

# AGENDA

## LABOR RELATIONS COMMITTEE

111 S. Michigan Ave., Rm. 200, Saginaw, MI 48602

**Monday, August 8, 2022 at 4:00 p.m.**

Members: Michael Webster - Chair, Kyle Harris - Vice-Chair, Gerald Little, Sheldon Matthews, Carl Ruth  
Others: Controller, County Clerk, Civil Counsel, Finance Director, Personnel Director, Board Staff, *Media*

- I. Call to Order
- II. Welcome – Roll Call
- III. Correction/Approval of Minutes (*June 13, 2022 Meeting Minutes - Attached*)
- IV. Public Comment
  - *Speakers limited to 3 minutes*
- V. Agenda

*Returned to Labor Relations Committee from June 21, 2022 Board Session*

1. **ELECTED OFFICIALS, re:**

- **6-21-17** Requesting a change to County Policy #335 Compensation regarding setting compensation of the county-wide elected officials (Clerk, Prosecutor, Public Works Commissioner, Register of Deeds, Sheriff and Treasurer) by establishing a future separation of not less than 15% between the elected position and the highest pay grade within that office

2. **Hon. Patrick McGraw, Saginaw County Probate Court, re:**

- **8-16-25** Requesting to reclassify three (3) Deputy Registers from their position as a T08 to a Legal Clerk II/Deputy Register at T11 within Probate Court

3. **Hon. Darnell Jackson, et al., Saginaw County Trial Courts, re:**

- **8-16-26** Requesting to reclassify five (5) District Court Clerks/Judicial Assistants from their current classification as a T07 – Legal Clerk I (as compensated pursuant to MOU and CBA) to a T13 – Judicial Assistant

4. **Jennifer Broadfoot, Personnel Director, re:**

- **8-16-28** Employment Status Report, Exit Interviews, Employee Groups, and Retiree Employment Contracts covering the months of June & July 2022 (*Receive & File*)
- **8-16-29** Submitting proposed changes to Personnel Policy #322 – Discrimination and Sexual Harassment Policy to reflect the latest Equal Employment Opportunity Commission (EEOC) and Michigan Department of Civil Rights (MDCR) guidance on sexual harassment and unlawful discrimination and recent legal cases

5. **Dave Gilbert, County Civil/Labor Counsel, re:**

- **8-16-24** Submitting a Memorandum of Understanding regarding the employment of ten (10) contract/temporary workers in the Saginaw County Clerk's Office
- **8-16-30** Submitting a Memorandum of Understanding regarding a voluntary four (4) day work week for employees of the County Clerk's Office

- **8-16-31** Submitting changes to County Policy #361 – Disability Leave that would provide benefit eligible employees with protection against income loss as a result of a covered injury, sickness, or pregnancy

6. **Robert V. Belleman, Controller/CAO, re:**

- **8-16-32** Requesting appointment of a Deputy Medical Examiner pursuant to State Statute to act in the place of the Chief Medical Examiner if on leave or vacation

VI. Miscellaneous

VII. Adjournment

# MINUTES

## LABOR RELATIONS COMMITTEE

111 S. Michigan Ave., Rm. 200, Saginaw, MI 48602

**Monday, June 13, 2022 at 4:00 p.m.**

Present: Michael Webster - Chair, Gerald Little, Sheldon Matthews, Carl Ruth  
Absent: Kyle Harris – Vice-Chair  
Others: Vanessa Guerra, Robert Belleman, Dave Gilbert, Jennifer Broadfoot, Patricia Johnson, Koren Thurston, Suzy Koepplinger, Marissa Sawdon

- I. Call to Order ---**Webster at 4:00 p.m.**
- II. Welcome – Roll Call
- III. Correction/Approval of Minutes (*May 9, 2022 Meeting Minutes - Attached*)  
---**Moved by Little, supported by Matthews, to approve. Motion carried.**

- IV. Public Comment ---**None**
  - *Speakers limited to 3 minutes*

### V. Agenda

#### 1. **Jennifer Broadfoot, Personnel Director, re:**

- **6-21-14** Employment Status Report, Exit Interviews, Employee Groups, and Retiree Employment Contracts covering the month of May 2022 (*Receive & File*)  
---**Moved by Ruth, seconded by Little, to receive and file. Motion carried.**  
(Receive & File)

#### 2. **Patricia Johnson, Retirement/Benefits Administrator, re:**

- **6-21-13** Requesting approval to extend a current contract with Amy Deford, retired Benefits Administrator from June 11, 2022 – Sept. 10, 2022 to provide critical consulting and training services with the conversion to the Tyler/Munis Payroll and Benefits system  
---**Moved by Ruth, seconded by Matthews, to approve. Motion carried.**  
(Board Report)

#### 3. **Vanessa Guerra, County Clerk, re:**

- **6-21-16** Requesting to transition five (5) Legal Clerk I positions to five (5) Legal Specialist I positions within the County Clerk's Office  
---**Moved by Ruth, seconded by Matthews, to approve. Motion carried.**  
(Board Report)

#### 4. **ELECTED OFFICIALS, re:**

- **6-21-17** Requesting a change to County Policy #335 Compensation regarding setting compensation of the county-wide elected officials (Clerk, Prosecutor, Public Works Commissioner, Register of Deeds, Sheriff and Treasurer) by establishing a future separation of not less than 15% between the elected position and the highest pay grade within that office

---In the absence of any other elected officials, the County Clerk presented and advised she is not in favor of the request. Discussion was held regarding the two schools of thought behind this issue. (1) Supervisors should make more than their employees and (2) Qualifications should determine an individual's pay.

*---Moved by Matthews, seconded by Ruth, to approve. Motion carried by the following roll-call vote:*

*Yes – Matthews, Ruth, Little - 3; No – Webster - 1; Absent – Harris - 1  
(Board Report)*

VI. Miscellaneous ---**Mr. Belleman stated that when looking into the policy change it was brought to his attention that there is a wage gap between male and female elected officials that should be addressed. It was suggested that a Baker Tilly study be done.**

VII. Adjournment ---***Moved by Ruth, seconded by Little, to adjourn. Motion carried; time being 4:30 p.m.***

Respectfully Submitted,  
Michael Webster, Committee Chair  
Suzy Koeplinger, Committee Clerk



**Koepplinger, Suzy**

**From:** Belleman, Robert  
**Sent:** Monday, June 13, 2022 1:55 PM  
**To:** Webster, Michael; Harris, Kyle; Little, Gerald; Ruth, Carl; Matthews, Sheldon  
**Cc:** Koepplinger, Suzy; Guerra, Vanessa; Dave Gilbert (dgilbert@gsb-law.com); traceyslodowski@aol.com; Krafft, Dennis; Tany, Jack; Boyd, Christopher; Ewing, Carol; Winiecke, Cynthia  
**Subject:** FW: Elected Check in  
**Attachments:** Compensation Policy.docx  
**Importance:** High

6-21-17

Dear Commissioners Webster, Harris, Little, Ruth and Matthews:

I am forwarding to you for your consideration at today's meeting a policy amendment to the County's Compensation Policy. Majority of the Countywide elected officials desire to ensure their compensation retains the compensation spread to their Chief deputy that existed prior to the County undertaking the Job Classification & Total Compensation Study.

I would appreciate it if you would review the attached draft policy. We can discuss the suggested change this afternoon at our meeting.

Sincerely,

*Robert V. Belleman*

Robert V. Belleman  
Controller/CAO

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**From:** Wendling, Brian <bwendling@saginawcounty.com>  
**Sent:** Monday, June 13, 2022 1:08 PM  
**To:** Belleman, Robert <rbelleman@saginawcounty.com>  
**Subject:** RE: Elected Check in

Robert,

Attached is the revised Compensation Policy including Dave Gilberts comments.

Please let me know if you need anything further.

Thank you.

*Brian J. Wendling*

## Saginaw County Public Works Commissioner

111 S. Michigan Avenue  
Saginaw, MI 48602-2086  
PH: 989-790-5258  
Fax: 989-790-5259  
[bwendling@saginawcounty.com](mailto:bwendling@saginawcounty.com)

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**From:** Belleman, Robert <[rbelleman@saginawcounty.com](mailto:rbelleman@saginawcounty.com)>  
**Sent:** Monday, May 16, 2022 1:49 PM  
**To:** Wendling, Brian <[bwendling@saginawcounty.com](mailto:bwendling@saginawcounty.com)>  
**Subject:** FW: Elected Check in

Brian:

Please see Dave Gilbert's recommendation as it relates to the draft Compensation Policy language related to elected official compensation

Robert

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**From:** David M. Gilbert <[dgilbert@gsb-law.com](mailto:dgilbert@gsb-law.com)>  
**Sent:** Monday, May 16, 2022 9:23 AM  
**To:** Belleman, Robert <[rbelleman@saginawcounty.com](mailto:rbelleman@saginawcounty.com)>; Broadfoot, Jennifer <[jbroadfoot@saginawcounty.com](mailto:jbroadfoot@saginawcounty.com)>  
**Subject:** RE: Elected Check in

Robert:

I recommend you insert the word "it" in the 3<sup>rd</sup> sentence of new 7.4. It would then read: "To establish the 15% separation, it shall start at 10%..." I would then renumber the paragraphs that follow accordingly.

Dave

---

**From:** Belleman, Robert [<mailto:rbelleman@saginawcounty.com>]  
**Sent:** Saturday, May 14, 2022 6:05 PM  
**To:** Broadfoot, Jennifer <[jbroadfoot@saginawcounty.com](mailto:jbroadfoot@saginawcounty.com)>; David M. Gilbert <[dgilbert@gsb-law.com](mailto:dgilbert@gsb-law.com)>  
**Subject:** FW: Elected Check in  
**Importance:** High

Jennifer and Dave

Would you please review the proposed policy change that would afford Countywide Elected officials to maintain a 15% spread between them and their deputies.

Robert

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**From:** Wendling, Brian <[bwendling@saginawcounty.com](mailto:bwendling@saginawcounty.com)>  
**Sent:** Thursday, May 12, 2022 1:51 PM  
**To:** Kelly, Kathryn <[kkelly@saginawcounty.com](mailto:kkelly@saginawcounty.com)>; Guerra, Vanessa <[vguerra@saginawcounty.com](mailto:vguerra@saginawcounty.com)>; McColgan, John <[jmccolgan@saginawcounty.com](mailto:jmccolgan@saginawcounty.com)>; Federspiel, William <[wfederspiel@saginawcounty.com](mailto:wfederspiel@saginawcounty.com)>; Novak, Tim

<[tnovak@saginawcounty.com](mailto:tnovak@saginawcounty.com)>; Belleman, Robert <[rbelleman@saginawcounty.com](mailto:rbelleman@saginawcounty.com)>; Matthews (2)  
<[snapcarla@AOL.com](mailto:snapcarla@AOL.com)>; Ruth, Carl <[cruth@saginawcounty.com](mailto:cruth@saginawcounty.com)>

**Subject:** RE: Elected Check in

Attached is draft language for the Compensation Policy following our last discussion.

Feel free to give a shout should you see anything that should be changed prior to meeting tomorrow.

Thanks.

