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DEPARTMENT OF STREET RAILWAYS UNIVERSITY

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Rules and Regulations

Governing

SALARIES AND CONDITIONS OF EMPLOYMENT
FOR THOSE EMPLOYEES IN OFFICE WORK AND
RELATED ASSIGNMENTS AND WHO ARE UNDER
THE UNION REPRESENTATION OF LOCAL NO.
214 A.F.S.C.M.E., A.F.L.-C.I.O.

Adopted by The
Board of Street Railway Commissioners

June 7, 1962
Effective July 1, 1962



CITY OF DETROIT
DEPARTMENT OF STREET RAILWAYS

RULES AND REGULATIONS
GOVERNING SALARIES
AND
CONDITIONS OF EMPLOYMENT
FOR
OFFICE AND SALARIED EMPLOYEES
REPRESENTED BY
LOCAL 214

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES

A.F.L.-C.I.O.

EFFECTIVE JULY 1, 1962
PREPARED BY PERSONNEL DIVISION

City of Detroit
Department of Street Railways

RULES AND REGULATIONS

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City of Detroit
Department of Street Railways

RULES AND REGULATIONS GOVERNING SALARIES AND CONDITIONS OF EMPLOYMENT FOR THOSE EMPLOYEES IN OFFICE AND RELATED WORK AND WHO ARE UNDER THE UNION REPRESENTATION OF LOCAL #214, THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO.

Purpose of Rules and Regulations

The purposes of the following Rules and Regulations are to assure adequate and dependable municipal transit service to the public; to provide the employees with working conditions as good as may be reasonably provided; to protect the interests of the public, the employees and the Department; to provide a procedure for adjusting grievances, to prescribe wages, salaries and working conditions; and to set forth various provisions relative to the rights, privileges, duties and obligations of the employees.

Section 1. Employee Representation

(a) For the purpose of discussing and conferring with respect to any matters of their salaries, wages, working conditions or employer-employee relationship, the Board of Street Railway Commissioners will meet exclusively with such persons as may represent Local #214, American Federation of State, County and Municipal Employees, acting on behalf of those salaried and hourly employees whose classifications are now listed, or which may be from time to time, added to the wage and salary compensation schedule hereof, provided that said union shall not represent employees in the Maintenance Division.

(b) The Board will so discuss and confer with representatives of the union concerning building attendants in the Administration Office and in the transportation terminals.

(c) The Board will not prevent or discourage eligible employees from becoming, or continuing as union members.

(d) The union shall not represent division heads and shall not solicit membership from or represent those classified or serving as a division head's first assistant.

(e) The said union shall not solicit membership from or represent those in the following classifications:

Asst. Cashier
Asst. Trans. District Supt.
Attorney
Auto Repair Superintendent
Cashier
Chartered Service Supervisor
Chief Accountant, DSR
General Counsel
Head Claims Investigator
Head Purchases Agent
Medical Examiner, DSR
Personnel Director
Personnel Officer III
Principal Accountant
Principal Purchases Agent
Secretary to the Commission
Sr. Assoc. Electrical Engr. (Mtce.)
Sr. Attorney
Sr. Auto Repair Foreman
Supvg. Trans. Schedule Maker
Supervisor of DSR Plant Maintenance
Supervisor of Plant Protection
Supervisor of Supplies
Supt. of Transit System Maintenance
Supt. of Trans. Operations
Trans. District Superintendent
Trans. Materials Adjuster
Trans. Operations Assistant

Section 2. Supervisors' Chapter

Those in the following classifications shall be grouped in a separate chapter of the union and they shall meet with the Board on all matters pertaining to their group. No supervisory employee shall be represented by a subordinate employee.

Head Clerk
Senior Accountant
Senior Trans. Emergency Dispatcher
Head Storekeeper

Section 3. Bulletins

(a) The union will have the right to the exclusive use of its bulletin boards on all properties of the Department for publishing notices pertaining to the conduct of its affairs.

(b) Copies of each bulletin shall be given to Management when posted.

Section 4. Salary and Wage Assignments

There will be accepted from the employees, voluntary written salary assignments for payment of monthly union dues, initiation or reinstatement fees, and such general union assessments as may be levied.

Such assigned sums will be forwarded to the financial secretary of the union.

The assignments shall be voluntary, and shall be revocable if sixty (60) days' written notice is given in duplicate to the Secretary of the Board, who will forward one (1) copy to the union's financial secretary.

Section 5. Grievance Procedure

In presenting a grievance, the following successive steps must be followed until its settlement:

(a) The employee shall first discuss it with his immediate supervisor.

(b) He shall then refer it to his union representative for discussion with the said supervisor.

(c) The union representative shall then submit the grievance in writing to the division head with a copy to the General Manager.

(d) The union grievance committee shall then present the grievance to the General Manager or his authorized representative.

(e) They shall then present it in writing to the Board of Street Railway Commissioners.

The union representative and/or the union grievance committee, in presenting a grievance on its initiative shall follow the above procedure, the first discussion to be at the level of origin of the grievance.

Grievances shall be deemed invalid if not presented within thirty (30) days of their occurrence, and if not appealed within thirty (30) days from decisions at each supervisory level.

Grievances will be answered with reasonable promptness.

Section 6. Notice to the Union

Notice as to changes in status of employees of thirty (30) or more days' service will be given by the Management as follows:

<u>Action</u>	<u>Hours Prior Notice to Union</u>
Promotion	48
Demotion	48
Transfer	48
Lay Off	48
Elimination of Position	48
Suspension	24*

* Except in those cases where the offense is such that immediate suspension is necessitated.

Section 7. Work Day and Work Week

(a) The regular work day shall consist of eight (8) consecutive hours exclusive of the thirty (30) minute lunch period provided that in limited instances, Management will schedule unworked intervals in excess of the said lunch break (see Section 21): provided also that where persons are permitted by the General Manager to work less than eight (8) hours per day or less than forty (40) hours in a normal service week, employees therein shall be paid at the same rates provided for in the salary schedule on the basis of forty (40) hours per week, and such compensation shall be construed to be full compensation for all work performed up to and including forty (40) hours per week. (See exception in next paragraph.)

Such employees shall receive no premium pay for any time worked beyond the regular eight (8) hour work day until they shall have worked at least forty (40) hours in a normal service week, exclusive of meal periods, provided that if such an employee works on his sixth (6th) or seventh (7th) day, he shall receive the compensation due him as if he had performed on an eight (8) hour basis on each day on which he worked during the week.

(b) The regular work week shall consist of forty (40) hours composed of five (5) consecutive days of eight (8) hours each, excepting in those divisions where work is performed on a six (6) or seven (7) day basis, except for those in the classification of Cash Service Man, and excepting as provided in paragraph (a) of this section.

(c) The work week will begin on the first day after an employee's second off day.

Section 8. Overtime

(a) A daily overtime premium of time and one-half will be paid for work in excess of eight (8) hours per day.

(b) A weekly overtime premium of time and one-half will be paid for work on the sixth (6th) day in excess of forty (40) straight time hours, subject to provisions of Section 7 hereof.

(c) A weekly overtime premium rate of double time will be paid for work on the seventh (7th) day.

(d) Paid sick leave, holidays or vacation will be treated as days worked in computing weekly overtime.

(e) The hourly rate will be determined by dividing the annual salary by 2080.

