



Michigan Corrections Organization

Service Employees International Union Local 526M, AFL-CIO

421 W. Kalamazoo Street Lansing, MI 48933

Phone (517) 485-3310 Fax (517) 485-3319

www.mco-seiu.org



TO: MCO Chapter Presidents
FROM: MCO Central Office
RE: Grievance Settlement With Regard to Mandatory Overtime.
DATE: March 30, 2015

A recent state-wide bargaining unit grievance has been settled with the department. The grievance dealt with the employer not following CBA language concerning mandatory overtime and its recording of such. The employer agreed with MCO and is now taking steps to move the program to OMNI so that the department can comply with the intent of the contract language.

The grievance involved the language on page 116, b. Mandatory Overtime Scheduling:

Employees who are unavailable for overtime because they are not at work or are not qualified for assignment will be bypassed. Such employees will be considered at the top of the list for the next mandatory shift for which they are available.

Prior to the OEL being computerized, mandatory overtime was assigned first by inverse seniority, and then by instance. When the system was computerized, a defect assigned and sorted by DATE of the instance of mandatory overtime. An example would be as follows:

Officer A has 17 years in and Officer B has 3 years in and both officers are on the mandate list. On Saturday, 3 year officer took annual leave. Mandatory overtime was needed and 17 year officer is next up. 17 year officer is mandated. On Sunday, mandatory is needed again, this time 3 year officer is mandated. Now 17 year officer and 3 year officer each have one mandate on the books.

Fast forward two weeks, now it is a Saturday and we are both at work and they need ONE mandatory overtime. 17 year officer would be mandated under the current system because of his DATE of mandatory overtime.

It is this scenario that needed to be fixed. **When two officers are equal in instances of mandatory overtime, the higher senior officer should not be mandated before officer with lower seniority.** In addition, officers may only make up one instance of mandatory overtime; they should not be stacked up to make up more than one instance.

The Department has set up an OEL Webinar to help explain the procedure. Chapter officials should contact their warden for webinar dates.



Proudly representing correctional and forensic officers



SETTLEMENT AGREEMENT

Between
 Michigan Department of Corrections (MDOC)
 And
 MCO
 Mel Grieshaber et al
 MCO-02-0005-14
 Cary Johnson et al
 MCO-20-0016-14

MAR 17 2015

The parties agree the following constitutes full and final resolution of the above referenced grievances and any pending grievances on the same subject:


1. As resolution to the above grievances, the Department agrees to implement a process to assign mandatory overtime by inverse order of the bottom half of the shift seniority list on a rotational basis that will maintain the list in inverse seniority order. This process will be implemented at all correctional facilities by March 30, 2015.
2. On the effective date the process is initiated at each facility, the mandatory overtime list will be reset by inverse seniority with the least senior employee at the top of the list available for mandatory overtime. The local chapter will be provided twenty-four (24) hours advance notice of the list being reset.
3. Settlement of these grievances neither constitutes an admission on the part of the Employer that a violation of the Collective Bargaining Agreement occurred, nor is it a waiver of any other contractual rights by the Union.
4. The Union hereby withdraws the above referenced grievances.
5. This settlement constitutes full and binding agreement of the parties, provides for full resolution of said grievance and all related matters, and is not precedent setting. This settlement can not be used in any other matter regardless of similarity.



 Michigan Corrections Organization

3.17.15

 Date



 Michigan Department of Corrections

3/17/15

 Date