*Brian J. Wendling*

**Saginaw County Public Works Commissioner**

*111 S. Michigan Avenue  
Saginaw, MI 48602-2086  
PH: 989-790-5258  
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[bwendling@saginawcounty.com](mailto:bwendling@saginawcounty.com)*

-----Original Appointment-----

**From:** Kelly, Katheryn <[kkelly@saginawcounty.com](mailto:kkelly@saginawcounty.com)>

**Sent:** Thursday, May 12, 2022 1:10 PM

**To:** Guerra, Vanessa; McColgan, John; Federspiel, William; Novak, Tim; Wendling, Brian; Kelly, Katheryn; Belleman, Robert; Matthews (2); Ruth, Carl

**Subject:** Elected Check in

**When:** Friday, May 13, 2022 1:30 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** BOC

Hello all – I know that some of you cannot make the meeting tomorrow...we are going to try and meet quickly with Chairman Ruth and Vice Chair Matthews to shore up the policy language regarding Elected Officials Compensation. Brian should be circulating the policy language to you shortly so you can have input prior to the meeting...then we can approve and move on to the next steps.

See you all tomorrow.

Category: 300  
Number 335

Subject: **COMPENSATION**

1. PURPOSE: It is the purpose of this policy to establish uniform guidelines and appropriate rules regarding employee compensation to improve the quality of personnel management in the County.
2. AUTHORITY: The Saginaw County Board of Commissioners.
3. APPLICATION: The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy # 301.
4. RESPONSIBILITY: The Controller/CAO of Saginaw County shall be responsible for the implementation and administration of this policy.
5. DEFINITIONS:
  - 5.1 Pyramiding of overtime is defined as paying for the same hours more than once, which is prohibited.
  - 5.2 Workweek is defined as seven consecutive 24-hour periods from Sunday, 12:00 a.m. through Saturday, 11:59 p.m.
6. POLICY:
  - 6.1 Saginaw County Compensation Philosophy. Saginaw County is committed to:
    - 6.1.1 Providing fair and equitable compensation to employees in a competitive and changing labor market.
    - 6.1.2 Developing a system of paygrades that establishes the minimum and maximum rates that the County will pay individuals within a job class and identify the midpoint of the range as the "market" rate.
    - 6.1.3 Defining the County's market area based on the nature of the job class requirements and the availability of potential candidates locally or state-wide.
    - 6.1.2 Maintaining a competitive pay structure that allows the County to compete successfully for new employees within its market area and takes into consideration the County's fiscal condition and responsible use of public resources.
    - 6.1.3 Ensuring that employee compensation reflects changing economic conditions and technical skills and/or responsibilities.

- 6.1.4 Providing consistent administration of pay policies and procedures among all County departments.
- 6.1.5 Establishing a compensation structure that allow the County to attract and retain qualified employees.
- 6.1.6 Developing a salary structure that provides for internal equity and ensures external competitiveness.
- 6.1.7 Ensuring that the compensation program is understandable to employees, managers, the Board of Commissioners and the public.
- 6.2 Pay Plan. The Pay Plan shall include a schedule of pay ranges consisting of minimum, intermediate, and maximum rates of pay for all classes of positions.
- 6.3 Development of the Pay Plan. The development of the Pay Plan shall be directly linked to the Classification Plan and shall be based on the principle of equal pay for equal work. Pay ranges shall be determined with due regard to such factors as:
  - 6.3.1 Uniformity of pay for each class.
  - 6.3.2 The relative difficulty and responsibility of work.
  - 6.3.3 The recruiting experience of the County.
  - 6.3.4 The market rates of pay in both public service and private sector.
  - 6.3.5 The financial condition and policies of the County.
  - 6.3.6 Other pertinent economic considerations.
  - 6.3.7 The SAFE rating system factors which include Training and Ability; Level of Work; Physical Demands; Independence of Actions, Supervision Exercised; Experience Required; Human Relations Skills; Working Conditions/ Hazards; and Impact on End Results.
- 6.4 Adoption. All salaries must be set by the Saginaw County Board of Commissioners.

## 7. ADMINISTRATIVE PROCEDURES:

- 7.1 Administration and Amendment. The County Controller/CAO shall be responsible for administering the Pay Plan. He/she shall be responsible for conducting periodic reviews and comparative studies of pertinent factors affecting levels of pay. When appropriate, the Controller/CAO may recommend to the designated committee of the Board of Commissioners necessary amendments to the Pay Plan. In any case, amendments to the Pay Plan may only be made upon the approval of the Board of Commissioners.

- 7.2 Entrance Salary Rate. The entrance salary rate for a newly hired employee shall be Step 1 of the appropriate pay grade as indicated in the current Pay Plan. If the results of a compensation study are being phased in, an entrance salary rate below Step 1 of the appropriate wage schedule may be established to facilitate the phase in process. In addition, if there are multiple positions with the same job title, an entrance salary rate below the lowest phase in step, may be established to ensure recognition of County employees with greater years of service in that position who are currently at a step lower than Step one in the new pay grade and consistent with the recommendations of the compensation study .
- 7.2.1 A part-time or temporary employee shall be paid on an hourly basis at not more than Step 1 of the classified position to which assigned. A Department Head may pay below Step 1 to facilitate step increases. Any exception to part time or temporary employee pay can be approved by Board of Commissioners and must be based on a compelling reason for the adjustment.
- 7.2.2 If an individual being hired for a position does not meet the minimum qualifications established by the job description for the position, the position will be re-evaluated in Baker Tilly's SAFE scoring system, utilizing the prospective employee's qualifications. This shall only apply to statutorily appointed positions.
- 7.3 Step Increases. Each pay grade on the salary schedules shall consist of Steps and employees shall progress through the steps based on length of service in their jobs (with the exception of placement following a compensation study. The employee would progress on the new pay plan upon their new anniversary date, which is the date they are placed at their new step associated with the Board of Commissioner approved implementation.) If a compensation study is being phased in, additional steps below Step 1 may be established to facilitate the phase in process. Step increases are a means of recognizing satisfactory performance and a Department Head is permitted to withhold a salary increase for a period not to exceed six months during which time the employee will be on probation. The employee will be advised in writing of this action and the reasons for withholding the increase. If the employee does not show the required improvement to warrant removal from probationary status within the six-month period, he/she shall be separated from employment.
- 7.3.1 Progress through the steps shall be based on the time periods indicated on the salary schedule (except in the case of regular part-time employees who must serve twice the time period indicated), unless such time period is adjusted because of the probationary period resulting from a withheld step increase or an approved leave of absence.



7.3.2 Part-time and temporary employees shall not be eligible for step increases except as provided in Section 7.2.1 of this policy.

7.4 Compensation for the County Wide Elected positions, (Clerk, Prosecutor, Public Works Commissioner, Register of Deeds, Sheriff, and Treasurer) shall be set by the County Board of Commissioners. The set compensation shall establish a future separation of not less than 15% between the elected position and the highest pay grade within that office. To establish the 15% separation, it shall start at 10% and increase by 1% annually beginning January 1, 2023 through January 1, 2027 at which time a minimum 15% separation shall be maintained.

7.5 Severance Pay. Severance pay is not authorized, unless it has been negotiated in a collective bargaining agreement or employment contract.

7.6 Overtime. Upon pre-approval, in writing, and only when budgeted in a department's current year budget, non-exempt Employees of Saginaw County may be scheduled for overtime work and be paid overtime compensation at the rate of time and one-half of regular rates of pay for all hours actually worked in excess of forty hours provided, however, there shall be no pyramiding of overtime. Furthermore, employees who are on authorized PTO, vacation, or personal leave and actually work within the same 24 hour period, shall be credited no more time than a normal scheduled work day or the amount of time actually worked, if more than a normal work day. Elected officials, persons appointed to serve on a policy-making level, and FLSA exempt personnel are generally exempt from overtime pay. Exempt personnel are salaried employees who are expected to meet the demands of the position without overtime compensation.

7.6.1 Overtime shall not be authorized by Department Heads unless provided for as a separate line item in the departmental budget. Special projects or other extraordinary circumstances, not foreseen during the budget process, may justify special consideration for overtime authorization, which may be requested from the Controller.

7.6.2 Regular full-time employees or part-time and temporary employees working or scheduled to work 40 or more hours a week in one department shall not be permitted to work any additional hours in another department unless approved by the Controller.

7.7 Pay Adjustments. The following personnel actions shall affect the pay status of the affected employee in the following manner:

7.7.1 Transfers. If an employee is transferred into a classification with the same pay rate, the employee's pay rate shall remain unchanged. An employee must actually have worked (1) one full year in his/her current position to be eligible to apply for transfers (meaning those positions of the same classification and hours designated to work), unless waived in

special circumstances by the Personnel Division or applicable Elected official.

**7.7.2** Promotions. If an employee is promoted to a higher paying position, the employee shall be paid at the lowest step in the new pay grade which is at least five percent (5%) above the salary he was receiving immediately before the promotion. For purposes of this policy, promotion means movement to a different position which has a higher final step in the pay grade than the final step in the pay grade for the position being vacated.

**7.7.2.1** Personnel may be employed in a lower grade than authorized on the Personnel Control Number (PCN) Staffing Report. If such an individual is later promoted to the authorized grade, the promotion shall be treated as a reclassification and he shall retain his/her step.

**7.7.3** Demotions for Cause or at employee request. If an employee is demoted to a classification with a lower pay grade, for cause, or at the employee's request, the employee shall be paid in accordance with the pay range for the new classification but will retain his/her previous step, including time accrued in previous step.

**7.7.4** Transfer to a Lower Paying Position. If an employee is transferred to a lower paying position because of budgetary requirements, reorganization, or to avoid layoff, the employee will be paid at the highest step of the new classification, if the highest step is lower than the employee's salary before the transfer. If the highest step is not lower than the employee's salary before transfer, then the employee will be placed at the step which is nearest to, but not less than, his/her salary before the transfer.

**7.7.5** Recall or Return from Layoff. When an employee following layoff is recalled in the same classification and pay rate from which he/she was laid off, he/she shall be placed in the same step that he/she occupied at the time of layoff. However, the employee shall be credited any time accrued prior to layoff for purposes of determining the employee's next merit step increase. If the employee returns to a position in a different classification and pay rate (moves from one pay schedule to a different pay schedule), the employee will be placed at the step in the new pay schedule which is closest to but not less than his/her former compensation rate.



**7.7.6** Reclassification of Position. If an employee's position is reclassified the following shall apply (unless part of a group Compensation Study):

**7.7.6.1** If an employee's position is reclassified to a higher pay grade he/she shall be paid at the higher pay range retaining the same step.

**7.7.6.2** If an employee's position is reclassified to a lower pay grade, the employee's salary shall remain frozen at the current pay rate until such time as the salary rate for the new classification equals or exceeds the employee's current salary pay rate.

**7.7.7** Working out of Classification

**7.7.7.1** Employees may be directed by the Department Head or Supervisor to perform duties above their classification.

**7.7.7.2** Employees who are temporarily requested to perform duties above their classification shall be paid at the lowest merit step in the new pay grade, which is at least 5% above the salary the employee is currently receiving.

**7.7.7.3** Employees shall be required to keep a log of their time worked above their classification and submit same to their Department Head or Supervisor. Logs should contain actual time worked, specific tasks performed and employees will be paid at the higher rate of pay accordingly.

