

LETTER OF AGREEMENT

BETWEEN

THE MICHIGAN DEPARTMENT OF CORRECTIONS

AND

THE MICHIGAN CORRECTIONS ORGANIZATION

Pugsley Correctional Facility: Article 14 – Layoff and Recall Procedure

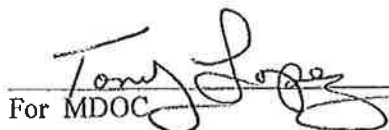
The parties agree that the Layoff Unit agreed to by MCO and the Department shall encompass all bargaining unit positions located at the Oaks and Pugsley Correctional Facilities. The following procedure will be used for placement of affected members as a result of the Pugsley Correctional Facility closure:

1. The parties agree that, prior to calculating bumps/layoffs, bargaining unit members within the layoff unit will be offered an opportunity to voluntarily transfer to work locations outside the layoff unit, consistent with operational needs.
2. After the transfers are approved in item #1 above, the Employer shall identify the least senior employees within the layoff unit equal to the number of filled positions being abolished within the layoff unit. Those least senior employees shall be issued layoff notices.
3. The parties may reach mutual agreement to modify the process to minimize impact on affected employees as necessary.



For MCO

6/10/16
Date



For MDOC

6/10/16
Date

What happens when a facility closes?

The MDOC announces that a facility will be closing.

MCO and the MDOC meet to define/negotiate the **layoff unit**. Article 14, Sec. D "General Layoff" pg. 77

Voluntary Transfer/Appointment Process Begins

Voluntary transfer/appointment forms will be made available to members in the layoff unit:

- Forms must be picked up from and submitted to your facility HR department.
- Forms must be time/date stamped. **Be sure to make a copy for your personal records.**

Please note, if you chose to fill out a voluntary transfer/appointment form:

- This is completely voluntary.
- There are *no return rights* if you accept a voluntary transfer/appointment.
- The transfer/appointment is *irrevocable*.
- Only list prisons that you are willing to transfer to and work at.
- Start your list with your most desired prison and list your desired facilities in descending order.
- You must write neatly and clearly. Each facility's name should be spelled out correctly. *Do not use* the facility's three-letter abbreviation.
- If the city has more than one facility (i.e Jackson or Ionia), list each facility separately. *Do not list* "Ionia Correctional Facilities" or "Jackson Correctional Facilities."

Next In the Voluntary Transfer Process

- A seniority list will be created from the submitted voluntary transfer/appointment forms.
- MDOC and MCO will sit down and place those officers, by seniority, in vacancies.
- Once officers are placed, you will receive in writing your new facility and report date.
- Those officers remaining at Pugsley and the Oaks will be placed on a combined seniority list. The employer shall identify the least senior employees in the layoff unit (Oaks, Pugsley). These employees that do not have enough seniority to hold a position within the layoff unit shall be issued layoff notices and preference forms.

Over 

(Flow chart continued)

What happens when the bumping process is done and the closure date has arrived?

You are issued a layoff notice and receive a layoff packet from the MDOC.

- Review your layoff packet. The documents included will need to be completed and returned to your facility HR if you would like to be placed on the (State-wide departmental) recall list.
- You're now in the departmental recall process for additional placement opportunities.
- **Remember** only list prisons that you are willing to accept and work at.
- Start your list with your most desired prison and list other desired facilities in descending order. If you write statewide, be prepared to work at any prison in the state that the Department chooses. **Note:** *If you are offered one of the facilities you listed, but you refuse to go, you will not be offered any of the remaining facilities you listed on your preference form. However, you will remain on the layoff unit recall list.*
- You still maintain "recall (3 yrs.)" Article 14, Sec. G, pg. 83.



If you choose not to be on the State-wide departmental list, you:
1). will remain laid off until you are recalled to the layoff unit, or
2). may apply for state-wide recall anytime while in layoff status.