(f) Overtime work will be distributed as evenly as possible under the terms of the following resolution adopted by the Board of Street Railway Commissioners on November 4, 1952:

"Under the proposed new Rules and Regulations submitted to you Tuesday last, and covering employees under the union representation of Local #214, A.F.S.C.M.E., the Department is no longer obligated to invariably fill temporary job vacancies on the first day with those receiving overtime rates.

But, if the said new Rules and Regulations are adopted by your Board, it is recommended that to assure equitable assignment of overtime, the following policy be adhered to in filling future temporary vacancies.

"When a temporary vacancy occurs in a position, said vacancy may be filled by using either an employee with the same classification, or by moving up an employee or employees holding dual classifications.

"When employees are available in the classification in which the vacancy occurs, the dual class move up plan will not be resorted to if, at the time the assignment is made, it is apparent that it will necessitate payment of overtime to one in a lower classification."

Section 9. Meal Time

(a) The time for meals will be thirty (30) minutes, which will be in addition to the eight (8) hour work period and shall not be compensated for by the Department.

(b) Where practicable, meal times will be

scheduled, but certain employees must remain on duty while having lunch.

(c) When management indicates that a lunch period will not be allowed a position, either the usual spread of hours will be reduced to eight (8) or one-half hour at straight time will be paid, but not used in computation of overtime.

Section 10. Work Selection.

(a) Employees may select open job locations or shifts according to seniority if qualified to perform the chosen work. For this purpose, total salaried seniority shall govern except as to Transportation Division employees, for whom seniority shall be based on length of time in the classification.

(b) In the event of demotions or the elimination of positions which result in the transfer of employees, except Transportation employees, the employee so affected may select a position in his classification, if qualified, in the location he has been working on the basis of his salary seniority.

Section 11. Work Schedules.

(a) Management will prepare and post for selection of positions written work schedules for certain classified groups. Before posting same, they will be made available to the union committee for discussion.

(b) Such schedules will indicate when and where work begins for each position and when it will terminate. If off days are not consecutive, the schedules will indicate which is the sixth (6th) and seventh (7th) day.

(c) Work schedules will be placed into effect on the first (1st) day of payroll period except in emergencies.

(d) If the revision of a work schedule necessitates that an employee work more than five (5) consecutive days, weekly overtime will be paid only for time in excess of eighty (80) hours in the pay period.

(e) If the changing of an employee's off days in an emergency necessitates his working six (6) or seven (7) consecutive days, weekly overtime payment will be made pursuant to Section 8.

(f) When his normal off days are restored at the termination of the emergency, no weekly overtime will be paid unless it results in his working more than eighty (80) hours in the pay period.

(g) Employees selecting positions from work schedules, must be capable of performing the chosen duties.

(h) No such employee will be required to perform work beyond his assigned transportation district except in an emergency.

(i) The Management shall determine when Senior Transportation Service Supervisors require the use of automobiles in performance of their duties.

Section 12. Dual Classifications

(a) The Management will establish, within the limitations of the Civil Service Commission's rules and decisions, sufficient dual classified positions to provide replacements for as many temporary or emergency vacancies as may be normally anticipated. The term "dual class" shall be applied to an employee who holds a regular status in one classification, but has qualified for work in one or more higher classifications and shall, in the event of an emergency be available and subject to call for work in the higher classifications for a temporary period.

(b) When dual classification employees are assigned work in the higher classifications for which they are qualified, they will be paid for work performed in the higher classifications at a rate consistent with that provided in the regular rules for promotion.

(c) When an employee is given and accepts a dual classification, he shall, when assigned work in his higher classification, perform the work with the understanding that he shall be subject to the same conditions as those employees who hold and are regularly assigned to the said classification.

(d) To be recommended for a dual classification, each employee must be able to qualify for the higher classification, and in such case shall be interviewed by a superior in his division, who will explain all of the conditions as set forth above after which the employee shall be required to indicate in writing his acceptance or rejection

of the dual class status, such acceptance or rejection will be recorded in the Personnel Office of the Department.

(e) When, in the discretion of Management, it is necessary to use dual class Transportation Equipment Operators to fill temporary vacancies in salaried positions in the Transportation Division, said operators will be used only as Yard Men and Cash Clerks, but their use as Cash Clerks shall be limited to those instances when no salaried employees from that district are available from the Yard Man group for use on a straight time basis as Cash Clerks.

(f) An employee who is promoted to his higher dual classification while serving in same, will receive credit for such continuous service when determining his status in the new classification including any continuous service preceding one (1) break of not more than sixty (60) days.

Section 13. Holidays

For the eight (8) holidays consisting of Independence Day, Labor Day, Thanksgiving Day, Christmas, New Year's Day, Memorial Day, Veterans' Day, and Election Day, employees shall be compensated as follows:

(a) Where either salary or prevailing rate employees are excused by the department head from work on any of the above holidays, they shall receive their regular pay; provided, however, that if a holiday falls on Sunday it shall be celebrated on the following day; and provided further, that an employee shall receive no pay for the holiday if, on either of the scheduled service days immediately before or after the holiday he absents himself for any portion of such service days in excess of one (1) employment hour and the absence is for reasons other than paid sick leave, vacation or off with permission.

(b) Holiday allowance will be allowed one who is off with permission on both the scheduled service days before and after the holiday.

(c) If an employee is scheduled and not excused from work on a holiday and fails to work for reasons other than paid sick leave or vacation, he shall receive no pay for the holiday.

(d) If an employee works on any of the holidays above mentioned, his total compensation shall be 200 per cent of his basic or hourly rate provided, on either of the scheduled service days immediately before or after the holiday he does not absent himself for any portion of such service days in excess of one (1) employment hour. Should he so absent himself, however, and such absence is for reasons other than paid sick leave, vacation or off with permission, he shall be entitled to straight time only for the holiday.

(e) When an employee works on one of the above designated holidays, and it is also his sixth (6th) or seventh (7th) day of work, payment of the premium for working such holiday will satisfy the provision requiring the payment of weekly overtime.

Section 14. Reclassification

The following procedure will be followed when any employee believes he is performing work beyond his classification.

- (1) The employee, or his representative, will at the time of the performance of the particular work, make claim in writing to the supervisor.
- (2) A classification survey will be requested from the Civil Service Commission. Their decision, if approving, such claimed classification, shall be effective as of that date of eventual certification of a qualified employee to the same.

Section 15. Salary Step Increases

(a) Salaried employees will, upon meriting same, be granted salary step increases as indicated in Appendix A hereof.

(b) Eligibility for any salary step increase will be largely determined by the merit reports submitted by the employee's supervisor.

(c) The union will be notified seventy-two (72) hours before final action in the matter is taken in denying a salary step increase.

Section 16. Vacation

(a) Subject to the conditions and limitations contained herein, employees shall be eligible for ten (10) days vacation annually. No vacation will be granted during the employees first year, but upon completion of same, he will be entitled to vacation for each month of eighteen (18) or more days of service, preceding the first January 1st after employment. On each January 1st thereafter, he will be entitled to a full ten (10) days vacation, subject to the following limitations.

(b) Employees who have accumulated ten (10) years of service may be entitled to an additional five (5) days of vacation leave for each calendar year thereafter, to be enjoyed during the calendar year beginning after the one in which the tenth (10th) anniversary of employment occurred.

