



# BULLETIN

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## SUPREME COURT RULES AGAINST STATE EMPLOYEE UNIONS

The Michigan Supreme Court has sided with the state in both the Right to Work and 4 percent lawsuits.

The Court found that the term “rates of compensation” as used in the state Constitution was not understood by the ratifiers to include fringe benefits such as pensions. Instead, “rates of compensation” was commonly understood to only include salaries and wages, the Court said.

This decision is in stark contrast to the decision of the Michigan Court of Appeals. The Court of Appeals previously ruled that retirement benefits are part of employee compensation and fall under the purview of the commission.

On the Right to Work case, the Supreme Court ruled that the Civil Service Commission lacks the constitutional authority to compel civil service employees to make involuntary financial contributions. Therefore, allowing the imposition of mandatory agency fees on civil service employees is beyond the Commission’s constitutional power.

Both rulings were released this afternoon. Chief Justice Young and Justices Markman, Zahra and Viviano joined to form the majority on both cases.

Obviously, MCO leaders are very disappointed with this outcome. These rulings are setbacks for state workers and also represent a shift in power from the constitutionally protected Civil Service Commission to the whims of the legislature.

State employee unions are currently reviewing the ramifications of these decisions and their possible effects on Civil Service employees.

Going forward, we’ll continue to fight for the right of our members, and all workers, to form unions and have a say in working conditions.

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