Layoff and Recall Q & A

- Q. What happens if I'm laid off and put my name on the statewide recall preference list indicating I'll go to **ANY FACILITY** that has a vacancy?
- A. If you indicate you are willing to transfer to **ANY FACILITY**, you will be expected to go to any facility with a vacancy. If you are not willing to go to certain facilities, please do not put them down on your preference list. If you are contacted to go to a facility on your preference list and you decline, your name will be removed from the statewide recall list. Page 84, Section 4.
- Q. If I'm laid off, how long can my name be on the recall list?
- A. Your right to recall is for a period of up to three years from the date of layoff. **PRIOR TO** the expiration of the three years, you may renew your recall rights for another three years by giving **WRITTEN NOTICE** to the Employer. Page 83, Section G – Recall from layoff.
- Q. Will employees currently on an interim rating be subject to layoff regardless of seniority?
- A. There is no contractual language prohibiting someone on an interim rating from exercising their rights contained in Article 14 – Layoff and Recall.
- Q. If I transfer to another department (outside of the bargaining unit) does this affect my recall rights?
- A. No. If you are laid off then subsequently transferred back into the bargaining unit, you will have recall rights. If you transfer **PRIOR TO BEING LAID OFF**, you do not have recall rights.
- Q. Will individuals who move into vacancies or bump retain scheduled vacations?
- A. Not necessarily. It depends on operational needs of the facility and the impact on staff. In the past every effort has been made to honor those vacation requests where there is a significant event or tickets purchased (vacations involving a marriage situation, non-refundable airline tickets, cruise tickets, etc.). Wardens have been very accommodating.
- Q. What are my rights while I'm on active military duty or deployed and unavailable to get the information?
- A. HRO will get information to immediate family member so they can get it to the member. If military member can't sign paperwork, the spouse (or immediate family member) can fill out for the member. They still have a position and all the rights that the rest of the membership have.
- Q. How much time do military MCO members get if they are active duty or deployed?
- A. Technology has improved, giving us many avenues to contact members. Military members have the same amount of time as all MCO members. If we have specific issues come up, they will be dealt with on a case by case basis.

Scenario 1

John Doe from the Pugsley or Oaks facility received a layoff notice; he then put in a request for an expedited recall to RGC. The request was granted and he maintains recall rights to the layoff unit (Oaks).

Scenario 2

John Doe received a layoff notice from Pugsley, however his request for an expedited appointment to WCC is granted. He still maintains recall rights to the layoff unit (Oaks). He has departmental and recall rights to the CO classification.

Michigan Department of Corrections Correctional Facilities Map Distances from ECF



● Correctional Facilities

1. Ojibway Correctional Facility
2. Baraga Correctional Facility
3. Marquette Branch Prison*
4. Alger Correctional Facility
5. Newberry Correctional Facility 256 miles
6. Chippewa Correctional Facility 232 miles
7. Kinross Correctional Facility 232 miles
8. Pugsley Correctional Facility
8. Oaks Correctional Facility
9. Earnest C. Brooks Correctional Facility 87 miles
9. West Shoreline Correctional Facility 87 miles
9. Muskegon Correctional Facility 87 miles
10. Central Michigan Correctional Facility 126 miles
10. St. Louis Correctional Facility 127 miles
11. Saginaw Correctional Facility 134 miles
12. Carson City Correctional Facility 136 miles
13. Richard A. Handlon Correctional Facility 139 miles
13. Ionia Correctional Facility 139 miles
13. Michigan Reformatory 139 miles
13. Bellamy Creek Correctional Facility 140 miles
14. Thumb Correctional Facility 202 miles
15. Macomb Correctional Facility
16. Woodland Center Correctional Facility
17. G. Robert Cotton Correctional Facility
17. Charles E. Egeler Reception Guidance Center*
17. Parnall Correctional Facility
17. Cooper Street Correctional Facility
18. Special Alternative Incarceration Facility
19. Women's Huron Valley Correctional Facility*
20. Lakeland Correctional Facility
21. Gus Harrison Correctional Facility
22. Detroit Detention Center
22. Detroit Reentry Center

* Includes reception centers

Michigan Department of Corrections Correctional Facilities Map *Distances from MPF*