**7.8** Computation of Step Time. Although time spent on an approved leave of absence or layoff is credited towards continuous length of service, such periods of thirty (30) or more continuous days are not credited towards step increases.

**7.8.1** Full-time temporary service, when the employee was hired through competitive selection, that immediately precedes the transfer of an employee to a regular position in the same class, shall be credited in determining the employee's position on the salary schedule.

**7.8.2** Regular part-time service which immediately precedes the transfer of an employee to regular full-time service in the same class will be credited at one-half (1/2) time regardless of the number of hours actually worked.

**7.8.3** Part-time service is not credited.

**7.9** Former Employee. A former employee who is rehired shall be paid at Step 1 of the pertinent grade unless the employee is granted previous service in accordance with the Continuous Length of Service Policy (Policy #334).

**7.10** Pay Periods. Employees shall be paid on a bi-weekly basis.

**7.11** Longevity Pay. Regular Full-Time Employees hired before March 1, 2005 who have completed five or more years of continuous service as of December 1st of each year shall be entitled to longevity pay. Longevity pay shall be based on length of continuous service as of December 1st of each year and employment status (regular full-time or regular part-time) as of December 1st of each year.

Length of continuous service shall be determined as stated in the Continuous Length of Service Policy. Employment status is defined in the Recruitment, Selection and Appointment Policy. Regular full-time employees shall receive \$70 for each full year of continuous service. Regular Full-Time Employees hired on or after March 1, 2005 are not eligible for nor shall they receive longevity pay. Regular part-time employees, who received longevity pay in 2001, shall receive \$35 for each full year of continuous service, until their employment terminates. Regular part-time employees who did not qualify for longevity pay in 2001 (those that had less than five full years continuous service as of 12/01/01), are not eligible for longevity pay.

**7.11.1** A Full-Time employee who retires or dies during the year prior to December 1st shall be entitled to a pro-rata longevity pay for the number of months since the previous December 1st to the date of retirement or death.

**8** CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:

Approved as to Legal Content:

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Saginaw County Controller/CAO

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Saginaw County Civil Counsel

ADOPTED: November 23, 1999

AMENDED: April 23, 2002; October 12, 2004; February 22, 2005; August 12, 2008;  
December 18, 2018; December 17, 2019; December 15, 2020



STATE OF MICHIGAN

LABOR  
RELATIONS

SAGINAW COUNTY PROBATE COURT

10th Circuit Court-Family Division

111 S. Michigan Ave.  
SAGINAW, MICHIGAN 48602 - 2086  
PHONE (989) 790-5279  
FAX (989) 790-5328

PATRICK J. McGRAW  
Probate Judge

THERESA SCHMUDE  
Official Court Reporter

CHERYL SHAW ALDEN  
Judicial Secretary

TERRY KLUCK BEAGLE  
Probate Register

LaTECIA T. CIRILO  
Chief Dep. Register

8-16-25

RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
2022 JUL 12 A 9:00

July 12, 2022

To: Commissioner Webster, Chair Labor Relations Committee

Dear Chairman Webster:

I am requesting to be placed on the August 8th Labor Relations Committee Agenda to obtain permission to move 3 Deputy Registers from their position as a (T08) to a Legal Clerk II/Deputy Register at (T11) within the Saginaw County Probate Office.

Our Deputy Registers are some of the lowest paid members within the Court system despite having arguably some of the most important and critical decision making jobs in the system. They must prepare both Civil and Probate files for the Judge this does not mean just pulling a file from a shelf and handing it to me the day before, but they must insure that the files are accurate, in compliance with State law and everyone has been notified and that the correct legal documents and orders are included. Without this I cannot proceed on a docket.

In the past year, I have recently lost my Register through retirement, which was expected after a long tenure here in Saginaw County. That position is underpaid as compared to the other three court managers. My Chief Deputy Register, also underpaid, is assuming the reigns and needs to do so quickly as she is being sought out by the largest probate firms in the State. My Deputy Registers of 8 years and 20 years have both left leaving me with 2 brand new employees and 1 I still need to hire. Change in this department is horrible as it takes years to learn these positions because of the (Estates and Individuals Code) that they need to learn and process and be able to appropriately deal with the public and the lawyers in explaining why, what and when happens in Probate Court office and courtroom.

I have included several job descriptions compared to our job descriptions which reflects the big discrepancy in responsibility, learning, as well as stress in my office. Any mistake, including filing, that can occur with the rights of those mentally ill patients, a deceased family member, a loss of investments



in conservatorships, embezzlements not being caught, hospitalized patients not being released, or being released too early can result in huge losses to the constituent I serve as well as to the county.

The stress that my staff faces is enormous. I have been very fortunate over the years to keep many of my employees. But the new compensation study did little to address their concerns over the years, and in fact punished them, in my opinion, over others. That is because they are called "deputy registers" by State law rather than being called "legal specialists" or "legal clerks" which they truly fit under, that they have such huge daily responsibilities that I must also swear them in as "deputy registers" to perform required State statutory duties.

I urge you to look at my deputy register (T08) job descriptions especially under essential functions. Compare that to essential functions of those higher paid positions that I have included in the court system. The recent move of (5) Legal Clerk 1 positions, put them higher now than my Deputy Registers!

If my staff gives out wrong information, especially in the area of secret marriages, they face a misdemeanor. No other position contains such draconian penalties.

When they approve small estates, assignments or appointing personal representatives, appointing successor fiduciaries or determining heirs, they basically are giving a license to those people to do whatever it takes to resolve an estate, which sometimes has serious effects.

If you examined their analytical requirements of accountings and banking institution statements that must be reviewed, you would be amazed.

A critical task in dealing with minor guardianship and appointing DHHS to review these minor guardianships and reporting back and assigning attorneys to represent these wards and getting their reports, provides another level of intense responsibility that no other employees have.

In addition, after I feel secure with their abilities (1 year?) I swear them in as deputy registers to sign my name! This is for police pick up orders, contempt orders, orders to doctors and witnesses to appear and many other judicial functions.

These are just some of the examples that I point out to you as a need for them to be fully recognized in the responsible positions they have that in my opinion has been ignored over the years.

I thank you for listening to this request. I will answer any questions that you have at the August Labor Relations Committee Meeting.

Sincerely,



HON. PATRICK J. MCGRAW  
Saginaw County Probate Judge

Attachments

I. Job Descriptions & Pay Information:

(a) Legal Clerk I	T07	30,051-39,573
(b) Deputy Register	T08	32,154-39,527
(c) Legal Specialist I	T09	34,405-40,863 (42,293)
(d) Jury Co-Ordinator	T09	34,409-42,293
(e) Legal Clerk II	T11	39,390-51,871
(f) Legal Specialist II	T12	42,148-55,502

II. Budget Summary:

14800	Probate
13100	Circuit
13600	District

III. Schedule of Salary Progressions (12/15/21)

Dept/Div: Multiple/N/A

FLSA Status: Non-Exempt

### General Definition of Work

Performs intermediate administrative support work assisting the legal process by providing courtroom and judicial support for assigned department and related work as apparent or assigned. Work is performed under the moderate supervision of the assigned personnel.

### Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

### Essential Functions

- Provides receptionist support by answering phones and emails; assisting customers with questions and data requests; scheduling and verifying appointments, hearings, and conferences; and directing customers to appropriate department or course of action.
- Answers questions regarding legal procedures or processes. May respond to Freedom of Information Act (FOIA) requests. Reviews legal documents for accuracy.
- Performs general office duties such as preparing correspondence, reports, paperwork, etc.; processing mail; maintaining files or logs; uploading documents; performing data entry; preparing copies or faxes; and updating charts, files, records, etc.
- Maintains and updates database of information relating to office, department, agency, or program. Performs basic searches for information. Prepares reports. Maintains confidentiality of all files and information.
- May maintain a cash drawer and collect and track payments.
- Performs general department, agency, or program specific legal administrative work.
- May be responsible for processing licenses, applications, or certifications; preparing case dockets; securing information for Judges, attorneys, or other Court officials; preparing orders and documentation for the Court; and coordinating with various legal/Court associates.

### Education and Experience

High school diploma or GED and moderate experience in an office setting.

### Physical Requirements

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires sitting and using hands to finger, handle or feel, frequently requires walking and repetitive motions and occasionally requires standing, speaking or hearing, stooping, kneeling, crouching or crawling, reaching with hands and arms and pushing or pulling; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

## Legal Clerk I

### Special Requirements (specific to assignment)

Obtain Commission as a Notary Public within 6 months of hire.

Possess Deputy Register status upon hire.

Must obtain Court Electronic Operator Certification within 6 months of hire.

Written by: Springsted/Baker Tilly

Title: Consultant

Date: 2/3/2020

Approved by:

Title: Controller/CAO

Date:

# Deputy Register (T08) 32,159 - 39,527

Dept/Div: Probate/N/A

FLSA Status: Non-Exempt

## General Definition of Work

Performs intermediate administrative support work assisting attorneys and public in processing Probate Court matters, and related work as apparent or assigned. Work is performed under the moderate supervision of the assigned personnel.

## Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

## Essential Functions

- Handles highly confidential matters such as wills and secret marriages information. Analyzes all legal documents for accuracy and completeness to assure compliance with The Estates and Protected Individuals Code. Examines, reviews and assigns counsel under the Mental Health Code, Statute and Court Rules. Acts under the authority of the Revised Judicature Act, admitting wills, appointing personal representatives, determining heirs, setting and approving bonds, removing fiduciaries and appointing successor fiduciaries, and signing for sale of real estate, oaths, notices, citations, and subpoenas.
- Examines, analyzes, and approves accountings, verifying income, disbursements and balances. Oversees and reviews banking institution statements for verification of assets still on hand. Receipts cash and responsible for balancing cash drawer nightly.
- Records all pleadings in order to update Court Case Management System. Monitors and tracks Civil Actions. Composes documents and orders where forms have yet to be created by the State Court Administrator's Office.
- Provides customer service to attorneys, the public, and community health representatives, as well as individuals in other County departments, by answering questions, providing relevant information, and directing individuals appropriately.
- Reviews minor guardianships annually, appoints Department of Health and Human Services report findings of minor and whether additional action be required (State mandated.) Assigns attorneys to review and report to the Court on the condition of adult wards and whether additional action be required (State mandated.)
- Reviews and processes daily mail. Reviews daily logs for deficiencies and acts on them. Prepares and schedules conferences to be heard by the register. Issues show cause hearing notices and citations. Scans documents and enters bar codes into the system. Enters LEIN data.

## Education and Experience

High school diploma or GED and minimal experience in a legal setting.

## Physical Requirements

This work is sedentary and requires little to no exertion of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires sitting and occasionally requires standing, stooping, kneeling, crouching or crawling and reaching with hands and arms; work has standard vision requirements; vocal communication is required for conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data; work is generally in a moderately noisy location (e.g. business office, light traffic).



## Deputy Register

### Special Requirements


None.

Written by: Springsted/Baker Tilly

Title: Consultant

Date: 2/3/2020

Approved by:

 Robert W. Bellman

Title: Controller/CAO

Date: 02/04/2020

## Legal Specialist I

(109) 34,405 - 40,863

Dept/Div: Multiple/N/A

FLSA Status: Non-Exempt

### General Definition of Work

Performs intermediate administrative support work assisting the legal process by providing courtroom and judicial support for assigned department, and related work as apparent or assigned. Work is performed under the moderate supervision of the assigned personnel.

### Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

### Essential Functions

- Provides customer service support by answering phones and emails, assisting customers with questions and data requests, scheduling and verifying appointments or hearings, and directing customers to appropriate department or course of action.
- Answers questions regarding legal procedures or processes. May respond to Freedom of Information Act (FOIA) requests. Maintains confidentiality of all files and information.
- Performs general office duties such as preparing correspondence, emails, paperwork, etc.; processing mail; maintaining files or logs; uploading documents; performing data entry; preparing copies or faxes; and updating charts, files, records, etc.
- Maintains and updates database of information relating to office, department, agency, or program. Performs basic searches for information. Interprets documents, compiles data, and prepares reports. May maintain inventory of Court recorded hearings.
- May maintain a cash drawer and process and track payments. May act as a backup to others in area or department; and assisting in training new staff.
- Performs specialized department, agency, or program specific legal administrative work.

### Specific Assignments:

- Clerk: Administers criminal record checks, sets Judges' schedules, and processes passports. Reports divorces/annulments to state monthly.
- Family: Sets up Court's video recording system.
- Prosecutor: Prepares Appellate Division pleadings, processes case notices, prepares Court/case documentation, and creates and maintains juvenile delinquent and neglect case folders.

### Education and Experience

High school diploma or GED and moderate experience in a legal setting.

### Physical Requirements

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires standing, walking, using hands to finger, handle or feel, stooping, kneeling, crouching or crawling and reaching with hands and arms, frequently requires speaking or hearing, climbing or balancing, pushing or pulling and repetitive motions and occasionally requires sitting and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

## Legal Specialist I

### Special Requirements (specific to assignment)

Complete annual passport training.

Obtain Commission as a Notary Public within 6 months of hire.

Written by: Springsted/Baker Tilly

Title: Consultant

Date: 2/3/2020

Approved by:

 Robert Bell

Title: Controller/CAO

Date: 02/04/2020

**General Definition of Work**

Performs intermediate skilled administrative support work assisting the legal process by providing courtroom and judicial support for assigned department, and related work as apparent or assigned. Work is performed under the limited supervision of the assigned personnel.

**Qualification Requirements**

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

**Essential Functions**

- Provides customer service support by answering phones and emails, assisting customers and clients with questions and data requests, scheduling and verifying appointments or hearings, and directing customers to appropriate department or course of action.
- Answers questions regarding legal procedures or processes. May respond to Freedom of Information Act (FOIA) requests.
- Performs general office duties such as preparing correspondence, reports, paperwork, etc.; processing mail; maintaining files or logs; uploading documents; performing data entry; preparing copies or faxes; and updating charts, files, records, etc.
- Maintains and updates database of information relating to office, department, agency, or program. Performs basic searches for information. Prepares reports.
- May be responsible for processing licenses, applications, or certifications; preparing case dockets; securing information for Judges, attorneys, or other Court officials; preparing orders and other Court documentation for the Court; and coordinating with various legal/Court associates.
- Acts as a back up to others in area or department and assists in training new staff, as directed. Coordinates with various Court staff to maintain and organize daily court/hearing dockets.
- Performs higher level department, agency, or program specific legal administrative work.

**Specific Assignment:**

- Assigned Counsel: Interviews defendants, assesses cases and appoints attorneys based on level of offense.
- Circuit: Organizes and runs monthly case evaluations. Assists with the workload of and acts as a backup to the Judicial Assistant as needed.
- Family: Assesses parents/guardians' eligibility for reimbursement for counsel and other legal fees and prepares necessary documents, collects and enforces Court ordered assessments, may maintain a cash drawer and collect and track payments.
- FOC: Sends Support Enforcement Orders to Judges' for signature and prepares license suspension orders.
- Prosecutor: Prepares and tracks warrants and witness subpoenas.

**Education and Experience**

High school diploma or GED and moderate experience in an office or legal setting, depending on assignment.

**Physical Requirements**

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires sitting, speaking or hearing, using hands to finger, handle or feel, reaching with hands and arms and repetitive motions, frequently requires walking and occasionally requires standing, stooping, kneeling, crouching or crawling and pushing or pulling; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or

## Legal Clerk II

quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data and operating machines; work is generally in a moderately noisy location (e.g. business office, light traffic).

### Special Requirements

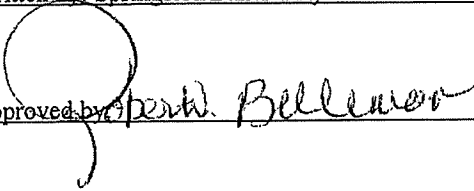
None.

Written by: Springsted/Baker Tilly

Title: Consultant

Date: 2/3/2020

Approved by:

 Robert Bellenger

Title: Controller/CAO

Date: 02/27/2020

## Legal Specialist II

(TRA) 39,390 -  
42,148 - 55,502  
FLSA Status: Non-Exempt

Dept/Div: Multiple/N/A

### General Definition of Work

Performs intermediate skilled administrative support work assisting the legal process by providing courtroom and judicial support for assigned department, and related work as apparent or assigned. Work is performed under the limited supervision of the assigned personnel.

### Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

### Essential Functions

- Provides administrative support by answering phones and emails, assisting customers with questions and data requests, scheduling and verifying appointments, and directing customers to appropriate department or course of action.
- Answers questions regarding legal procedures or processes. May respond to Freedom of Information Act (FOIA) requests.
- Performs general office duties such as compiling data and preparing correspondence, emails, reports, paperwork, etc.; processing mail; maintaining files or logs; uploading documents; performing data entry; preparing copies or faxes; and updating charts, files, records, etc.
- Maintains and updates database of information relating to office, department, agency, or program; performs basic searches for information; and prepares reports.
- Performs specialized department, agency, or program specific legal administrative work as directed.

### Specific Assignments:

- District: Assists supervisor, handles cash, prepares deposits, balances other cashiers, and assists in the supervision of assigned staff. Transports citizens to arraignments. Processes garnishments. Administers record checks.
- FOC: Conducts case interviews, obtains warrants, and maintains inmate information in database.

### Education and Experience

High school diploma or GED and moderate experience in a legal setting.

### Physical Requirements

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires speaking or hearing, using hands to finger, handle or feel and repetitive motions, frequently requires standing, walking and sitting and occasionally requires stooping, kneeling, crouching or crawling and reaching with hands and arms; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

### Special Requirements

None.

Written by: Springsted/Baker Tilly

Title: Consultant

Date: 2/3/2020

Approved by:

Robert W. Bell

Title: Controller/CAO

Date: 02/09/2020

# Jury Coordinator (T09) 34,409-42,293

Dept/Div: Circuit/N/A

FLSA Status: Non-Exempt

## General Definition of Work

Performs intermediate skilled technical work managing all District Court criminal cases and County Clerk juror questionnaires while maintaining court schedules and reports and related work as apparent or assigned. Work is performed under the moderate supervision of assigned personnel.

## Qualification Requirements

*To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.*

## Essential Functions

- Maintains juror database by updating all juror information including postponement requests. Assigns jurors for Circuit, District, Probate, and Juvenile Courts. Assists with jury orientation, takes attendance, and answers questions. Maintains jury calendar and prepares payment vouchers upon completion of jury services.
- Manages victim accounts by analyzing and verifying court orders and payments to determine proper distribution of funds (court ordered restitution) to victims. Requests and assigns court ordered hearing impaired language interpreters and maintains calendar of assignments.
- Reviews criminal files for accuracy of pleadings. Enters warrants into Law Enforcement Information Network.
- Assists the public, attorneys, public safety, and various departments with inquiries as needed.

## Education and Experience

High school diploma or GED and moderate experience in a legal setting.

## Physical Requirements

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires sitting, speaking or hearing and using hands to finger, handle or feel, frequently requires repetitive motions and occasionally requires standing, walking, stooping, kneeling, crouching or crawling, reaching with hands and arms and pushing or pulling; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data; work is generally in a moderately noisy location (e.g. business office, light traffic).

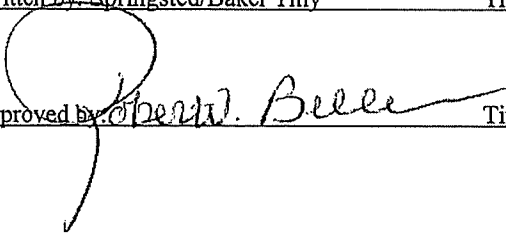
## Special Requirements

None.

Written by: Springsted/Baker Tilly

Title: Consultant

Date: 2/3/2020

Approved By: 

Title: Controller/CAO

Date: 02/04/2020

SAGINAW COUNTY 2023 BUDGET SUMMARY

FUND: 101 GENERAL OPERATING  
 ACTIVITY: 14800 PROBATE COURT  
 FUNCTION: JUDICIAL

SUMMARY OF EXPENDITURES					
CATEGORY	ACTUAL 2021	BUDGET 2022	BUDGET 2023	AMOUNT INC/DEC 22-23	PERCENT INC/DEC 22-23
A) PERSONAL SERVICES	\$552,804	\$570,711	\$591,013	20,302	3.56
B) EMPLOYEE FRINGE BENEFITS	370,534	390,766	394,230	3,464	0.89
C) OPERATING SUPPLIES	15,137	18,000	18,600	600	3.33
D) OTHER SERVICES & CHARGES	177,669	262,229	281,998	19,769	7.54
X) CAPITAL OUTLAY	2,372			0	0.00
TOTAL	\$1,118,516	\$1,241,706	\$1,285,841	44,135	3.55

SUMMARY OF REVENUES					
SOURCE	ACTUAL 2021	BUDGET 2022	BUDGET 2023	AMOUNT INC/DEC 22-23	PERCENT INC/DEC 22-23
E) STATE GRANTS	\$166,317	\$161,832	\$167,902	6,070	3.75
H) CHARGES FOR SERVICES-FEES	78,129	69,600	69,600	0	0.00
I) CHARGES FOR SERVICES-RENDERED	2,356	3,500	3,500	0	0.00
X) REIMBURSEMENTS	22,884	38,000	38,000	0	0.00
TOTAL	\$269,686	\$272,932	\$279,002	6,070	2.22

AUTHORIZED POSITIONS		
GRADE	TITLE	NUMBER
A04	PROBATE COURT JUDGE	1.00
B20	REGISTER OF PROBATE	1.00
B13	COURT REPORTER	1.00
T13	CHIEF DEPUTY REGISTER	1.00
T13	JUDICIAL ASSISTANT	1.00
T12	BAILIFF	1.00
<u>T08</u>	DEPUTY REGISTER	<u>3.00</u>
AUTHORIZED POSITION TOTAL		9.00



# SAGINAW COUNTY 2023 BUDGET SUMMARY

FUND: 101 GENERAL OPERATING  
 ACTIVITY: 13100 CIRCUIT COURT  
 FUNCTION: JUDICIAL

SUMMARY OF EXPENDITURES					
CATEGORY	ACTUAL 2021	BUDGET 2022	BUDGET 2023	AMOUNT INC/DEC 22-23	PERCENT INC/DEC 22-23
A) PERSONAL SERVICES	\$1,363,040	\$1,486,210	\$1,535,124	48,914	3.29
B) EMPLOYEE FRINGE BENEFITS	1,210,337	1,340,283	1,319,039	-21,244	-1.59
C) OPERATING SUPPLIES	43,339	51,226	51,226	0	0.00
D) OTHER SERVICES & CHARGES	354,281	488,692	538,971	50,279	10.29
X) CAPITAL OUTLAY	1,744			0	0.00
TOTAL	\$2,972,741	\$3,366,411	\$3,444,360	77,949	2.32