(c) Additional vacation shall be allowed employees who on any July 1st date, have compiled a combined total of fifty (50) or more days of unused sick leave in both their current and reserve sick leave banks, they shall be entitled to one-half (1/2) the difference between the amount of current sick leave credited and the amount of sick leave used during the fiscal year immediately preceding any July 1st date provided that said additional vacation leave shall not exceed five (5) days, and same shall not be computed in amounts of less than one-half (1/2) days, and provided further that said additional leave shall not be charged against employee's sick leave credits. This additional leave shall be credited to an employee after the January 1st following the July 1st date upon which such entitlement is computed.

(d) A service day is one for which an employee receives pay and shall not include leave of absence or absence due to lay-off except Military Leave (see Appendix B-1).

(e) No pro-rated vacation will be granted an employee who is discharged.

(f) Management shall determine the number of vacation leaves to be scheduled at any given time of the year, and they shall base such determination on the requirements of the service. Vacation periods will then be selected by employees according to seniority.

(g) Vacation time, no matter how earned, shall not be allowed to accumulate past any December 31st date.

(h) Employees who die, and those who are separated from service in good standing, either temporarily or permanently, shall be entitled to vacation leave before such separation, on the basis of one-twelfth (1/12th) for each month of eighteen (18) or more days of compiled paid time during the said fiscal year.

Section 17. Sick Leave

(a) The terms of Section 2 of Ordinance 412-D in its present form as written herein and made Appendix A-1 hereof will apply in the administration of sick leave for employees.

(b) Employees upon retirement, shall be entitled to the payment of one-half (1/2) of their unused sick leave balances not to exceed thirty (30) days. See Appendix A-2.

Section 18. Hospitalization Insurance

(a) The Department will pay the cost of premiums not to exceed \$4.35 per month per insured employee for providing group surgical and hospital insurance for those employees desiring same.

(b) Employees may by payroll deduction elect to pay to the same insurance company the costs of additional benefits for family coverage.

(c) The name of the insurer and the full terms of coverage of employee protection shall be subject to review by the Department at any time.

(d) Any change of insurer shall be subject to the approval of the Department in consideration of the premium payment provided in sub-section (a).

(e) Any change in rate of premium contribution by the City of Detroit shall be adopted as of the same effective date for these employees.

Section 19. Leave of Absence for Union Officers or Delegates

Insofar as it can be permitted without loss to the transit service:

- (1) Officers or representatives of the local union will be afforded time off without pay to assist in the executive affairs of the union.
- (2) Employees selected by the union as delegates to conventions or for other official union business, will be given the necessary leave of absence without pay.

Section 20. Promotions and Transfers

(a) When positions need be filled by transfer or promotion, the employee transferred or promoted will be selected on the basis of his merit, ability, qualifications and seniority.

(b) Upon promotion an employee will receive an established salary which will assure him an increase of at least one (1) salary step, provided it is not in excess of the established maximum rate. The salary step shall be of the class from which he was promoted.

(c) Where lists of employees who are eligible for promotion are established as a result of Civil Service Advisory Examinations, such eligible lists shall not be considered in effect after a period of two (2) years from the date of their establishment.

Section 21. Split Assignments

(a) The daily work assignments of certain employees must be scheduled in two (2) parts separated by an unworked interval greater than the thirty (30) minute lunch period.

(b) Employees who are required to spend over eleven (11) hours to complete such an assignment, shall receive an extra one-half (1/2) time for work performed after such eleventh (11th) hour.

(c) Split assignments shall always be limited to the lowest possible minimum.

Section 22. Miscellaneous Time Allowance

(a) Employees in the Cashier's Division, when required by the Management to change from street clothes to uniform on the premises of the Department of Street Railways, will be allowed five (5) minutes time for such purpose at the start and finish of the scheduled work day without loss of compensation.

(b) Employees who are required to carry fire-arms, will be permitted four (4) hours with pay to secure police permit for such purpose.

(c) Any employee called to work on his off day, will be paid for no less than four (4) hours at the appropriate rate.

Section 23. Premium Pay for Night Work

Employees working on afternoon and night shifts shall be eligible for premium pay subject to the following conditions:

(a) A premium of 10¢ per hour shall be paid for all hours actually worked in any regularly assigned daily afternoon shift which shift commences at the hour of 2 P.M. or between the hours of 2 P.M. and 10 P.M.

(b) A premium of 15¢ per hour shall be paid for all hours actually worked in any regularly assigned daily night shift which commences at the hour of 10 P.M. or between the hours of 10 P.M. and 4:15 A.M. inclusive.

(c) The said premium shall be paid in addition to the basic rate of pay of such employees and shall be paid for all hours actually worked over and above the regular premium shift hours.

(d) The said premium pay shall not be taken into consideration in computing overtime premium.

Section 24. Rates of Compensation

The rates of compensation paid to the employees covered hereunder will be as listed in the attached Appendix A.

Section 25. Longevity Pay

Longevity pay shall be granted to all employees covered hereunder, provided they qualify for payment according to Appendix C-1 - hereof which is a reprint of Detroit Longevity Ordinance 164-F. The terms of said ordinance shall be followed in determining the basis of such payment.

Section 26. Grievance Time

Employee members of the grievance committee, not to exceed four (4) in number, will be allowed time with pay during working hours for the purpose of investigating and settling grievances and conducting wage negotiations; provided that no more than four hundred (400) hours per year will be allowed to any one member; and further provided that each committee member shall in each instance give his superior at least twenty-four (24) hours' notice before absenting himself for this purpose.

All time so consumed on grievance matters shall be reported by the union and each interview shall be recorded by the Management representative interviewed.

Section 27. Duration of Rules and Regulations

(a) It is the intent of the Board that these Rules and Regulations shall remain in effect until July 1, 1963 or until revised or modified.

(b) At least thirty (30) days prior to July 1, 1963, the Board will review these Rules and Regulations for the purpose of determining any modification or revision then found desirable or necessary by the Board.

(c) Nothing contained in these Rules and Regulations is intended to conflict with the City Charter, or the statutes of the State of Michigan or the laws of the United States, and any provision herein found to be contrary to said Charter, statutes or laws, shall be of no effect.

COMPENSATION SCHEDULE
Effective July 1, 1962

Classification		Minimum	Maximum	Step Increment
Asst. Transportation Emergency Dispatcher		\$5720	\$6343	\$219
Auto Deliveryman	(B)	4993	5097	219
Building Attendant A	(A)	4478	4544	66
Building Maintenance Sub-Foreman			8647	
Calculating Machine Operator		4500	4764	219
Cash Clerk		5451	6050	219
Chartered Service Dispatcher		5235	5820	219
Claims Adjuster		6390	7036	328
Claims Investigator		5817	6157	219
Clerk	(B)	4314	4654	219
Counting Machine Operator	(B)	4314	4654	219
Emp. Welfare Investigating Clerk (Interim)		5724	6342	219
Head Clerk		7674	8636	328
Head Storekeeper		6821	7465	328
Instructor - Trans. Equip. Oper.		5720	6343	219
Intermediate Money Handler	(C)	5148	5718	219
Junior Calculating Machine Operator	(A)	3978	4206	76
Junior Accountant	(B)	5932	6252	219
Junior Clerk	(A)	3888	4116	76
Junior Purchases Agent	(B)	5932	6252	219