● Correctional Facilities

1. Ojibway Correctional Facility
2. Baraga Correctional Facility
3. Marquette Branch Prison*
4. Alger Correctional Facility
5. Newberry Correctional Facility **182 miles**
- ~ Chippewa Correctional Facility **157 miles**
- ~ Kinross Correctional Facility **157 miles**
- ~ Pugsley Correctional Facility
8. Oaks Correctional Facility **63 miles**
9. Earnest C. Brooks Correctional Facility **131 miles**
9. West Shoreline Correctional Facility **131 miles**
9. Muskegon Correctional Facility **131 miles**
10. Central Michigan Correctional Facility **109 miles**
10. St. Louis Correctional Facility **109 miles**
11. Saginaw Correctional Facility **116 miles**
12. Carson City Correctional Facility **118 miles**
13. Richard A. Handlon Correctional Facility **122 miles**
13. Ionia Correctional Facility **122 miles**
13. Michigan Reformatory **122 miles**
13. Bellamy Creek Correctional Facility **122 miles**
14. Thumb Correctional Facility **184 miles**
15. Macomb Correctional Facility
16. Woodland Center Correctional Facility
17. G. Robert Cotton Correctional Facility
17. Charles E. Egeler Reception Guidance Center*
17. Parnall Correctional Facility
17. Cooper Street Correctional Facility
18. Special Alternative Incarceration Facility
19. Women's Huron Valley Correctional Facility*
20. Lakeland Correctional Facility
21. Gus Harrison Correctional Facility
22. Detroit Detention Center
22. Detroit Reentry Center

* Includes reception centers

MCO RESOURCE GUIDE

Continuation of Group Insurance (CGIS)/COBRA

1. For questions please contact Louri Schmidt at (517)373-9211.

Disability Management

1. Reasonable Accommodations - Contact:
 - a. Personnel office at your facility
 - b. Reasonable Accommodation Representative at your facility
 - c. Beth Beauchine 373-7400 / 335-2579 beauchineb@michigan.gov

For questions regarding the Americans with Disabilities Act (ADA), call the Great Lakes ADA & Accessible IT Center at 1-800-949-4232; its web site address is www.adagreatlakes.org. Additional information is available from the ADA Technical Assistance Program's national web site at www.adata.org. An ADA home page operated by the U.S. Department of Justice is another resource. The web site is www.usdoj.gov/crt/ada/adahom1.htm. You may also wish to contact the Michigan Protection & Advocacy Service, Inc. It is a non-profit organization and provides free legal advice. Call 1-800-288-5923 for information.

2. Handicapper Status – Contact:
 - a. Central Human Resource Office (517)373-6383
 - b. MI HR (877)766-6447
 - c. Michigan Department of Civil Service
P. O. Box 30002
Lansing, MI 48909
(517)373-3030 or (517)373-3031 (Call either number and request an application for handicapper status.)

Employee Service Program

Contact: Michigan Department of Management and Budget
Office of the State Employer
Capitol Commons Center
400 S. Pine Street
Lansing, MI 48913
(800) 521-1377 (Lansing Office)
(517) 373-7630 (Lansing Office)
(313)456-4020 (Detroit Office)

Services include TISM (Traumatic Stress Incident Management), work/life services, wellness seminars and systematic stress management.

Family Medical Leave Act - You may call the Wage and Hour Division of the Department of Labor with questions or to file complaints. The contact number is 1-866-487-9243. Consult the MCO Security Agreement on this topic. The FMLA law and regulations can be accessed by visiting www.michigan.gov/mdcs. Depending on your state department, you may call Joanne Bridgford of the DOC at (517)373-3654 or David Underwood of DHHS at (517)335-3455. In addition, Cheryl Schmittiel (517)373-6229 or (517)373-7400, of the Office of the State Employer, can be contacted with questions.

