeted expenditures to general categories of disbursement. Expenditure categories shall contain a description of the accounts grouped therein and the purposes underlying such accounts.

The Union shall designate annually, in writing, to each Service Fee Payer, its determination as to the Service Fee for the ensuing fiscal year. This notification shall include an explanation of the rationale underlying the calculation and shall be based upon the preceding fiscal year's audit. A copy of the most recent annual audit shall be enclosed with the notice.

- B. Any individual represented in the SEIU Local 517M Bargaining Unit who chooses to pay Service Fees in lieu of becoming a member of the Union and who challenges the amount annually established by the Union as the Service Fee, shall file such objection within thirty (30) calendar days of the issuance of the Service Fee Determination Notice to the Union, briefly setting forth the nature of his/her dispute. Objections must be mailed first class or hand delivered, to SEIU Local 517M, 1026 East Michigan Avenue, Lansing, MI 48912.
- C. At the option of the objecting bargaining unit member, within ten (10) workdays of the conclusion of the thirty (30) calendar day objection period, the SEIU Local 517M Finance Committee shall convene a Service Fee Dispute Resolution Hearing. At said hearing, the Executive Vice President of the Union, or his/her designee, shall have the burden of justifying to the Finance Committee the calculation of the Service Fee in question. The bargaining unit member making the claim shall have the right to hear and present evidence, question witnesses, and otherwise fairly participate in said hearing.
- D. Within ten (10) work days from the conclusion of the hearing before the SEIU Local 517M Finance Committee, the Committee shall render a written decision on the objecting bargaining unit member's claim. In the event that the

Finance Committee rules in favor of the bargaining unit member, the Finance Committee shall have the authority to make any necessary recalculation of the Service Fee and to award consequent monetary relief to the objecting bargaining unit member. Any monetary relief ordered by the Finance Committee shall be made payable to the objecting bargaining unit member within thirty (30) calendar days after issuance of the Finance Committee's adjustment or determination.

If the bargaining unit member is not satisfied with the decision of the Finance Committee, that bargaining unit member shall within ten (10) work days of the mailing of the Finance Committee's decision notify the Executive Vice President in writing. This notice shall be mailed to the Michigan Public Employees, 1026 East Michigan Avenue, Lansing, MI 48912. The Executive Vice President will thereupon petition the American Arbitration Association to appoint a neutral Arbitrator for resolution of the dispute. The arbitration proceedings shall be conducted in accordance with the Rules for Impartial Determination of Union Fees as enacted on January 1, 1988, or as amended, by the American Arbitration Association. A copy of those rules is appended to this policy as Exhibit A and is incorporated herein by reference. Upon petitioning the American Arbitration Association, the Executive Vice President of the Union shall forward a copy of said petition to the objecting bargaining unit member together with a copy of the rules of the American Arbitration Association referenced above.

- E. If the objecting bargaining unit member elects not to access the internal Service Fee Dispute Resolution Hearing procedure outlined above, within ten (10) workdays of the conclusion of the objection period, the SEIU Local 517M Executive Vice President shall petition the American Arbitration Association to appoint a neutral Arbitrator for resolution of the dispute. The arbitration proceeding shall be conducted in accordance with the Rules for Impartial Determination of Union Fees as enacted on January 1, 1988, or as amended, by the American Arbitration Association. Upon petitioning the American Arbitration Association, the Executive Vice President of the Union shall forward a copy of said petition to the objecting bargaining unit member, together with a copy of the rules of the American Arbitration Association referenced above.

The Executive Vice President shall request that the American Arbitration Association promptly initiate the Arbitrator's appointment and request that hearing date(s) be established within sixty (60) calendar days of the date of the petition for arbitration.

In such arbitration proceeding SEIU Local 517M shall have the burden of justifying the calculation of the Service Fee.

- F. The SEIU Local 517M Finance Committee reserves the right to consolidate any or all objections properly filed under this Policy, for purposes of conducting the Internal Service Fee Dispute Resolution Hearing and/or arbitration proceedings referenced in this Policy.
- G. Upon receipt of an Service Fee dispute claim by a bargaining unit member, the Union will notify the employer of the challenge and request that contractual procedures for sanctions, if any, be held in abeyance pending resolution of the dispute, up to and including arbitration.

Further, the Union will thereupon deposit in an interest bearing escrow account the entire portion of the objecting bargaining unit member's Service Fee which is reasonably in dispute. The Union may alternatively elect to place into escrow the entire Service Fee of the objecting bargaining unit member, pending resolution of the dispute.

- H. Any objecting bargaining unit member shall be notified that copies of all documents upon which SEIU Local 517M has made its calculations will be made available for inspection in advance of the arbitration hearing at the Union office during regular business hours.
- I. Upon issuance of the Arbitrator's decision, SEIU Local 517M will pay to each bargaining unit member who has filed a timely objection under this Policy his/her pro rata share of the amount of collected Service Fees, which the Arbitrator determines has been expended on matters not properly chargeable to the costs of exclusive representation, if any, along with any earned interest.
- J. SEIU Local 517M reserves the right to amend, alter or modify this policy as the SEIU Local 517M Board of Directors deems appropriate to comply with applicable law.

Adopted: 11-08-86
Revised: 01-09-88
Revised: 05-13-89
Revised: 03-10-90
Revised: 05-10-91
Revised: 01-08-94
Revised: 07-26-99
Revised: 03-16-02

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POLICY #10

POLICY: LEGISLATION

It shall be the general policy of SEIU Local 517M, the SEIU Local 517M Board of Directors and SEIU Local 517M Staff to promote Legislative support for general legislation and/or specific Departmental programs which seek to maintain or expand positions which are represented by the Union.

Adopted: 09-12-87
Revised: 03-16-02

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POLICY #11

POLICY: CHAPTER DOCUMENTS

Upon being granted a Charter the first duty of that chapter will be to adopt Chapter Policies.

These Policies may be the Policies suggested by the Board of Directors or Policies developed by the Chapter.

All Chapter Policies or amendments to them must be approved by the Board of Directors and will not take effect until Board approval is granted.

Any existing Chapter that does not have Policies shall adopt them at their next scheduled meeting.

Adopted: 03-11-89

Revised: 03-16-02

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POLICY #12

POLICY: TERMINATION/DISCHARGE CASES

It shall be the Policy of SEIU Local 517M to instruct all staff and stewards to take any necessary steps to advance all bargaining unit employee terminations/discharges to Arbitration (where available in the collective bargaining agreement), in an effort to protect and preserve the bargaining unit member's rights, until the case at hand is reviewed through the Union internal process (e.g. Arbitration Review Committee).

This internal review process shall include, among other relevant criteria:

- a) is there a clear violation of the collective bargaining agreement;
- b) the likelihood a successful decision based on previous similar arbitration decisions;
- c) a comprehensive review of the merits of the case at hand;

All termination actions must also be communicated to the Union Executive Vice-President (or designee) as soon as reasonably possible, by the appropriate staff or steward.

Any exceptions to advancing any termination action to arbitration must be approved by the Executive Vice-President (or designee) and shall be based, in addition to the above criteria, on the following:

- a) a signed document from the bargaining unit member of their desire not to proceed to arbitration;
- b) a voluntary resignation (employee, or employer initiated) in lieu of termination.
- c) a pattern of similar disciplinary actions by the bargaining unit employee including any "last chance" agreements from previous actions.

It is important that all reasonable protections be afforded bargaining unit members in termination cases, to ensure that the employer properly fulfills their obligations under the collective bargaining agreement.

Adopted: 11-04-05