SUMMARY OF REVENUES					
SOURCE	ACTUAL 2021	BUDGET 2022	BUDGET 2023	AMOUNT INC/DEC 22-23	PERCENT INC/DEC 22-23
E) STATE GRANTS	\$229,307	\$230,120	\$230,120	0	0.00
G) CHARGES FOR SERVICES-COSTS	6,136	17,000	17,000	0	0.00
H) CHARGES FOR SERVICES-FEES	5,358	14,600	14,600	0	0.00
L) FINES & FORFEITS	1,825	4,000	4,000	0	0.00
X) REIMBURSEMENTS		2,000	2,000	0	0.00
TOTAL	\$242,626	\$267,720	\$267,720	0	0.00

AUTHORIZED POSITIONS		
GRADE	TITLE	NUMBER
A02	CIRCUIT COURT JUDGE	5.00
B24	COURT ADMINISTRATOR	1.00
B19	LAW CLERK-BAILIFF	4.00
B17	CIRCUIT COURT SUPERVISOR	1.00
B13	COURT REPORTER	6.00
T13	JUDICIAL ASSISTANT	5.00
<del>T11</del>	LEGAL CLERK II	<del>3.00</del>
<del>T09</del>	JURY COORDINATOR	<del>1.00</del>
AUTHORIZED POSITION TOTAL		26.00

VS  
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 @ T08?

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# SAGINAW COUNTY 2023 BUDGET SUMMARY

FUND: 101 GENERAL OPERATING  
ACTIVITY: 13600 DISTRICT COURT  
FUNCTION: JUDICIAL

SUMMARY OF EXPENDITURES					
CATEGORY	ACTUAL 2021	BUDGET 2022	BUDGET 2023	AMOUNT INC/DEC 22-23	PERCENT INC/DEC 22-23
A) PERSONAL SERVICES	\$1,961,170	\$2,232,085	\$2,289,364	57,279	2.57
B) EMPLOYEE FRINGE BENEFITS	1,871,891	2,161,651	2,130,843	-30,808	-1.43
C) OPERATING SUPPLIES	96,755	89,419	89,419	0	0.00
D) OTHER SERVICES & CHARGES	556,615	572,871	636,197	63,326	11.05
X) CAPITAL OUTLAY	2,575			0	0.00
TOTAL	\$4,489,006	\$5,056,026	\$5,145,823	89,797	1.78

SUMMARY OF REVENUES					
SOURCE	ACTUAL 2021	BUDGET 2022	BUDGET 2023	AMOUNT INC/DEC 22-23	PERCENT INC/DEC 22-23
E) STATE GRANTS	\$253,361	\$254,620	\$254,620	0	0.00
G) CHARGES FOR SERVICES-COSTS	806,410	672,175	672,175	0	0.00
H) CHARGES FOR SERVICES-FEES	817,310	777,000	777,000	0	0.00
J) CHARGES FOR SERVICES-SALES	497	2,000	2,000	0	0.00
L) FINES & FORFEITS	544,651	447,800	447,800	0	0.00
M) INTEREST EARNED	2,428			0	0.00
X) REIMBURSEMENTS	7,963	16,500	16,500	0	0.00
Z) OTHER REVENUES	19,327	17,000	17,000	0	0.00
TOTAL	\$2,451,947	\$2,187,095	\$2,187,095	0	0.00

AUTHORIZED POSITIONS		
GRADE	TITLE	NUMBER
A03	DISTRICT COURT JUDGE	5.00
B24	COURT ADMINISTRATOR	1.00
B21	ATTORNEY MAGISTRATE	1.00
B20	DEPUTY COURT ADMINISTRATOR	1.00
B17	CRIMINAL SUPERVISOR	1.00
B17	DIVISIONAL SUPERVISOR-CIVIL	1.00
B17	DIVISIONAL SUPERVISOR-TRAFFIC	1.00
T13	LEGAL COORDINATOR	1.00
T12	BAILIFF	5.00
T12	LEGAL SPECIALIST II	2.00
T11	ACCOUNT SPECIALIST III	1.00
T10	ACCOUNT SPECIALIST II	1.00
T09	COURT REPORTER	5.00
T07	LEGAL CLERK I	22.00
T07	LEGAL CLERK 1	1.00
AUTHORIZED POSITION TOTAL		49.00

*nine do accounts! ANY Legal*

*job descriptions*

EPS705P  
03/04/2022

SAGINAW COUNTY GOVERNMENT  
SCHEDULE OF SALARY PROGRESSION  
ANNUAL AND BI-WEEKLY EFFECTIVE 12/15/2021

UNION A TPOAM OFFICE WORKERS		T,P,O,A,M			CLASSIFICATION		
SALARY GRADE	HIRE RATE (STEP 1)	6 MONTHS (STEP 2)	1 YEAR (STEP 3)	2 YEARS (STEP 4)	3 YEARS (STEP 5)	4 YEARS (STEP 6)	5 YEARS (STEP 7)
██████	28,086.00 1,080.23	29,069.00 1,118.04	30,086.00 1,157.15	31,140.00 1,197.69	32,229.00 1,239.58	33,357.00 1,282.96	34,525.00 1,327.88
██████	30,051.00 1,155.81	31,103.00 1,196.27	32,192.00 1,238.15	33,319.00 1,281.50	34,485.00 1,326.35	35,692.00 1,372.77	36,940.00 1,420.77
T08	32,154.00 1,236.69	33,281.00 1,280.04	34,445.00 1,324.81	35,651.00 1,371.19	36,897.00 1,419.12	38,190.00 1,468.85	39,527.00 1,520.27
██████	34,405.00 1,323.27	35,610.00 1,369.62	36,858.00 1,417.62	38,146.00 1,467.15	39,481.00 1,518.50	40,863.00 1,571.65	42,293.00 1,626.65
██████	36,815.00 1,415.96	38,102.00 1,465.46	39,436.00 1,516.77	40,816.00 1,569.85	42,245.00 1,624.81	43,724.00 1,681.69	45,254.00 1,740.54
██████	39,390.00 1,515.00	40,769.00 1,568.04	42,196.00 1,622.92	43,674.00 1,679.77	45,202.00 1,738.54	46,784.00 1,799.38	48,422.00 1,862.38
T12	42,148.00 1,621.08	43,624.00 1,677.85	45,151.00 1,736.58	46,731.00 1,797.35	48,367.00 1,860.27	50,059.00 1,925.35	51,811.00 1,992.73
T13	45,099.00 1,734.58	46,677.00 1,795.27	48,312.00 1,858.15	50,001.00 1,923.12	51,752.00 1,990.46	53,563.00 2,060.12	55,439.00 2,132.27
██████	48,256.00 1,856.00	49,945.00 1,920.96	51,694.00 1,988.23	53,503.00 2,057.81	55,376.00 2,129.85	57,314.00 2,204.38	59,319.00 2,281.50
██████	51,634.00 1,985.92	53,441.00 2,055.42	55,311.00 2,127.35	57,249.00 2,201.88	59,252.00 2,278.92	61,325.00 2,358.65	63,471.00 2,441.19
██████	59,115.00 2,273.65	61,185.00 2,353.27	63,326.00 2,435.62	65,543.00 2,520.88	67,836.00 2,609.08	70,212.00 2,700.46	72,668.00 2,794.92

UAW PROFESSIONALS

## McGraw, Patrick

**From:** Key, April  
**Sent:** Tuesday, June 14, 2022 1:04 PM  
**To:** McGraw, Patrick  
**Subject:** RE: Job Descriptions

Judge McGraw,

Please see below – for the wage scales associated with the positions you requested. Please let me know if you need anything further.

EPS705P  
03/04/2022

SAGINAW COUNTY GOVERNMENT  
SCHEDULE OF SALARY PROGRESSION  
ANNUAL AND BI-WEEKLY EFFECTIVE 12/15/2021

UNION A TPOAM OFFICE WORKERS		T.P.O.A.M					CLASSIFICATION
SALARY GRADE	HIRE RATE (STEP 1)	6 MONTHS (STEP 2)	1 YEAR (STEP 3)	2 YEARS (STEP 4)	3 YEARS (STEP 5)	4 YEARS (STEP 6)	5 YEARS (STEP 7)
	28,086.00 1,080.23	29,069.00 1,118.04	30,086.00 1,157.15	31,140.00 1,197.69	32,229.00 1,239.58	33,357.00 1,282.96	34,521.00 1,328.11
T07 Legal Clerk I	30,051.00 1,155.81	31,103.00 1,196.27	32,192.00 1,238.15	33,319.00 1,281.50	34,485.00 1,326.35	35,692.00 1,372.77	36,941.00 1,420.75
	32,154.00 1,236.69	33,281.00 1,280.04	34,445.00 1,324.81	35,651.00 1,371.19	36,897.00 1,419.12	38,190.00 1,468.85	39,531.00 1,520.87
T09 Legal Specialist I	34,405.00 1,323.27	35,610.00 1,369.62	36,858.00 1,417.62	38,146.00 1,467.15	39,481.00 1,518.50	40,863.00 1,571.65	42,284.00 1,627.35
	36,815.00 1,415.96	38,102.00 1,465.46	39,436.00 1,516.77	40,816.00 1,569.85	42,245.00 1,624.81	43,724.00 1,681.69	45,243.00 1,740.35
T11 Legal Clerk II	39,390.00 1,515.00	40,769.00 1,568.04	42,196.00 1,622.92	43,674.00 1,679.77	45,202.00 1,738.54	46,784.00 1,799.38	48,411.00 1,862.11
T12 Legal Specialist II	42,148.00 1,621.08	43,624.00 1,677.85	45,151.00 1,736.58	46,731.00 1,797.35	48,367.00 1,860.27	50,059.00 1,925.35	51,807.00 1,992.75



April Key, MSA, PHR

Personnel Specialist

Direct: 989-790-5288

Fax: 989-790-5566

Email: akey@saginawcounty.com

Saginaw County Governmental Center

111 S. Michigan Avenue

Saginaw, Michigan 48602

**From:** McGraw, Patrick <pmcgraw@saginawcounty.com>

**Sent:** Tuesday, June 14, 2022 9:33 AM

STATE OF MICHIGAN



COUNTY OF SAGINAW  
70<sup>TH</sup> DISTRICT STATE COURT  
111 South Michigan Avenue  
Saginaw, MI 48602-2086

Telephone (989) 790-5363

Facsimile (989) 790-5589

# LABOR RELATIONS

JUDGES:

TERRY L. CLARK  
ELIAN E. H. FICHTNER, Presiding  
A. T. FRANK  
DAVID D. HOFFMAN  
M. RANDALL JURRENS

DARNELL JACKSON  
CHIEF JUDGE

JANET M. BOES  
CHIEF JUDGE PRO TEM

July 12, 2022

8-16-26

To: Mr. Carl Ruth, Chairman  
Saginaw County Board of Commissioners  
111 S. Michigan Avenue  
Saginaw, MI 48602

Re: Request for Employee Reclassification

From: Hon. Darnell Jackson, Chief Judge  
Hon. Terry L. Clark  
Hon. Elian E. H. Fichtner  
Hon. A.T. Frank  
Hon. David D. Hoffman  
Hon. M. Randall Jurrens

RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
2022 JUL 13 A 9:34

Dear Chairman Ruth:

May this correspondence serve as a formal request to be placed on the August 8, 2022, Labor Relations Committee Agenda to obtain permission to move 5 District Court Clerks/Judicial Assistants from their current classification as a (T07 - Legal Clerk I) and compensated pursuant to Memorandum of Understanding (MOU) dated December 2021 subsequently incorporated into the TPOAM Collective Bargaining Agreement entered in January 2022 (copy of MOU attached). Specifically, the request is to move the 5 District Court Clerks/Judicial Assistants to a (T13 - Judicial Assistant) which is the Circuit Court Judicial Assistant classification and the equivalent position.