Health Care Issues - Contact:

1. Personnel Office at your facility or MI HR Service Center at 1-800-766-6447.

2. Dept. of Civil Service
Group Insurance Section
Employee Benefits Division
P.O. Box 30002
Lansing, MI 48909
(517) 373-7977 Local Lansing number
(800) 505-5011 Toll free number
(The Director of EBD is Susan Kant)

3. State Health Plan PPO (SHP)

a. Blue Cross Blue Shield of Michigan
State of Michigan Service Center
P.O. Box 80380
Lansing MI 48908-0380
Attn: State of Michigan Customer Service Center
1-800-843-4876 -Toll free number

Call BCBSM if you are enrolled in the SHP. If you need a list of health care providers who participate with BCBSM, you may access its web site and conduct a provider search at www.bcbsm.com. If you are not connected to the Internet, call BCBSM's toll free number, and a Customer Service Representative will send you the information.

If you submitted a claim and payment was denied, call BCBSM's toll free number to investigate. If you do not reach an acceptable resolution, you may appeal the decision to the Customer Service Unit. Submit all pertinent information to that office at the address above. If the claim is again denied, you may file a written complaint with the Director of the Employee Benefits Division at the following address. The letter should be thorough, and supportive documents must be attached as well as copies of all appeal decisions of the plan administrator.

Submit these documents to: Director, Employee Benefits Division, Dept. of Civil Service, P.O. Box 30002, Lansing MI 48909.

You may challenge the decision of the Director of the Employee Benefits Division by filing an appeal with the State Personnel Director whose decision is final. The address is: State Personnel Director, Dept. of Civil Service, P. O. Box 30002, Lansing, MI 48909.

See Civil Service Regulation 5.18 for additional information.

BCBSM has arranged for Wright and Filippis to administer the durable medical equipment, prosthetics and orthotics and medical supply benefits program known by the acronym SUPPORT. If you need to contact the SUPPORT program, call 1-800-321-8074. Tre Wilson is the Blue Cross Blue Shield contact, and he can be reached at 517-322-4611 if you need assistance. The Wright and Filippis contact is Jerry Mato at 248-829-8518.

- b. Preferred Provider Organization (PPO) - The following special services are provided by particular vendors for SHP enrollees.

Med Impact Prescription Drug Manager for the State Health Plan PPO
877 403-6034

Mail Order Prescription-Novixus Pharmacy Services
877 269-9002
www.Novixus.com/som
P.O. Box 8004
Novi, M.I. 48376-8004

Mental Health /Substance Abuse
Magellan Behavioral Health of Michigan, Inc.
34705 West Twelve Mile Road, Suite 148
Farmington Hills, MI 48331
The toll free number is (866) 503-3158.

The claims address is:
Magellan Claims
Attn: State of Michigan Claims Unit
P.O. Box 2278
Maryland Heights, MO 63043
The web site is www.magellanassist.com.
The account manager is Gary Reidenbaugh. If you are experiencing problems or have complaints, call him at (248) 489-2835.

4. HMOs - All HMOs are required to have an internal grievance procedure for disputed claims. Contact your HMO to institute such a process. If your claim is rejected after the internal review, you may request an external review by appealing to:

State of Michigan
Department of Labor and Economic Development
Customer Services/Benefit Inquiry Section
Michigan Division of Insurance
P.O. Box 30220
Lansing MI 48909-7720
(517) 241-4854 or toll free (877) 999-6442

5. Dental Care - The State Dental Plan and the Preventive Dental Plan are administered by:

Delta Dental Plan of Michigan
P.O. Box 9085
Farmington Hills MI 48333-9085
(800) 524-0150
(248) 489-2020 -- If you are in Farmington Hills' local calling area
(517) 349-7787 -- If you are in Lansing's local calling area

You may send written inquiries to the following address (Include your group name [State of Michigan], your number [8700], your social security number and your daytime telephone number.)

Delta Dental Plan of Michigan
Customer Service Department
P.O. Box 30416
Lansing MI 48909-7916

If you are enrolled in the Midwestern Dental Plan, the following information applies:

Southeast Michigan Service Area
(800) 544-6374
Lansing Service Area
(517) 394-1495

6. Vision Care - This benefit is administered by BCBSM which is partnering with the Vision Service Plan VSP. They can be reached at 855-356-4362.