Classification		Minimum	Maximum	Step Increment
Junior Stenographer	(A)	\$3978	\$4206	\$ 76
Junior Typist	(A)	3888	4116	76
Legal Investigator		5922	6557	219
Messenger		3366	3594	76
Money Handler	(C)	5108	5556	219
Offset Printer		6532	7339	328
Posting Machine Operator (Numeric)		4500	4764	219
Principal Clerk		6046	6900	219
Secretarial Stenographer		5877	6507	219
Semi-Senior Accountant		6907	7887	328
Senior Accountant		8326	9289	328
Senior Bookkeeper		5877	6507	219
Senior Building Attendant		4764	4896	132
Senior Chartered Service Dispatcher		5720	6343	219
Senior Clerk		5108	5556	219
Senior Draftsman		6400	7269	328
Senior Gun and Locksmith		6311	6959	328
Senior Money Handler	(C)	5602	6219	219
Senior Purchases Agent		8326	9289	328
Senior Stenographer		5178	5556	219
Senior Storekeeper		5877	6507	219
Senior Telephone Operator		5178	5556	219
Senior Transportation Emergency Dispatcher		6650	7617	328
Senior Transportation Service Inspector		6311	6959	219

<u>Classification</u>		<u>Minimum</u>	<u>Maximum</u>	<u>Step Increment</u>
Senior Transportation Schedule Maker		\$6606	\$7580	\$328
Senior Typist		5108	5556	219
Senior Watchman		4934	5269	219
Stenographer		4500	4764	219
Storekeeper		5248	5556	219
Supv. Transportation Investigator		5574	6187	219
Technical Aid (Accounting)	(B)	5729	5831	102
Telephone Operator	(B)	4314	4654	219
Transportation Complaint Investigator		5710	6050	219
Transportation Emergency Dispatcher		6311	6959	219
Transportation Operations Clerk		6333	6980	219
Transportation Schedule Maker		6390	7036	328
Transportation Service Inspector		5720	6343	219
Transportation Service Investigator		6652	7617	328
Transportation Station Master		6311	6959	219
Transportation Terminal Assistant		5720	6343	219
Transportation Timekeeper		5516	6125	219
Transportation Yardman		5236	5820	219
Typist	(B)	4314	4654	219
Window Cleaner	(A)	5316	5421	105

(A) All pay ranges designated with "A" to receive 6 months increments of \$76 not to exceed the maximum rate for the class.

- (B) All pay ranges designated with "B" to receive 6 months increments equal to half the annual increment to the next higher or lower dollar if necessary but not to exceed the maximum rate for the class.
- (C) Employees in class before 9-1-55 who formerly held the classifications of: Intermediate Change Handler, Junior Change Handler, Junior Money Handler, Money Machine Operator, Senior Money Handler, Senior Change Handler and Senior Money Machine Operator.

Intermediate Money Handler: Elmer Bischoff \$5904
Leo Charley 5904

Money Handler: Edward Szuminski \$5624
Karol Kalinsky 5624
Frederick Coates 5624
Anton Gitcho 5824

Senior Money Handler: Thomas Lander \$6338

Appendix A-1

CITY OF DETROIT COMPILED ORDINANCES
Chapter 15

SECTION 2. All officers and employees of the City of Detroit, except those otherwise provided for by charter, contractual employees and those who shall not have completed six (6) months of continuous service, may be granted sick leave with full pay of one (1) eight-hour service day or straight time for each period of service equal to the departmental service month. Such sick leave days shall accrue monthly and shall be computed on the basis of not less than eighteen (18) normal service days per month. Such time shall first be computed from the date of appointment and thereafter from the beginning of each fiscal year. Sick leave shall accrue in terms of full days only and shall not exceed twelve (12) service days in any one (1) fiscal year. Part time, seasonal, temporary and intermittent (those failing to work at least eighteen (18) service days in each month of the fiscal year) employees may be entitled to sick leave at their regular rate of pay on the basis of one (1) day for each period equivalent to twenty-one (21) normal service days. Sick leave as above provided shall accrue from date of appointment but only after the officer or employee shall have become eligible for sick leave according to the provisions of this Ordinance.

(a) As of July 1, 1944, every officer and employee may be credited for unused sick leave for all prior service as far back as July 1, 1941. Such unused sick leave to be computed according to the provisions of the Ordinance then governing; provided, that no officer or employee shall be credited with less than five (5) days of accrued sick leave as of July 1, 1944; provided, further, that any employee who shall not yet have been eligible for sick leave under the terms of Ordinance 114-D shall be eligible as of July 1, 1944, for such sick leave from the date of appointment in accordance with the provisions of this Ordinance.

(b) Unused sick leave may be accumulated for each officer and employee to the extent of one hundred (100) working days except as herein otherwise provided.

(c) Sick leave, or absences for any reason

specified in sub-division (i) hereof, shall first be deducted from current sick leave heretofore provided for under Section 2 and sub-divisions (a) and (b).

(d) Additional sick leave may be granted for each full year of service herein defined, of five (5) eight-hour service days, including prior service to July 1, 1941, and subsequent to July 1, 1944, but not exceeding a total of one hundred (100) days. Such sick leave shall be granted on the basis of length of service free from any interruptions; provided, further, that continuous absences in excess of four (4) years shall be deemed to terminate any rights accruing under the provisions of this subsection. It is the intent of this subsection to provide a reserve based upon length of service in addition to but not a part of current sick leave as herein otherwise provided.

(e) Sick leave may not be granted in anticipation of future service.

(f) The following holidays falling within a period of sick leave shall not be counted as service days: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

(g) Absences shall not interrupt the accrual of sick leave where the employee's name appears on the payroll and he is actually receiving compensation; provided, that absences without pay, except for employee receiving workmen's compensation, shall stop the accrual of sick leave; provided further, that upon his return to service in good standing, the employee may be granted all sick leave accrued on the basis of his prior service; provided further, that any employee returning from any branch of the Armed Service whether or not he may have resigned to enter such service, shall be granted all sick leave accrued on the basis of his prior service, including service in the Armed Forces, provided, that the accrual of sick leave granted on the basis of length of service as provided in subsection (d) of Section 2 hereof, shall not be affected by these provisions.

(h) An employee transferred or certified to another Department, and otherwise entitled to the benefits of this Ordinance, shall not thereby lose any accumulated and unused sick leave and the department from which he is separated shall certify the amount of such unused sick leave due such employee.

(i) Absences for the purpose of taking City of Detroit examinations, except non-competitive promotional examinations, attending a wedding of an immediate member of the family, consulting the Draft Board, death in the immediate family, attending funerals and other justifiable absences in the judgement of the department head, shall be considered proper charges against current sick leave reserves; provided, that where possible permission for such absence must be secured from the department head; provided, that the department head may permit such absences with pay to the extent of five (5) working days in any one fiscal year.

(j) The term "sick leave" shall be construed to be absence due to illness and also to include absence due to exposure to contagious disease, attendance upon immediate members of the family within the household of the employee, where necessary; provided, that such absence shall not exceed three (3) days in any instance.

(k) The term "immediate family" shall be construed to include husband, wife, children, father, mother, brothers and sisters, and also relatives living in the same household no matter what the degree of relationship.

(l) An employee absent for any reason which may be charged to his sick leave reserve, where permission has not already been granted, must notify his immediate superior within two (2) hours after starting time, or at least within the working hours of the first day of absence if, in the judgment of the department head, no earlier notice was possible. Failure to give proper notice may be used by the department head, as a just reason for the refusal of sick leave with pay.

(m) Evidence of illness must be provided by medical certificate or other suitable proof for all sick leave granted beyond three (3) consecutive days; provided, that the granting of sick leave for not more than three (3) days without the necessity of evidence shall be discretionary with the department head, and all excuses for absences shall be subject to such verification as the department head may see fit to require, including examination by a physician selected by said department head.