I understand that this request comes at the same time as a similar request from Saginaw Probate Court Judge Patrick J. McGraw and that both requests follow the recently granted request from Saginaw County Clerk Vanessa Guerra. To avoid providing duplicative information, please consider the attachments provided with Judge McGraw's request as they also pertain to this request. I have provided supplemental information here where appropriate.

### **Background**

The five district court clerks/judicial assistant positions subject of this request are the district court equivalent of circuit court judicial secretaries often referred to as judicial assistants. As will be spelled out in further detail below, the district court clerks/judicial assistants are the backbone of all district court judicial operations.

To help you better understand the rationale behind this request, it is necessary to understand the historical background related to their compensation. Included in this packet is Memorandum dated 11/06/2019 from District Court Judge M. Randall Jurens (attached). The Memorandum explains the history of compensation for the district court clerk/judicial assistant position which dates to approximately 2009, and which was intended to address the concurrent jurisdiction/unified court model including the additional circuit court responsibilities assigned to district court clerks/judicial assistants by way of district court judges cross-assignment to circuit court cases.

District court clerks/judicial assistants were paid under the model outlined in the Memorandum until 2017 when BakerTilly (formerly Springsted) conducted the Job Classification & Total Compensation Study. Following the study, the five district court clerks/judicial assistant positions were assigned a general T07 – Legal Clerk I classification, which, if implemented, would result in *a significant decrease* in compensation. We (the Saginaw County Trial Courts) immediately objected to the findings as well as the T07 classification assigned. Unfortunately, the issue has yet to be resolved.

Since that time, and in the interim, an agreement to preserve the historical compensation for the district court clerk/judicial assistant position was reached and memorialized in separate Memorandums of Understanding (attached) which were later incorporated in the TPOAM CBA. To date, the MOUs expired with the last being incorporated into the most recent CBA. The current CBA expires in December 2024.

The rationale behind the MOUs was to maintain status quo relative to compensation while providing an opportunity to revisit classification. While we are appreciative of past MOUs, it is worth noting that each year the issue is not resolved it causes a high level of anxiety, uncertainty, and low morale for the district court clerks/judicial assistants. We would like to move past the use of the MOU as a short-term bandage and resolve the issue through reclassification.

It is our desire to have the district court clerk/judicial assistant position re-classified to T13. The classification is consistent with the complexity and importance of work performed and it places the district court clerks/judicial assistants at the same rate of pay as circuit court judicial assistants. This parity in pay is further supported by our *unified trial court system* and most recently recognized by the passage of a pay parity bill acknowledging district court judges pay at the same rate as probate/circuit court judges.

### **Compensation Under MOU**

Over the last several years (and prior to the 2017 study) the district court clerks/judicial assistant positions have been compensated to reflect time as a district court clerk and time as a circuit court judicial secretary based on the additional circuit court work the district court was handling. As outlined in the MOU, one of the clerks was compensated at a slightly higher rate due to her responsibilities and job function relative to supporting Judge Jurens with state mandated Business Court (a circuit court docket). The 2017 study and T07 classification did not address

the circuit court functions carried out in district court by the clerks/judicial assistants and if followed would result in the pay decrease mentioned.

**Duties/Responsibilities of District Court Clerk/Judicial Assistant**

The district court clerk/judicial assistant serves a critical role. Not only do the district court clerks/judicial assistants report directly to the district court judge, but they also ensure every facet of court operation (civil, traffic and criminal) and make certain that what occurs in the courtroom is executed by way of supporting documentation (mittimus, pleas, sentencing, orders, etc.) and subsequent communications to various entities (parties, attorneys, jail, community treatment providers, etc.). In addition, they must calculate and observe statutory timeframes in felony matters for setting/holding pre-examination conferences and preliminary examinations.

In short, the district court clerk/judicial assistant must know each aspect of every legal matter within district court including circuit court matters that are cross-assigned and remain in district court. Their responsibilities are numerous and varied depending on the issue. The clerk/judicial assistant is responsible for executing the paper trail of what occurs in the courtroom – this is crucial. By way of example in criminal matters, the clerk/judicial assistant's ability to accurately generate the appropriate paperwork relative to pretrial release, bond conditions, etc. directly impacts whether an individual is released from jail, is informed of special bond conditions including no contact provisions relative to community safety, and to communicate said conditions to the various law enforcement agencies, etc.

Simultaneously, clerks/judicial assistants must coordinate with various entities (example - communicating with pretrial services/community corrections, community service providers (TRICAP, DOT), SCSD/jail as well as prosecutor and defense counsel) to ensure a particular defendant receives treatment as a jail diversion program or alternative to "jail holds/high bonds" consistent with a judge's order during pretrial phase – this directly impacts the Saginaw County community). As another example, if a criminal defendant is in custody (local county jails or prison), the clerk/judicial assistant ensures that writs are issued securing the individual's presence at a hearing and once approved/signed by the judge the district court clerk/judicial assistant then communicates to the appropriate agency.

Additionally, due to the nature of district court as being recognized *the peoples' court*, the clerks/judicial assistants experience a high degree of interaction and accountability to the public. They will routinely field calls from the public on virtually every issue imaginable from service of process in civil matters, requests for adjournments, questions about judgments, sentencings and/or probation, etc.

In addition, the clerks/judicial assistants are responsive to attorneys regarding motion filings, providing hearing dates, tracking down consent judgments and orders, handling adjournment requests, communicating with media, etc. Many days the clerks/judicial assistants even track down attorneys that are scheduled to appear in court.

Further, recent changes in the law have added to their responsibilities and now they are required to juggle even more. For example, there is a presumption that in certain non-assaultive misdemeanor cases an individual has 48 hours to report to court following their first non-appearance prior to the issuance of a bench warrant for non-appearance. This translates to the clerks/judicial assistants physically setting aside cases/tickets (in their offices) for non-appearing parties for the allotted time frame and then requiring them to follow up by resetting/re-noticing



hearings or to process bench warrants days later. In short, there is not one action or activity that occurs in the district court courtroom without the judicial assistant being actively involved. They are simply put what make the court function.

Recently the clerks/judicial assistants have experienced additional changes and challenges within their roles. The COVID pandemic in 2020 instituted another balancing act for clerks/judicial assistants with the introduction of *virtual courtrooms* and Zoom proceedings. Our clerks/judicial assistants quickly learned and became experts at hosting virtual court on Zoom and ensuring that attorneys had opportunities to meet with clients before virtual court hearings by use of breakout rooms. More recently their jobs have become even more complicated with the Mainframe Modernization Project and *go-live* to the new Odyssey/JailTracker, etc. system. Now in the fifth week of *go-live*, which appears to be a long-term process that is adding multiples to the district court clerks/judicial assistants' job functions and time. They are experiencing firsthand complicated processes under the new system (many of which require additional troubleshooting by the district court clerk/judicial assistant and requests for software adjustment/calibration from Tyler/IT). Consequently, this results in increased daily time requirements all under the expectation that court operations be completed within the normal 8-hour business day.

It is time to acknowledge the Herculean efforts of the district court clerks/judicial assistants – many of whom routinely arrive for work before 8am, work through the noon lunch hour and stay well beyond 5pm committed to the continued successful operation of the court and service to the community.

Please accept our sincere gratitude in reviewing this request to move the clerks/judicial assistants to T13-Judicial Assistant. Any one of us will be happy to answer any questions that you may have at the August Labor Relations Committee Meeting. Thank you for your consideration.

Sincerely,

  
HON. DARNELL JACKSON, Chief Judge

  
HON. ELIAN E. H. FICHTNER

  
HON. DAVID D. HOFFMAN

  
HON. TERRY L. CLARK

  
HON. A. T. FRANK

  
HON. M. RANDALL JURENS

Cc: Michael Webster, Chair Saginaw County Labor Relations Committee  
Robert Belleman, Controller

Attachments



## **MEMORANDUM OF UNDERSTANDING AND AGREEMENT**

This MEMORANDUM OF UNDERSTANDING AND AGREEMENT made and entered into this 14 day of DECEMBER, 2021, by and between the County of Saginaw and Saginaw County Trial Court and the Technical, Professional and Office Workers Association of Michigan (TPOAM).

WHEREAS, the County of Saginaw and Saginaw County Trial Court ("Employer") and TPOAM ("Union") are parties to a Collective Bargaining Agreement ("CBA") expiring on September 30, 2021; and

WHEREAS, the CBA in Article 7, Section 2(g), outlines the procedure whereby an employee can be compensated for working above their classification; and

WHEREAS, the Employer and Union desire to compensate five (5) individuals who are in the Legal Clerk I classification and performing Circuit Court Judicial Secretary duties for the five (5) District Judges while complying with the provisions contained in Article 7, Section 2(g);

### **THEREFORE, IT IS AGREED AS FOLLOWS:**


1. The Employer will be allowed to modify the provisions of Article 7, Section 2(g) and provide additional compensation to the five (5) individuals in the classification of Legal Clerk I and performing Circuit Court Judicial Secretary duties while they are functioning in the dual role of Circuit Court Clerks.
2. The four (4) District Court employees at a T7 level with a title of Legal Clerk I and working for Judges Clark, Hoffman, Fichtner and Frank will be paid six (6) days per pay period at their current T7 pay rate and four (4) days per pay period at the Circuit Court Clerk pay grade and at a level commensurate with his/her current step.
3. The one (1) District Court employee at a T7 level with the title of Legal Clerk I and working for Judge Jurrens shall be paid six (6) days per pay period at the Circuit Court Clerk pay grade and at a level commensurate with his/her current step and four (4) days per pay period at his/her current T7 pay rate.
4. The Union and the affected employees waive their right to the grievance process as to the terms of this MOU. This includes any other department employee impacted by this compensation arrangement for the Legal Clerk I T7 positions handling Circuit Court cases.
5. This Memorandum of Understanding and Agreement shall be binding on UNION and EMPLOYER; shall not be considered precedent-setting and

shall not affect the CBA in any other manner than that which is specifically set forth herein.

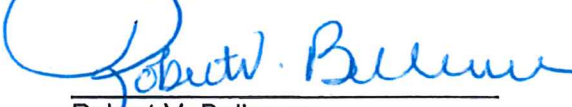
6. This MOU expires on April 30, 2022, or the date that the TPOAM contract is ratified and approved by the Board, whichever occurs first.