Longevity Pay - Information on this topic is found in the MCO contract and the Civil Service Rules and Regulations. You may also wish to contact Personnel. The state's HRMN project necessitated some changes to the longevity schedule in the fall of 2000. Eligibility for payment is established after completion of five full years of service rather than six. Bracket groupings were also revamped.

Long Term Care Insurance - For information on this topic, call MetLife at (800)438-6388 or visit its website at <http://stateofmichigan.metlife.com>.

Long Term Disability - Contact:

1. Personnel Office at your facility.
2. Department of Management and Budget
Employee Health Management
P.O. Box 30026
Lansing MI 48909
(517) 373-7400 (Ask for Beth Beauchine)

Call this office regarding LTD enrollment and eligibility. Go to www.michigan.gov/ose, and click on "About Us", which brings a new screen. On that screen, click on Employee Health Management for access to the LTD Plan booklet.

3. York
P.O. Box 740
Howell, MI 48844-0740
(800) 324-9901- (The supervisor is Tiffany Miles who may be reached at ext. 3144.)

A member may call the above toll free number to check on the status of a claim, address questions regarding payments, pose general questions or request an appeal of a denial of benefits. York is also the vendor for the workers' compensation plan for the state.

4. **Beth Beauchine**
Office of the State Employer
Employee Health Management
P.O. Box 30026
Lansing MI 48909
(517) 373-7400

Contact **Ms. Beauchine** with questions and concerns regarding the LTD plan, as well as complaints and comments regarding York and its handling of your LTD claim.

Appeals of determinations made by York are directed to **Ms. Beauchine** for reconsideration, after exhaustion of York's internal claims appeal procedure. Her decision may be appealed to the State Personnel Director. The address is:

State Personnel Director
Dept. of Civil Service
P. O. Box 30002
Lansing, MI 48909

See Civil Service Regulation 5.18 for additional information.

Military Leave - Contact:

1. Personnel office at your facility.

2. Local Guard/Reservist Office
3. The National Committee for Employer Support of the Guard and Reserve
1555 Wilson Blvd, Suite 200
Arlington VA 22209
(800) 336-4590
4. www.dol.gov/vets -U. S. Dept. of Labor website.
5. Call to military duty- If you have paycheck concerns, contact the Dept. of Civil Service at (517)373-3044 and speak with Rosemary Anzicek. Or e-mail her at anzicekr@michigan.gov. If you are an employee of the DOC, you may also contact Marilyn Hancock with questions. She can be reached at (517)373-4247.

Optional Coverages - This voluntary program will be offering a variety of coverages. As of 2006, the options will include supplemental term life insurance, universal life insurance, critical illness insurance and auto /home insurance. The vendor for these plans is Voluntary Benefits Solutions and may be reached by calling 1-888-825-8395. Information is also available at the Dept. of Civil Service's website at www.michigan.gov/mdcs. Click on "Employee Benefits" on the left side of the screen and then on "Voluntary Benefits," which appears below.

Retirement Questions - Contact:

1. Personnel Office at your facility.
2. Defined Benefit Pension Plan

Retirement Bureau
State Employees Retirement System
Department of Management and Budget
General Office Building
7150 Harris Drive
P.O. Box 30171
Lansing MI 48909
322-5103 - Local Lansing number
(800) 381-5111 – Toll free number

Call the Retirement Bureau if you have questions. Information on covered, regular and disability retirement is contained in a booklet printed by the Retirement Bureau and entitled "Retirement Guidelines". Contact the Retirement Bureau for a copy, or go to its website listed below. Visit the Retirement Bureau's web site at www.michigan.gov/ors.

3. Defined Contribution Retirement Plan

This is the primary retirement plan for all new employees hired after 3-30-97 and the group of employees who voluntarily switched from the Defined Benefit Plan. The administrator for this retirement plan, as well as for deferred compensation, is Voya Financial. You may reach them by calling (800) 748-6128. General questions on the Defined Contribution Plan may be addressed to the Retirement Bureau by calling (800) 381-5111. The web site for information

on defined contribution and deferred compensation can be reached through the Retirement Bureau's website at www.michigan.gov/ors

Social Security - For information on Social Security benefits, call (800) 772-1213.