(n) Sick leave may be allowed in case of sickness or injury occurring during annual leave.

Evidence of such incapacity from the first day must, however, be provided to the satisfaction of the department head.

(o) An employee sustaining injury or occupational disease arising out of and in the course of city employment shall be continued on the payroll and his time shall be charged to his sick leave reserve; provided, that in the absence of any sick leave reserve, he shall be paid regular wages or salary to the extent of two-thirds (2/3) of his daily wage or salary but for a period not to exceed seven (7) days; provided, also, that where the employee has a sick leave reserve, and receives income under the workmen's compensation act, such income shall be supplemented by the City with an amount sufficient to maintain his regular salary or wage for a period not to exceed that of his sick leave reserve, and such reserve shall be charged for all sick leave days, or portions thereof, paid to such employee.

(p) No right of action shall accrue to any officer or employee as a basis for recovery of pay for any unused sick leave. Death or termination of service shall terminate any and all liability under this Ordinance for any such unused sick leave.

(q) Sick leave shall not be charged against the employee's reserve in amounts of less than half-days; provided, that this Rule shall not be construed to excuse absences of less than half days. (Effective August 17, 1944. Ord. 412-D.)

CITY OF DETROIT
DEPARTMENT OF STREET RAILWAYS
Appendix - A-2
Retirement Sick Leave

Effective January 1, 1955, employees, upon retirement as prescribed by Title IV, Chapters XII, and XXI, and Title 9, Chapters V, VI and VII of the Charter of the City of Detroit shall be entitled to the payment of one-half (1/2) of their unused sick leave balances not to exceed thirty (30) days, the details of the above resolution being worded as follows by the Common Council on August 24, 1954:

1. Payment of unused sick leave shall be limited to compensation for one-half of the retirant's unused sick leave, not to exceed thirty (30) sick leave days.

2. Such payment shall be effected in lump sum by special payroll dated the day prior to that of retirement, and computed at rates existing as of that date, with the further proviso that no credit shall be granted for periods of less than one-half day.

3. Payrolls shall not be processed except and until certification by the Retirement Board to the effect that the employee has actually retired.

4. Payment shall be limited to only Service Retirants, under Charter Title IV, Chapters XV and XXI, and Charter Title IX, Chapters V, VI and VII, and only to those who retire with a Service Retirant allowance, and only where the effective date of the retirement is July 1, 1954 or later.

5. Duty and Non-Duty retirants will participate in the privilege at such time only as they shall become Service Retirants with Service Retirement Allowance. Payrolls in this case as of the day prior to date of retirement shall be processed at the rate of pay at which the Retirant was last compensated on the regular payroll.

6. Qualified widows or widowers of so-called Automatic Option II retirants (those eligibles who die before electing to retire) shall be entitled to

the above benefits in the same manner and extent as though the employee had participated under the regular Service Retirement by choice.

7. Retirants may avail themselves of the privileges of the above resolution only once.

8. Lump sum payments above provided for shall have no effect upon the amount of pension payments and shall not be subject to deductions, except withholding tax.

9. These provisions and the above authority shall extend to the uniformed members of the Police Department and non-civilian employees of the Fire Department only to the extent that there is unused sick leave according to a plan or formulae. Such formulae shall require approval of the Common Council.

Appendix B-1

RESOLUTION OF
BOARD OF STREET RAILWAY COMMISSIONERS
Adopted July 29, 1952

"Employees of the Department who heretofore have been granted leave of absence for military service and who have served in the Korean emergency, or who hereafter shall be granted leave of absence for military service during the Korean emergency or who shall be granted leave of absence for the purpose of entering the Armed Forces of the United States in time of war, or emergency as declared by the Common Council, shall, subject to the limitations and conditions herein provided, retain certain present and future rights as to vacation and pay increment privileges (excepting for increments to those in apprentice or training programs) during such military service, to the same extent as enjoyed by employees in D.S.R. service under existing D.S.R. Rules and Regulations.

"Employees shall be entitled to the vacation leave and/or pay due them under the Rules existing at the time of departure from D.S.R. service for military service.

"Employees honorably discharged from military service who within ninety (90) days thereafter apply for re-entry in the service of the Department of Street Railways, shall, after they have been paid ninety (90) days of normal service exclusive of premium and overtime following such re-entry, be entitled to vacation leave as follows for the time spent in military service.

"Newly inducted employees who had not qualified for vacation privileges prior to military leave shall be permitted to add military service to any previous D.S.R. service so as to qualify according to Department rules governing such vacation privileges.

"In such instances vacation leave will be allowed only for D.S.R. service, namely for each month of such service prior to military leave in which the employee earned credit toward vacation.

"Employees who had qualified for vacation privileges prior to military service shall be given credit toward vacation on a forty (40) hour week

basis, for each month spent in military service the same as if he were fully employed with the Department; provided, that no such employee with less than a total of two (2) years of D.S.R. and military service shall be entitled to vacation leave in excess of five (5) days for the entire period of military service; and provided that no such employee with less than a total of fifteen (15) years of D.S.R. and military service shall be entitled to vacation leave in excess of ten (10) days for the entire period of military service; and provided that no employee with a total of fifteen or more years of D.S.R. and military service shall be entitled to vacation leave in excess of fifteen (15) days for the entire period of military service.

"Vacation credits to be allowed for time spent in military service shall be reduced to the extent that an employee, before entering military service, might have enjoyed vacation not earned.

"In no event shall the provisions of this resolution be construed to entitle an employee to more than one full vacation during any calendar year.

"Resolution adopted with the provision that the length of each vacation be determined by the Department Rules and Regulations covering each employee involved."

Appendix B-2

COMMON COUNCIL RESOLUTION OF JANUARY 15, 1952

"Resolved. That the resolution of May 20, 1947, page 1395 of the Journal of the Common Council be and it is hereby rescinded; and be it further

"Resolved. That when employees are transferred or recertified from one department to another, the accepting department shall honor prior time worked toward qualifying these employees for vacation or sick leave on the basis of rules governing in said accepting department; and be it further

"Resolved. That when employees are hired other than under seasonal or camp rates of pay and when they return to the payroll following periods of broken service, such employees may qualify by accumulating any prior service within the two year period immediately preceding their return to the payroll; provided further that service prior to resignation or discharge may not be used in any respect. The term "service" should be construed to include paid time only. The term "paid time" shall not include lapsed payroll time showing no pay, nor shall it include premium or overtime.

"Resolved. That upon qualifying as above, employees affected shall be entitled to sick leave granted on the basis of one day for each month containing 18 days of paid time, accumulated for the purpose of qualifying, and they shall likewise be entitled to vacation leave on the basis of one day for every 25 days of paid time accumulated for the purpose of qualifying; and be it further

"Resolved. That when employees leave one department for another after qualifying for a vacation, they shall upon departure, be granted all vacation leave due at the time under the ordinances or rules prevailing in the department releasing them provided that departments involved may by agreement adjust the amount of vacation credit to be transferred, and be it further

"Resolved. That when employees transfer in the midst of the fiscal year without interruption of service from one department to another the accepting department shall grant credit for all time served up to the point of transfer, toward the em-

ployee's vacation for that fiscal year. Provided that when transfers to the DSR are effected vacation time shall be liquidated on a pro rata basis before transfer; and be it further

"Resolved. That where necessary the department may with the approval of the Controller pay from available funds within the account affected, for any amount of vacation credit which cannot properly be liquidated prior to transfer; and be it further

"Resolved. That in case of transfers of personnel as above stipulated sick leave shall be honored by the accepting department in amounts certified according to ordinances of rules covering the department from which the employee departs; and be it further

"Resolved. That none of the provisions of this resolution shall be construed so as to grant leave time more than once for the same period of service.