For the Employer:

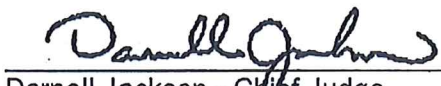
For the Union:


  
Carl E. Ruth, Chairman


\_\_\_\_\_  
James Cross

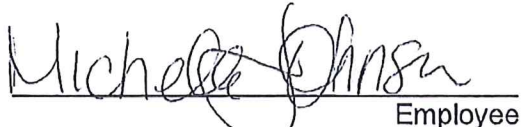
  
Robert V. Belleman  
Controller/CAO

  
Blanca Echevarria-Fulgencio

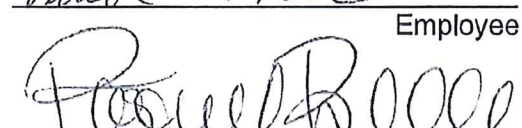
  
Darnell Jackson - Chief Judge


  
Employee

  
David M. Gilbert  
Civil Counsel

  
Employee

  
Employee

  
Employee

  
Employee

shall not affect the CBA in any other manner than that which is specifically set forth herein.

6. This MOU expires on April 30, 2022, or the date that the TPOAM contract is ratified and approved by the Board, whichever occurs first.

For the Employer:

\_\_\_\_\_  
Carl E. Ruth, Chairman

\_\_\_\_\_  
Robert V. Belleman  
Controller/CAO

\_\_\_\_\_  
Darnell Jackson - Chief Judge

\_\_\_\_\_  
David M. Gilbert  
Civil Counsel

For the Union:

  
\_\_\_\_\_  
James Cross

\_\_\_\_\_  
Blanca Echevarria-Fulgencio

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Employee

**MEMORANDUM OF UNDERSTANDING AND AGREEMENT  
BETWEEN  
THE COUNTY OF SAGINAW AND SAGINAW COUNTY TRIAL COURT  
AND THE TECHNICAL, PROFESSIONAL AND OFFICE WORKERS ASSOCIATION  
OF MICHIGAN (TPOAM)**

WHEREAS, the County of Saginaw and Saginaw County Trial Court ("Employer") and TPOAM ("Union") are parties to a Collective Bargaining Agreement ("CBA") expiring on September 30, 2021; and

WHEREAS, the CBA in Article 7, Section 2(g), outlines the procedure whereby an employee can be compensated for working above their classification; and

WHEREAS, the Employer and Union desire to compensate five (5) individuals who are in the Legal Clerk I classification and performing Circuit Court Judicial Secretary duties for the five (5) District Judges while complying with the provisions contained in Article 7, Section 2(g);

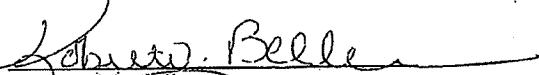
**THEREFORE, IT IS AGREED AS FOLLOWS:**


1. The Employer will be allowed to modify the provisions of Article 7, Section 2(g) and provide additional compensation to the five (5) individuals in the classification of Legal Clerk I and performing Circuit Court Judicial Secretary duties while they are functioning in the dual role of Circuit Court Clerks.
2. The four (4) District Court employees at a T7 level with a title of Legal Clerk I and working for Judges Clark, Hoffman, Fichtner and Frank will be paid six (6) days per pay period at their current T7 pay rate and four (4) days per pay period at the rate of \$27.44 per hour.
3. The one (1) District Court employee at a T7 level with the title of Legal Clerk I and working for Judge Jurrens shall be paid six (6) days per pay period at the rate of \$27.44 per hour and four (4) days per pay period at his/her current T7 pay rate.
4. The Union and the affected employees waive their right to the grievance process as to the terms of this MOU. This includes any other department employee impacted by this compensation arrangement for the Legal Clerk I T7 positions handling Circuit Court cases.
5. This Memorandum of Understanding and Agreement shall be binding on UNION and EMPLOYER; shall not be considered precedent-setting and shall not affect the CBA in any other manner than that which is specifically set forth herein.

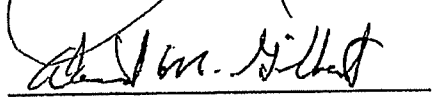
6. This MOU expires on December 31, 2019 or upon the execution of a revised MOU, whichever first occurs.

For the Employer:

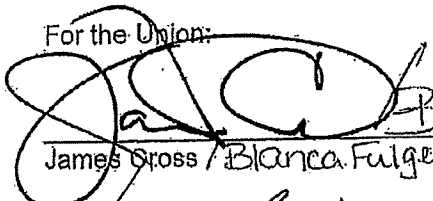
  
Michael A. Webster, Chairman


  
Robert V. Bellemar  
Controller/CAO


  
Patrick J. McGraw - Chief Judge


  
David M. Gilbert  
Civil Counsel

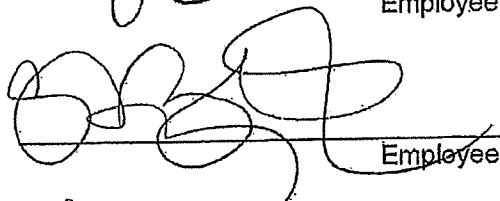
For the Union:

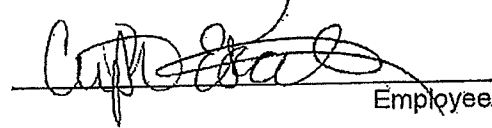
  
James Gross / Blanca Fulgenio

  
Employee

  
Employee

  
Employee

  
Employee

  
Employee

## Memo

To: Pat McGraw, Chief Judge  
From: M. Randall Jurens, District Judge  
Copy: Dave Hoffman, Chief Judge Pro Tem; Linda James, Court Administrator  
Re: District Court Judges' Clerks Compensation as Circuit Court Clerks  
Date: November 6, 2019

Discussions regarding District Court assisting to resolve Circuit Court's case backlog began in January 2009 ± between myself (as then-Chief District Court Judge), Bruce Kilmer (SCAO), Dave Cable (Circuit Court Administrator), and Robert Kaczmarek (then-Chief Circuit Court Judge).

In August 2009, Bruce advised me that Judge Kaczmarek had formally requested district court judges be cross-assigned to hear circuit court criminal matters.

In September 2009, Judge Kaczmarek and I made a presentation to the Courts and Public Safety Committee regarding this impending new program.

Although I believe that Judge Kaczmarek adopted an LAO to implement the program in 2009, no copy can be located; and it is possible that, initially, cases were simply individually reassigned by Order of Internal Reassignment.

Articles reporting the new program were published in The Summons (October 1, 2009) and The Saginaw News (October 11 and 18, 2009).

Initially, specified felonies were assigned to only Judge Boyd and myself as a pilot program. Judges Tarrant and Clark were added in March 2011 ±, and Judges Frank and Thompson were added in May 2011 ±.

LAO 2011-02J, "Assignment of Specified Felony Cases", was jointly adopted by Judge Kaczmarek and myself on March 29, 2011, and approved by SCAO on April 1, 2011; which was subsequently superseded, with some minor modification, by LAO 2001-05J on December 9, 2011. This was then incorporated into the Concurrent Jurisdiction Plan adopted in early 2012.

Because our clerks were being called on to perform circuit court clerk functions, with the additional cross-training, responsibility, and work volume, it was only appropriate their efforts be recognized with additional compensation. At the time, our clerks were classified "T-10", entitling them to \$26,608 to \$32,990 annually (depending on their current "step"). Conversely, Circuit Court Clerks were classified "T-15", and receiving \$35,419 to \$44,160 annually.

Handwritten notes of our then-Court Administrator, Cheryl Jarzabkowski, indicate her analysis of how much more it would cost to pay our clerks at a T-12 and a T-13 level: i.e. \$159 per clerk per pay period (\$4,134/year), times 6 clerks = \$959.04 per pay period or \$24,935/year, and \$246 per clerk per pay period \$6,396/year, times 6 clerks = \$1,478 per pay period or \$38,429/year,

respectively. In the end, it looks like we attempted to pay our clerks at what approximated a T-12 classification, but did it by paying them at a T-15 level at 2 days a week (i.e. resulting in an increase per clerk of \$4,468 per year).

Of course, we could not do this on our own, so we (probably more likely Cheryl, because I have no present memory of being personally involved) went to the then Controller, Marc McGill, to determine the best way to achieve the desired result.

In this regard, although my file includes a draft letter to the then Chairman of the Board of Commissioners, Michael O'Hare, requesting reclassification of the clerks (suggesting the factoring committee consider a move to T-12, that would result in an additional \$159 per pay period per clerk, or \$4,134 per year, or \$24,804 total added cost per year for the 6 clerks), the letter was never sent; presumably because the then-Controller identified an easier way to achieve the desired result. How he did that, internally, I do not know.

As I understand the current system, each clerk gets paid the additional stipend, not as "out of classification" compensation under the CBA, but by simply assuming each clerk works aggregate hours equal to 2 days per week on circuit court matters. It is simply too cumbersome, inefficient, and time consuming, for the clerks to keep track of and log their actual time and specific tasks performed. The result is a convenient, workable, compromise, adopted by the Controller (presumably with authority to do so) and operating without incident since 2009.

In closing, I should note that we currently have only 5 clerks, so the increased cost is less now than originally.

# # #



# COUNTY OF SAGINAW **LABOR RELATIONS**

111 SOUTH MICHIGAN AVENUE  
SAGINAW, MICHIGAN 48602

**ROBERT V. BELLEMAN**  
*Controller/Chief Administrative Officer*  
[rbelleman@saginawcounty.com](mailto:rbelleman@saginawcounty.com)

August 3, 2022

Commissioner Carl E. Ruth, Chairman  
Saginaw County Board of Commissioners  
111 South Michigan Ave.  
Saginaw, MI 48602

Re: Labor Relations Committee Employment Status Report

Dear Chairman Ruth:

Pursuant to a request from the Labor Relations Committee, the Personnel Department is herein submitting the Employment Status Report for August, 2022. As you are aware, the Personnel Department has been conducting exit interviews when possible (i.e., dependent upon cooperation of the former employee), as employees conclude their employment or transfer to another Department. Statistics for June and July, 2022 have been compiled, summarized and are enclosed for review. Retirements are reported for the first of the month following an employee's retirement date. Retirees with current contracts to provide services are also listed.

I hope the enclosed report provides the Labor Committee with the information required. I will be available at the August, 2022 meeting to answer any questions regarding this report. Meanwhile, if you or any Commissioner has questions, please do not hesitate to contact me. Thank you.