Union Plus - Call 1-888-993-8886 for a referral to attorney in your area. You will receive a free initial consultation and a 30% discount on any subsequent work.

Workers' Compensation - Contact:

1. Personnel Office at your facility.
2. Workers' Compensation Agency
Michigan Department of Labor and Economic Growth
2501 Woodlake Circle
Okemos, MI 48864
(888) 396-5041- Toll free number

The website for the Workers' Compensation Agency is www.michigan.gov/wca. Much information awaits you, including the statute, many workers' compensation forms, a publication entitled "A Summary of Your Rights and Responsibilities Under Workers' Disability Compensation", a 50-page document entitled "An Overview of Workers' Compensation in Michigan" and information on mediation and vocational rehabilitation.

3. York, Inc.
P.O. Box 740
Howell, MI 48844-0740
(800) 324-9901
The fax number is (517) 540-3100.

This company administers workers' compensation claims. Call YORK regarding the status of your claim, compensation issues, disputes, mileage reimbursement as well as other questions. Injured employees are assigned to adjusters on the basis of their specific department. The claim supervisor at YORK is Marsha McCord, and she can be reached at extension 3140 at the toll free number above.

4. Contact **Cheryl Schmittziel** at the Office of the State Employer with complaints and concerns regarding YORK and its handling of your workers' compensation claim. Call 517-373-7400 or 373-6229. She is the Director of the Employee Health Management Division, and is the state's liaison with YORK. Her e-mail address is schmittzielc@michigan.gov.
5. Crime Victims Compensation - If you were assaulted by an inmate and sustained an injury rendering you unable to work for at least two consecutive weeks, you may be eligible for a monetary award in addition to workers' compensation. Contact the following office for information at 517-373-7373 and reference Public Act 247 of 1989, which amended Public Act 223 of 1976:

Michigan Department of Community Health

Crime Victim Services Commission
320 South Walnut St.
Lansing, MI 48913

Another point of contact for information is to call Janine Washburn of the Victim Compensation Unit at 517-334-9182.

The web site may be accessed at www.michigan.gov/mdcs. Click on the second bullet on the left side of the screen entitled "Physical Health & Prevention". On the new screen, click on "Crime Victim Services." An application, a brochure and explanatory information is available.

Tuition Reimbursement- Contact Dave Silsbury (517) 373-1968

Article 6

Page 13 - Upon request and subject to supervisory approval, a Local Union representative shall be given the opportunity to meet with the new employees on their shift(s) for up to 30 minutes. The meeting will occur within the first week of their initial assignment to a facility or an agreed upon alternate week. Such a meeting may also take place where bargaining unit members are assigned to a new facility as a result of a closure, reorganization or consolidation of facilities.

Article 13

Page 71 - For the purposes of bumping, layoff and recall, seniority shall have that definition provided for in Section C. of this Article and Article 14, Sections D.4 and D.5.

Section C - For all other purposes stated in this Agreement, seniority shall consist of the total length of service in any and all Bargaining Unit classes, provided there is no break in continuous state service. No hours paid in excess of 80 in a biweekly pay period shall be credited. No hours shall be credited for time in non-career appointments, lost time or unpaid suspensions (if not made up through overtime in the same pay period), suspension, leave of absence without pay (other than military leave of absence for up to 10,400 hours in accordance with Federal statute), or layoff. Upon request of the Union an employee granted a military leave of absence shall also be credited with bargaining unit seniority for non-paid time spent receiving medical care resulting from service in the military, even if not recalled to military duty.

Article 14

Page 77 - When the Employer elects to reduce the workforce, employees within the affected classifications and Layoff Units may request, in writing, preferential layoff out of line seniority. If granted, the Employer shall not contest the employee's eligibility for unemployment compensation. Employees shall be placed on recall lists in accordance with this Article.

Page 77 - Layoff Unit shall be defined as Work Location as defined in Article 3. In the event of closure of or a significant reduction at a work location the Layoff Unit shall be determined by the mutual agreement of the parties unless altered through secondary negotiations.