"Resolved. That the above rules shall prevail immediately for transfers or recertification to and from City departments covered by the General City Ordinances relative to sick leave and vacation rights. Provided further, that these rules shall not apply to the Department of Street Railways, Board of Education, the Detroit Public Library, the Jury Commission, Recorder's Court (except the Traffic and Ordinance Division), nor shall it apply to the uniform division of the Police and Fire Departments unless and until such departments shall signify their agreement in writing to the City Clerk.

"Adopted as follows:

"Yeas -- Councilman Beck, Connor, Garlick, Kronk, Rogell, Smith, VanAntwerp, and the President -- 8

"Nays -- None."

LONGEVITY PAY
Ordinance No. 164-F

AN ORDINANCE to designate employees and officers of the City of Detroit who shall be granted longevity pay increments.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. (a) "Longevity pay" within the meaning of this ordinance is not a part of and shall not become a part of an employee's base pay nor is it a reward based on mere length of service or seniority. It is incentive pay designed to retain and reward faithful City employees for future service who continue to serve meritoriously despite lack of promotional opportunities.

(b) "City employees and officers" within the meaning of this ordinance shall include all City employees and officers except contractual, seasonal part-time employees, elected officers, members of part-time boards and commissions, consultants, employees and officers of the Department of Street Railways, the Public Library Commission, the Detroit Board of Education, and the Recorder's Court of the City of Detroit except those employees of the Traffic Court division thereof who are under the classified service of the City of Detroit.

(c) "Seasonal employees" within the meaning of this ordinance shall include those employees in classes and/or under rates of pay appearing in the seasonal and camp rate sections of the official compensation schedule.

(d) "Part-time employees" within the meaning of this ordinance shall include those who are hired for periods of either less than 40 hours per week or less than 1 year.

Section 2. Employees and officers of the City of Detroit who on December 1, 1955 shall have acquired the qualifications hereinafter provided in Section 4 for the first step of Longevity Increment, shall be paid on December 1st, the date of such qualification, and on each December 1st thereafter, such first step of longevity increment of 2 per cent of their base pay at the due date thereof, exclusive of premium and overtime earnings: Provided, that such longevity pay increment shall not exceed

\$150.00 nor be less than \$100.00, payable in a lump sum annually on December 1st of each year: Provided further, that employees and officers of the City of Detroit who on December 1, 1956, shall have acquired the qualifications hereinafter provided in Section 4 for the second step of longevity increment shall be paid on December 1st, the date of such qualification and on each December 1st thereafter, such second step longevity increment of 4 per cent of their base pay at the due date thereof exclusive of premium and overtime earnings, provided that their total longevity pay increment shall not exceed \$300.00 nor be less than \$200.00, payable in a lump sum annually on December 1st of each year: Provided, that in the case of employees and officers who qualify for longevity increment pay, as provided in Section 4 of this ordinance, in any month after any December 1st date, such increment shall be paid on a pro-rata basis upon attaining such qualification, and the amount paid shall consist of a full increment less 1/12 thereof for each full calendar month or fraction thereof from the previous December 1st date to date of such qualification: Provided, That employees who qualify for an advanced longevity step between December 1 date shall be entitled to longevity pay computed by prorating the difference between the amount of a full step on their new basis and the dates shall be entitled to longevity step, if any. On all subsequent December 1st dates they shall be paid a full longevity increment provided they shall have complied with the terms and conditions of this ordinance.

Section 3. It shall be the duty of all department heads and commissions on November 15th of each year, including 1955, to furnish the City Controller a list of employees who will have become eligible for longevity increment pay on December 1st of each year. He shall indicate, in the manner prescribed by the Controller, the amount of longevity pay due each such employee, and the Controller may then authorize payment as of each year, including 1955.

Section 4. Employees and officer may qualify for the first step of longevity pay as of December 1st of each year, or thereafter, as hereinbefore stated, provided they shall have served as City employees for an accumulated period of 11 years of which a minimum of 6 years shall have been accumulated in the same basic class prior thereto, provided that employees and officers may qualify for the second longevity step inclusive of the first,

and as of December 1, 1956, or December 1st of each year thereafter, in the amount and manner stipulated in Section 2 above, provided they shall have served as City employees for an accumulated period of sixteen (16) years of which a minimum of six (6) years shall have been accumulated in the same basic class prior thereto, and provided further, that the conduct or work performance of such employees in the judgment of a department head or commission meets the requirements of the service, and the department head or commission recommends payment thereof: Provided, That employees and officers, in addition to the aforesaid qualifications, must on due dates of payment of longevity increment be in the service of the City. After December 1, 1955, employees and officers who retire on a full service retirement between December 1st dates shall be paid a prorated longevity increment for time served (since the date of their last longevity payment) on a full calendar month basis provided each month shall contain at least 18 days of service. (24 calendar days for fire fighters.)

Section 5. The term "service" within the meaning of this ordinance shall be construed to mean payroll time exclusive of overtime or premium time. It shall include military leaves, but shall not include absence due to lay-off or leaves of absence requiring approval of the Civil Service Commission nor time served prior to any resignation or discharge. For the purpose of this ordinance, service while under the status of seasonal or part-time provisional employment may be credited and accumulated only if and when an employee or officer shall have become a permanent employee.

Section 6. The years of required service as provided in Section 4 of this ordinance need not be consecutive or uninterrupted. Service for the purpose of qualifying for longevity pay may be accumulated in terms of years equivalent to 365 service days, as defined in Section 5, according to the best City records available: Provided, That during the said years of required service there shall have been accumulated an average of 216 days per year of paid time (292 calendar days for fire fighters), exclusive of overtime and premium time.

Section 7. Employees and officers who have qualified for longevity pay must accumulate at least 216 days of paid time (292 calendar days for fire fighters), exclusive of overtime or premium time, during the year immediately preceding any December 1st date or other date of payment as provided in Section 2, before they shall be eligible to receive longevity pay for such year.

Section 8. The term "same basic class" as applied to employees and officers experiencing a change in classification while qualifying for longevity pay, shall include all classes held by such employees and officers, the maximum rates of pay for which classes, as of any December 1st date in question, do not vary beyond the amount of longevity increment computed on the maximum of the lowest class held at any time.

When employees already enjoying longevity, are promoted or transferred into another basic class which provides them with a new basic payroll rate less than their former base pay, plus longevity, they shall receive an amount in the form of longevity increment over and above the new basic payroll rate to insure them a pay equal to the former base pay, plus longevity, until such time as they shall receive regular scheduled step increments equal to or in excess of such amount.

In case of a demotion, except for disciplinary measures, employees and officers may be given credit for any time previously served in titles with higher or equal maximum rates of pay, according to the established rates on any December 1st date in question, for the purpose of qualifying for longevity pay in the position to which they are demoted.

Section 9. In any given year prior to the effective date of longevity payment, employees and officers having dual or multiple titles shall be required to qualify for longevity pay on the basis of the highest title in which they shall have been paid for at least 216 days (292 calendar days for fire fighters): Provided, That where such employees or officers shall have previously qualified for longevity pay in any of their titles they may be granted a longevity increment based on that title if they have 216 days of service (292 calendar days for fire fighters) over all of the titles: Provided, That where they shall fail to qualify under either of the above provisions they may in accordance with the provisions of this ordinance, qualify in their lowest title with 216 days of service (292 calendar days for fire fighters) over all titles.

