

Tech Notes

Technical Unit News

May 1st, 2025

International Workers Day

Kevin Karpinski, Senior Labor Relations Specialist

Technical Unit Challenges MDOT Subcontracting

A contract grievance and a civil service grievance have been filed challenging the subcontracting of technical unit jobs. The authorization for subcontracting work was approved in 2016 for 10 years to supplement technical unit work and promised to not replace state civil service employee Technicians. Now 9 years into the agreement, Tech unit jobs have been lost in Detroit as they are down 7 positions as the department continues to send work to contractors. The State subcontracting system allows for subcontracting if it does not result in the loss of unit jobs. These grievances were denied by the department at Step Two and appealed to the Office of the State Employer (OSE) and Civil Service. OSE is planning on contesting the grievance on the grounds that it is a prohibited subject of bargaining. The Civil Service grievance has been appealed to the Employment Relations Board after the Civil Service Hearing Officer denied a hearing on this matter. Briefs have been filed, and we are awaiting a decision from the new Civil Service Commission. We hope to resolve this matter and move forward with the current Civil Service Commission by reviewing the subcontracting rules, regulations, and standards currently found in the Civil Service Rules and Regulations.

Technical Unit Appeals Claim to Circuit Court

The Technical Unit Grievance Committee voted to file a claim in Circuit Court to overturn an Employment Relations Board decision denying the Leave to Appeal by bargaining unit members challenging MDOT's policy and application of overtime balancing under the Civil Service Rules and Regulations. The claim was filed after MDOT changed their policy on the balancing of overtime opportunities. They balance overtime based on which supervisor the employee is assigned to, and in some cases, there is only one employee assigned to a supervisor, therefore overtime opportunities are not offered in any balancing circumstance because there is no other employee to balance with. The objective is to settle with the new Civil Service Commission in place after January 1, 2025. The case was filed and we await timelines for a hearing and are hopeful that the new Commission will get to the table to settle this matter.

Long Term Disability Claim Denial

A long-term member has been denied her Long Term Disability claim. Staff is working with her to appeal the denial from Sedwick to the Employee Benefits Department in accordance with the Civil Service Rules and Regulations. We are currently in the process of obtaining all the documents needed for this appeal.

Failed Drug Tests

We have had some positive random drug tests recently. If you are in a drug testing designated position, please remember that just because cannabis is legal in the State, it is still prohibited to be in your system if you are in a test designated position.

Dispute Resolution Activity

DNR Forestry & Wildlife - Denied Use of Annual Leave vs Comp Time

A Forestry Technician working for the Department of Natural Resources who is certified as a Forest Firefighter, was denied the ability to use Annual Leave before accrued Comp Time. The Technical Unit Contract and the Fair Labor Standards Act allow for public safety and seasonal workers to use vacation time before Comp Time if their levels of annual leave are greater than 250 hours.

Since seasonal workers are required to work a large amount of overtime/comp time, the contract allows the ability to use Annual Leave to avoid the loss of hours as they reach closer to the cap. The department is claiming that forest fire fighting is not done “regularly”, and the Techs are considered volunteers. Our argument is that these workers fight fires as regularly as the fires occur, and they work as firefighters seasonally during controlled burns in the Spring, and during actual “fire season” that is weather driven, but usually occurs during late summer and fall. We are currently working together with OSE and the department to resolve this matter. If it remains unresolved we will move the matter to an arbitration hearing.

Labor-Management Meetings on Safety Standards

DTMB Radio Tech Unit Rep David Peck raised concerns about safety standards not included in the assignment of new work vehicles. A meeting was held on March 3, 2025. The issue is regarding safety cages or barriers between the driver and the rear cargo areas of trucks and SUV’s. The previously assigned vehicles have safety cages, and the new vehicles do not. We are working to see if the vehicles can be fitted with cargo restraints so that in the event of an accident or roll-over, tools boxes and radio tower components will not hurl through the vehicle unrestrained potentially causing injury or death. We are waiting for the department to review the matter, and we will reconvene once their investigation is complete.