Page 78 - Employees within the affected Layoff Unit shall be laid off in inverse seniority order, as defined in Article 13 C. and Subsection D.4 and D.5 of this Article.

Page 78 - When an employee is transferred or promoted out of the Bargaining Unit, the employee shall retain the Bargaining Unit's seniority accumulated up to the date of such transfer or promotion for purposes of exercising bumping rights within the Bargaining Unit under this Agreement.

Page 78 - Any person employed in a first or second level supervisory capacity over positions assigned to this Bargaining Unit shall have all service accumulated in such supervisory capacity as of October 1, 1980 credited as seniority in the class series in which the supervisor was last employed in the Bargaining Unit. However, no service accumulated in such supervisory capacity subsequent to October 1, 1980 shall be credited as seniority for purposes of bumping within the Bargaining Unit.

Page 79 - Chief Stewards and members of the MCO Executive Council, if employed in the Bargaining Unit, shall be considered as more senior than other members of the layoff unit, but only at their current facility during the term of their respective office and only for the purposes of layoff and recall (excluding voluntary and/or temporary layoffs). Not more than two employees at any one work location or facility shall be accorded such seniority status at any one time. Any such official at a closing facility shall only exercise bumping preference and recall in accordance with bargaining unit seniority.

Page 79 - The employee scheduled for layoff under Section D. may elect to either accept layoff or bump in accordance with the process outlined in this Section.

Page 79 - An employee scheduled for layoff who fails or is unable, in accordance with Section D.3., to exercise the option to bump to the least senior position shall be laid off.

Page 79 - Within seven calendar days of receipt of notification of layoff, the employee scheduled for layoff shall notify the Employer of his/her decision to either accept layoff or bump within his/her current class series, as listed below. Alternatively, an employee may bump into the least senior position in the layoff unit in a former class series at or below any level at which the employee had satisfactorily completed the required probationary period.

Page 80 - Bump process--after the parties have identified the layoff unit:

1. The Employer shall identify the vacancies and least senior employees within the layoff unit equal to the number of positions being abolished within the layoff unit. These least senior employees shall be issued layoff notices.
2. If the layoff unit contains more than one work location, employees remaining in the layoff unit who are displaced from their original work location (due to the closure, reduction consolidation, etc.), will be placed in existing vacancies or the vacated positions identified in step 1 above. Placement into these positions shall be in seniority order based on preferences provided by the employees.
3. Employees remaining in the layoff unit may request an exchange transfer (one for one transfer) with any bargaining unit member in the same classification in accordance with Article 15 Part D §A.6., either within or outside the layoff unit. Exchange transfers shall not be unreasonably denied and will be processed with the rest of the layoff unit moves, if possible. In addition, during the bump process, exchange transfers occurring within this Article shall supersede all other closer to home and seniority based transfers or recalls, as no vacancy exists. Requests for exchange transfers shall be in writing by both employees requesting to exchange.

Page 81 - Laid Off Employees. Recall lists shall be maintained by seniority for each classification for the layoff unit affected by layoff. Each laid off employee shall automatically have his/ her name placed upon the layoff unit recall list, in order of seniority, for the classification, and layoff unit, from which he/she is laid off.

In addition, each laid off employee shall have the right, upon request, to have his/her name placed upon a departmental recall list, in order of seniority, for the classification from which he/she is laid off, for each layoff unit at which he/she will accept recall. The employee shall notify the Employer in writing of his/her designation within seven calendar days subsequent to being laid off. The Employer will furnish a standardized form to each employee for recall designation. Return from a departmental recall list shall be in order of seniority.

Page 83 - When the Employer intends to fill a vacancy by means other than bump, or reassignment or transfer within the Work Location, the Employer shall recall the most senior employee who is on the layoff unit recall list for such classification.

Article 15

Page 85 - Employees exercising bumping rights and/or accepting recall under the provisions of this Article shall not be entitled by this Agreement to receive moving or relocation expense reimbursement or a subsistence allowance.

Article 27

Page 159 –Longevity Payments

Payment to employees on leave of absence without pay and layoff on October 1.