Section 10. When converting hourly rates to salary, or vice versa in the application of the provisions of this ordinance, the conversion shall be computed on a 2080-hour basis.

Section 11. When the provisions of this or-

dinance would cause grave injustice or violate the general intent thereof, in the opinion of the department head or commission, a longevity increment may be paid upon the recommendation of the department head or commission, and the approval of the Common Council.

Section 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 15. This ordinance is declared necessary for the preservation of the public peace, health, safety and welfare of the people of the City of Detroit and is hereby given immediate effect.

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

(J.C.C. 2007 September 18, 1956)

Passed Sept. 25, 1956 and approved Oct. 2, 1956

Effective November 1, 1956

Appendix D-1

EMPLOYEES' LAYOFF BENEFIT PLAN
(Rule XXI)

Pursuant to City of Detroit Ordinance 338-F establishing an Employees' Layoff Benefit Plan to be administered by the Civil Service Commission, the following rules and regulations are established for the administration thereof. The provisions of this ordinance and these rules shall apply only to employees laid off on or after the effective date of the said ordinance, October 23, 1958.

Section 1. LAYOFF DEFINED. A layoff is defined as a separation, temporary or otherwise, of an employee from a position in the service of the City of Detroit, as hereinafter defined, because of lack of work or lack of funds, which for benefit purposes shall be further construed as beginning on the first normally scheduled work day not paid after layoff, and provided, that during the payroll work week in which the layoff occurs, the employee shall have earned less than his maximum weekly benefit rate.

Section 2. PAYROLL WORK WEEK DEFINED. The City Payroll Work Week means the calendar week ending at midnight Sunday.

Section 3. EFFECTIVE LAYOFF DATE. A layoff shall not be considered in effect until all accrued and payable vacation and overtime are liquidated in equivalent straight time on the payroll, and without regard to whether such payments are made in a lump sum or spread over one or more payroll periods.

Section 4. TERMINATIONS, CONDITIONS AND SEPARATIONS NOT LAYOFFS. The following employment terminations, conditions and separations shall not be defined or construed as layoffs:

(a) Retirement or separation under the provisions of Chapter XV, and XXI of Title IV and Chapters V, VI and VII of title IX of the City Charter.

(b) Discharges, as evidenced by Civil Service discharge procedures, or approved by the person or governing board having jurisdiction in the case of employees not under Civil Service.

- (c) Disciplinary suspensions.
- (d) Removal from city payrolls for violation of Civil Service regulations.
- (e) Layoff of a provisional employee resulting from replacement by a certified eligible.
- (f) Recall of certification.
- (g) Resignations, for any reason.
- (h) Approved leaves of absence whether requested by the employee or initiated by the department.
- (i) Voluntary layoffs, that is, layoffs at the request of an employee.
- (j) Layoffs elected by an employee in lieu of a demotion.
- (k) Layoffs resulting from a waiver of seniority.
- (l) Layoffs allowed for the convenience of employees, including layoffs of employees unable to work the required hours or otherwise making themselves unavailable for employment.
- (m) Employment of less than the normally scheduled work week under the general City ordinances governing working conditions, in classifications for which employees are hired and are assigned work on an as needed or on call basis.

Section 5. EMPLOYEES DEFINED. Employees within the meaning of this ordinance shall consist of the following:

- (a) Employees appointed to the classified service of the City of Detroit.
- (b) Members of the Police uniformed service who perform essentially police services and who have been sworn in as police officers.
- (c) Employees of the Department of Street Railways, Recorder's Court, Jury Commission, and Library Commission when their governing boards shall specifically request and secure approval of the Common Council to provide their employees coverage under this ordinance, and shall further agree that

employees within the meaning of this ordinance shall be re-hired before new employees are hired.

Section 6. EMPLOYEES NOT COVERED BY ORDINANCE 338-F. The following employees shall not be covered employees under this ordinance:

(a) Elected officials.

(b) Officials not in the classified service appointed by the Mayor, Common Council, Boards or Commissions for either definite or indefinite terms.

(c) Employees hired by agreement for either definite or indefinite terms who are either not under the classified service or not under the general City ordinances governing working conditions, compensation, or fringes.

(d) Employees who are hired for less than 8 hours per day, 40 hours per week or 2080 hours per year and who actually work less than 1300 straight time hours during the 365 days immediately preceding the first normally scheduled work day not paid after layoff, provided that no such employee be denied eligibility if he has been paid for 2000 straight time hours during the 730 days immediately preceding the first normally scheduled work day not paid after layoff. Straight time hours are normal straight time hours and are considered equivalent whether worked or paid and refer to a maximum of 40 hours paid at straight time.

(e) Employees who during the course of their employment hold two jobs or are laid off at the termination of a work period prior to returning to their regular employment.

(f) Students enrolled on a regular basis in high school, college, graduate school, trade school, or any other school in which their primary status is clearly that of a student or any persons hired as students.

(g) Salaried employees who on layoff elect to receive overtime in cash rather than as time off, until such time would have been liquidated had they been carried on the payroll.

Section 7. OPERATING DEFINITIONS AND COMPUTATIONS. The following operating definitions and computations shall be used in administering this program:

(a) Base Year (Symbol: BY)

The base year shall consist of the 365 days immediately preceding the first normally scheduled work day not paid on lay-off.

(b) Base Period (Symbol: BP)

Base period means the 730 days immediately preceding the first normally scheduled work day not paid after layoff. The base period shall be used for establishing eligibility on the basis of a minimum of 2000 straight time hours paid during the base period.

(c) Qualifying Service (Symbol: QS)

Qualifying service is any part or all of the service, during the base year or base period, of an eligible employee. Service prior to any resignation or prior to a discharge subsequently withdrawn without benefit of seniority shall not be considered as either qualifying or credit service.

(d) Credit Service (Symbol: CS)

Credit service shall consist of the total number of the most recent credit weeks within the base year, as defined herein, not to exceed 39.

(e) Credit Week (Symbol: CW)

A credit week shall be a week of credit service in which an eligible employee has earned at least \$15.01 of gross pay between Monday and Sunday inclusive of a payroll work week.

(f) Credit Earnings (Symbol: CE)

Credit earnings mean the gross weekly earnings earned during the most recent 39 credit weeks in the base year, or fewer, if the employee has worked less than 39 weeks in the base year.

(g) Average Credit Earnings (Symbol: ACE)

Average credit earnings are the total credit earnings divided by the number of credit weeks of and employee, not to exceed 39.

(h) Benefit Week (Symbol: BW)

A benefit week is a week of entitlement for which a benefit accrues or is paid at the beneficiary's computed maximum weekly benefit rate in accordance with the provisions of these rules.

(i) Partial Benefit Week (Symbol: PBW)

A partial benefit week is a week of entitlement for which a benefit accrues or is paid at less than the beneficiary's computed maximum weekly benefit rate in accordance with the provisions of these rules.

(j) Maximum Benefit Rate (Symbol: MBR)

The maximum weekly benefit rate shall be equal to 55% of the employee's average credit earnings but shall not exceed \$60.

(k) Benefit Period (Symbol: BFP)

The benefit period means the beneficiary's computed number of benefit weeks at his computed maximum benefit rate.