An employee on other than a waived rights leave of absence, who was in pay status less than 2,080 hours during the longevity year, will receive a pro rata annual payment based on the number of hours in pay status during the longevity year; such payment shall be made on the pay date following the first full pay period in October.

Article 28

Page 163 -An employee separated from State employment by reason of indefinite layoff (including a voluntary layoff for a definite term in excess of 20 calendar days) may elect to freeze annual leave up to the accumulated balance at the time of layoff. Such balance shall be retained until the employee elects to be paid off for the balance or until the employee's recall rights expire, whichever occurs first. Payoff shall be at the employee's base rate of pay at the time of layoff.

If, while in such layoff status, the employee requests payoff, such payment shall not be due and payable, although it may be made, until 60 calendar days following the date of layoff or 30 calendar days following the date of written request, whichever occurs later.

Article 30 – Insurances

Page 190 - Employees who are laid off, at the time of layoff, may elect to continue enrollment in the SHP PPO (or alternative plan) and life insurance plan by paying the full amount (100%) of the premium. Such enrollment may continue until the employee is recalled or for a period of three (3) years, whichever occurs first. Such employees may also elect to continue enrollment in the Group Dental (or alternative plan) and/or Group Vision Plans by paying the full amount (100%) of the premium. Such enrollment may continue until the employee is recalled or for a period of eighteen (18) months, whichever occurs first. In accordance with Paragraph (2) of this Section, the Employer shall pay the Employer's share of such premiums for two (2) pay periods for employees selecting these options.

Employees laid off as a result of a reduction in force may elect to pre-pay their share of premiums, if any, for the SHP PPO (or alternative plan), Group Dental Plan (or alternative plan), Group Vision Plan, and life insurance for two (2) additional pay periods after layoff by having such premiums deducted from their last pay check. The Employer shall pay the Employer's share of premiums for the SHP PPO (or alternative plan), Group Dental Plan (or alternative plan), Group Vision Plan, and life insurance for two (2) pay periods for employees selecting this option. Coverage for the State Health Plan (or alternative plan), Group Dental Plan (or alternative plan), Group Vision Plan, and life insurance shall thereafter continue for these two (2) pay periods. Election of this option shall not affect the laid off employee's eligibility for continued coverage as outlined in Paragraph (1) of this Section.

Letter of Understanding #3 – FMLA

Page 250 - For purposes of Layoff and Recall, the employee shall be considered to be in the layoff unit applicable to the employee's permanent position. Upon completion of an FMLA leave, the employee shall be returned to the employee's original position as soon as practicable and in accordance with the Act.

Common Terms used regarding MDOC closures:

Bump Region: a defined area that is negotiated between MCO and the department. Those individuals who work within that bump region can bump each other out based upon seniority.

Transfer in lieu of Layoff: You accept a position at another facility outside of the bump region from the departmental state wide list. You will have three years recall rights under this option.

Voluntary Transfer: You submit a form that identifies facilities outside of the bump region to which you are willing to transfer before the bumping process occurs. This is not a contractual obligation. MCO has successfully negotiated this with the MDOC outside of the bargaining process to allow those who may want to go to another facility and may not have been able to get there otherwise (i.e. probationary or w/discipline), the option to do so... while at the same time then creating additional openings within the bump region for those who desire to remain in the region. You will have no return rights and no recall rights under this option.

Recall List: Layoff unit - negotiated bump region
Statewide - (self-explanatory) you should be very sure what facilities you designate for recall, because refusal will result in removal from the statewide list. Article 14, Sec. H.4, pg 83

Recall Rights: The ability to be recalled back to fill a vacancy at any of the facilities within the bump region for a period of three years, with an additional three years if requested in writing prior to the expiration of the first three years. Article 14, Section G, pg. 83.

Recalled: To be called back to work at a facility within the bump region. Recall takes precedence over return rights. If you refuse this offer you will be removed from all lists resulting in separation. Article 14, Sec. H.1, pg. 69

Operational Needs: All transfer and bumps are subject to limitation based on the employer's need for staff at individual facilities.