(l) Maximum Credit (Symbol: MC)

An employee's maximum credit shall be an amount equal to the computed maximum number of benefit weeks to which an employee is entitled times the employees' computed maximum benefit rate.

(m) Benefit Year (Symbol: BFY)

An employee's benefit year consists of the 52 consecutive payroll work weeks immediately following the employee's last effective layoff date after which the city's liability for benefit ceases.

Section 8. COMPUTATION OF BENEFITS

The maximum number of benefit weeks to which an employee is entitled shall not exceed 26, computed at the rate of 2 for each 3 of the most recent 39 credit weeks within the base year.

- (a) When the number of credit weeks is more than an integral multiple of three, the remainder credit weeks shall be converted to benefit weeks to the nearest 1/10.
- (b) Credit weeks for which benefits have been paid may not be used more than once in the computation of subsequent benefits.
- (c) In charging benefits to a beneficiary's account, the most recent credit week shall be charged first, and thereafter, credit weeks shall be charged in inverse order to that in which the credit weeks are earned.
- (d) Except as provided in Section 4, m, above, with respect to the first payroll work week during which an employee is laid off, or thereafter when gainfully employed by other employers or in self-employment, he shall be paid at his maximum benefit rate if his earnings are less than 1/2 of his computed maximum benefit rate, and 1/2 a benefit if his earnings are 1/2 or more but less than his computed maximum benefit rate. If his earnings during any payroll work week are equal to or greater than his maximum benefit rate, he shall not be entitled to a benefit for said week; provided, that his maximum credit is charged only to the extent of the benefits paid, and his credit service balance is compensable within the benefit year as defined in Section 7, m, above.
- (e) In determining eligibility and the computation of benefits, a claimant who is apparently eligible for unemployment compensation benefits under the Michigan Employment Security Act shall be required to file a claim for such benefits with said agency and shall be required to present to the Civil Service Commission the notice of determination with respect to

such claim. If benefits are paid under the State act, the payments received shall be charged as an offset in full amount to the beneficiary's maximum benefit rate, the balance being paid him as a lay-off benefit and charged to his maximum credit.

Section 9. BENEFIT ELIGIBILITY

In order to be eligible for benefits, in addition to meeting other requirements as set forth herein, an employee must file a claim for benefits in the offices of the Civil Service Commission, and no benefits shall accrue prior to the week during which such claim is received.

Section 10. DEPARTMENTAL INFORMATION REQUIREMENT

The departments from which employees are laid off shall be required to furnish such information to the commission as may be necessary to determine claimants' benefit rights.

Section 11. ELIGIBILITY CONDITIONS

To establish initial eligibility, a claimant must meet the following conditions:

- (a) He must have been a covered employee in the service of the City of Detroit as defined above.
- (b) He must have been laid off from the work force of a department or other participating agency as provided herein.
- (c) He must be able, available, and actively seeking work.
- (d) He must not have refused a bona fide offer of demotion in lieu of layoff.
- (e) He must not have refused a bona fide offer of the Civil Service Commission for employment.
- (f) He shall have registered with the Mich-

igan Employment Security Commission and such other agencies as the Civil Service Commission may require, such as the Employment Bureau of the Welfare Department, Board of Education or college placement offices, unions, or any other agencies involving no fees payable by the employee.

- (g) He must not have refused from any source an offer of work of a character which is reasonable with respect to his qualifications and the conditions of the labor market.
- (h) His earnings during the first payroll work week for which a benefit is claimed are less than his computed maximum benefit rate.

Section 12. CONTINUANCE OF ELIGIBILITY STATUS

To maintain continued eligibility, a beneficiary must meet the following conditions:

- (a) He must be able, available and actively seeking work.
- (b) He must continue to report as required by the Civil Service Commission and the Michigan Employment Security Commission and show that he has made such other efforts directed toward finding employment as the commission may have required.
- (c) He must not have refused a bona fide offer of employment by the Civil Service Commission or a reasonable work offer from any other source.
- (d) He must report or make available such reports as may be required regarding earnings in gainful employment or benefits received under the Michigan Employment Security Act.
- (e) He must not have left the corporate limits of the City of Detroit or the approved residence area for the employment from which he was laid off except to accept a bona fide offer of employment.

Section 13. DISQUALIFICATION FOR DURATION BENEFITS

A beneficiary shall be disqualified for benefits for the duration of his layoff when he or she has:

- (a) Refused a bona fide offer of the Civil Service Commission of employment.
- (b) Refused a reasonable offer of employment from any other source, taking into account his previous employment, the employment offered, the length of his unemployment, and the condition of the labor market.
- (c) Submitted false information to the commission or failed to disclose a material fact in support of his claim for initial or continued eligibility with intent to deceive. Withholding or misrepresenting any information regarding employment earnings or unemployment compensation benefits received from the Michigan Employment Security Commission shall be construed as intent to deceive.
- (d) Failed without good cause to apply for suitable work to which he has been referred.
- (e) Received benefits under this ordinance through any false statement, misrepresentation, or non-disclosure of a material fact until all such benefits are paid back in cash.
- (f) When the Commission finds that unemployment or restrictions on acceptable employment are due to pregnancy.
- (g) When a claimant is also eligible for unemployment compensation payments under the Michigan Employment Security Act, and his claim is denied or he is disqualified, and the Civil Service Commission finds that the denial or disqualification is due to his own act.

Section 14. DISQUALIFICATION FOR WEEKLY BENEFITS

A beneficiary shall be disqualified for bene-

fits with respect to any week during which he or she has:

- (a) Failed to report to the Civil Service Commission or the Michigan Unemployment Security Commission as required.
- (b) Failed to seek work because of illness.
- (c) Been unemployed because of a labor dispute in which he or she is directly involved.

Section 15. REINSTATEMENT OF ELIGIBILITY

An employee found ineligible or one who would have been found ineligible for benefits, had he filed a claim, or who would have been disqualified had he been receiving benefits, because of his unavailability, may not subsequently established eligibility by having remedied the condition which made him ineligible or caused him to be disqualified, except by earning a new period of credit service, provided, that this rule shall not apply to beneficiaries who were ineligible for any period because of ill health.

Section 16. FINDINGS

A finding of the Civil Service Commission staff regarding initial and/or continued eligibility shall be called a determination. Any determination resulting in the withholding of benefits either temporarily or for the full term of the benefit period shall suspend the payment of such benefits until the disposition of the request for redetermination and/or appeal.

Section 17. REQUEST FOR REDETERMINATION

Any request for reconsideration of any eligibility determination must be made in writing to the Civil Service Commission within 15 days of a determination. It shall be considered a request for redetermination and will be investigated by the Civil Service Commission with or without a hearing as, in its discretion, it may determine.

Section 18. DISQUALIFICATION PROCEDURES

Any recommendation of disqualification for benefits under Section 13 above shall be submitted to the Civil Service Commission for their approval.

Section 19. APPEAL FROM REDETERMINATION

Appeals from redetermination made by the Civil Service Commission shall be made to the Layoff Appeal Board with copy of such appeal filed with the Civil Service Commission within 15 days from the date of the Civil Service Commission redetermination.

Section 20. LAYOFF APPEAL BOARD HEARINGS

The Civil Service Commission shall be a party in all hearings before the Layoff Appeal Board and must be duly notified in advance of the date of such hearings and the names of the appellants. Further, the Civil Service Commission shall be notified of all findings and decisions of the said Layoff Appeal Board.