Sincerely,

*Jennifer Broadfoot*

Jennifer Broadfoot  
Personnel Director

c: Robert V. Belleman, Controller/CAO

RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
2022 AUG - 3 AM 11:36  
8-16-28



### Employment Status Report –August, 2022

Name	Dept.	DOH	DOT	Title	Transfer Date	Dept.	Class From	Class To	Exit Int.?	Reason
Jones, W.	COA	6/7/13	6/1/2022	Driver II	N/A	N/A	N/A	N/A	Yes	Retirement
Taylor, S.	Prosecutor	1/17/17	6/3/22	Legal Clerk II	N/A	N/A	N/A	N/A	No	Resigned
Allen, T.	COA	11/4/13	6/1/22	Kitchen Asst.	N/A	N/A	N/A	N/A	Yes	Job Stress
Miller, B.	Probate	4/29/02	6/1/22	Deputy Register	N/A	N/A	N/A	N/A	No	Retired
Dixon, K.	FOC	2/22/22	6/9/22	Office Asst. II	N/A	N/A	N/A	N/A	Yes	New Job
Martinez, F.	Sheriff	12/10/08	6/11/22	Deputy	N/A	N/A	N/A	N/A	Yes	New Job
Bogart, L.	Circuit	11/26/13	6/10/22	Judicial Asst.	N/A	N/A	N/A	N/A	Yes	Job Stress
Eldridge, A.	FOC	6/22/15	6/29/22	Legal Clerk II	N/A	N/A	N/A	N/A	No	Deceased
Gosen, B.	Animal Care	1/19/20	7/8/22	Animal Control Officer	N/A	N/A	N/A	N/A	No	New Job
Bond, A.	Clerk	7/13/21	7/16/22	Legal Specialist I	N/A	N/A	N/A	N/A	No	New Job
Martineau, J.	Prosecutor	5/19/22	7/29/22	Legal Clerk I	N/A	N/A	N/A	N/A	No	Probationary Termination

### Summary of Exit Interviews – June/July, 2022

			Are you satisfied with:			
Mo./Yr.	Dept.	Why Leaving?	Pay?	Benefits?	Chance for Advancement?	Yrs. Service
7/22	Sheriff	Go to different Department. Better pay, benefits and pension. Few complex personalities.	Yes. Good but not competitive.	Decent. But not as good as others. Health PTO key areas of concern.	Fair overall.	13 yr. 6 mo.
7/22	FOC	Taking job with Bay County. Better pay, benefits retirement package. Job stress should lead to increased wages. Working conditions good (location.) Training in Dept. not adequate. Not inclusive environment for remote work – some employees can participate some cannot.	No	No. PTO good. Would prefer higher premium vs. high deductible plan.	Fair	4 mo.
7/22	Circuit	Stressful job, not compensated for amount of work, interpersonal issues with co-workers. Demand very high. No work/life balance. Work was too broad and voluminous.	No Even with more money for the stress is not worth it.	Additional PTO would help with stress. BC/BS better (not factor in leaving)	Good	8 yr. 7 mo.
7/22	COA	Stressful job. Directed to supervisor to report problems, nothing changed. Other employees did not do job; supplies not stocked.	No response.	No response	No response	8 yr. 7 mo.
7/22	COA	Retired	Yes	Yes; to the extent used them.	Good	9 yr.

#### Retirees with Current Contract (August 1, 2022)

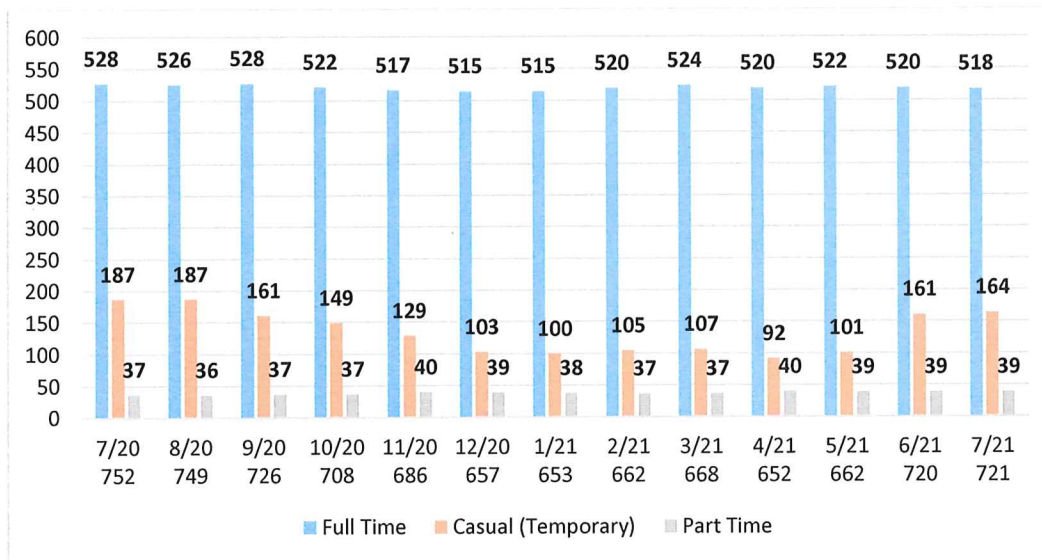
Name	Department	Retirement Date	Contract Expiration	Pay
Alan Kaufman (Kaufman Aviation)	H.W .Browne Airport	01/01/02	09/30/23	\$77,028 annually

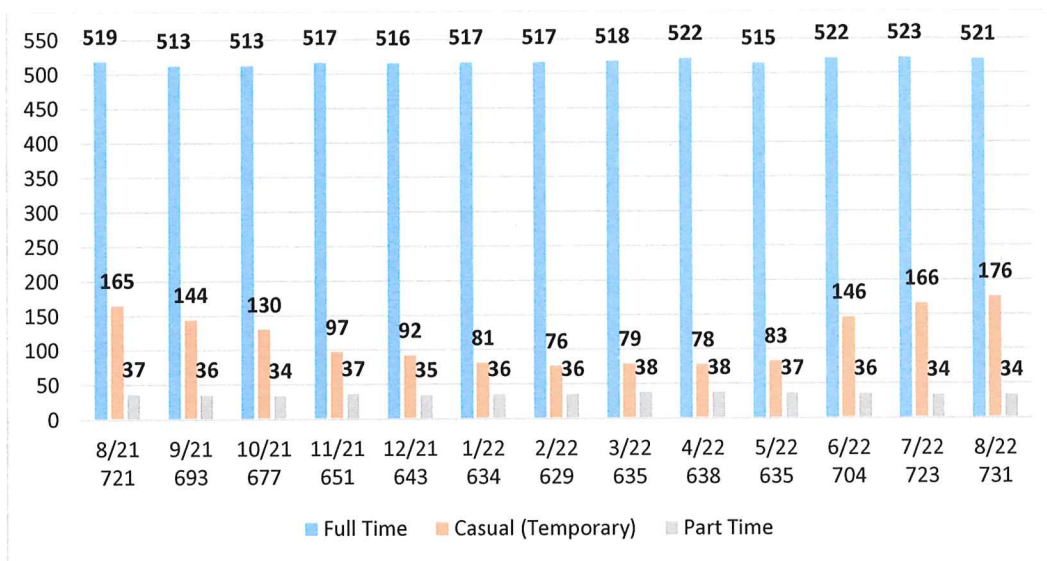
#### Retirees Working as Needed (August 1, 2022)\*

Name	Department	Retirement Date	Contract Expiration	Hourly Pay	Hours worked in July
Mary Makl	Health	6/8/18	Upon notice of completion	\$20.00	108.25
Bethany Jacques	Health	7/1/19	September 30, 2022	\$50.00	6.25
Mary Patnode	Health	9/30/18	September 30, 2022	\$45.00	75.25
Margaret Drayton	Health	1/31/22	September 30, 2022	\$40.00	24
Amy Deford	Controller	12/10/21	June 10, 2022	\$50.00	0

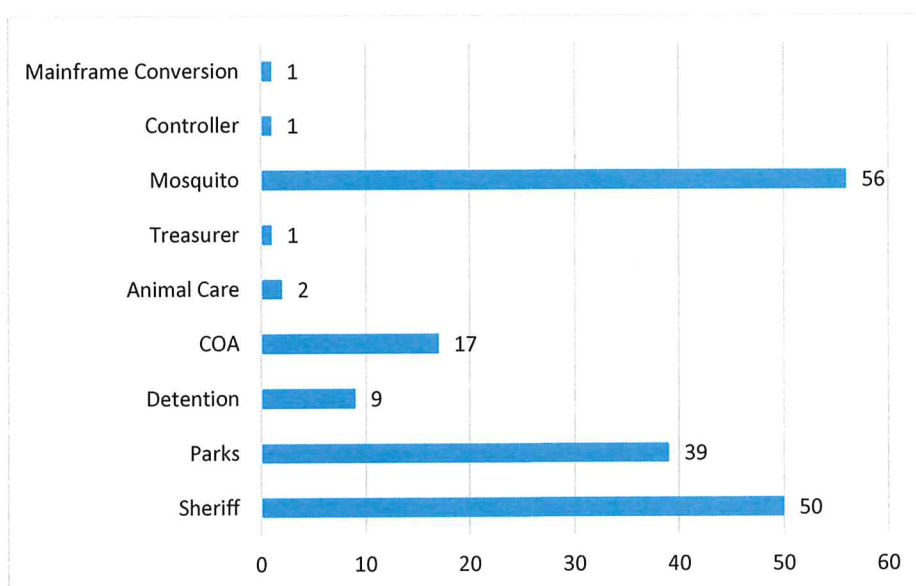
\*This report does not include retired Court employees with a current contract.

#### Number of Employees (Reported for First of Month)





Number of Temporary Employees by Department (August 1, 2022)



**Status Report**  
**Saginaw County Employee Groups**  
August 1, 2022

Employee Group	Employees	Expiration of Contract	Status
Commissioners	11	December 31, 2022	Set
Elected Officials	6	December 31, 2022	Set
Judges	12	State of Michigan Commission	Set
Non-Union	11	September 30, 2022 Annual via Budget	Set
UAW – Managers	60	9/30/2024	Set
UAW – Professionals	60	9/30/2024	Set
UAW – Clerical, Technical, & Para-Professionals	20	9/30/2024	Set
COAM – Sheriff Unit II-Sergeants	14	9/30/2022	Negotiations open
POAM – Detention Youth Care Specialists	16	9/30/2024	Set
POAM – Prosecutors	18	9/30/2024	Set
POAM – Detention Center Supervisors	4	9/30/2024	Set
Teamsters – Health Dept./COA Employees	79	9/30/2024	Set
COAM – Sheriff Unit III- Captain/Lieutenants	5	9/30/2024	Set
POAM – Animal Shelter Employees	8	9/30/2024	Set
POAM – Probation Officers, Family Division	7	9/30/2024	Set
TPOAM – Courthouse Employees	133	9/30/2024	Set
Teamsters – Public Health Nurses	7	9/30/2024	Set
POAM – Sheriff Unit 1 (312 Eligible)	40	9/30/2022	Negotiations open
GELC – Probation Officers, District Court	5	9/30/2024	Set
POAM – Sheriff Unit 1 (Non-312 Eligible)	39	9/30/2024	Set
Total	555		



# COUNTY OF SAGINAW

## OFFICE OF COUNTY CONTROLLER

111 SOUTH MICHIGAN AVENUE  
SAGINAW, MICHIGAN 48602

# LABOR RELATIONS

**ROBERT V. BELLEMAN**

Controller/Chief Administrative Officer  
rbelleman@saginawcounty.com

August 3, 2022

Carl E. Ruth, Chairman  
Saginaw County Board of Commissioners  
111 S. Michigan Ave.  
Saginaw, MI 48602

8-16-29

RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
AUG - 3  
A 11:36

Re: Discrimination and Sexual Harassment Policy Cover Letter

Dear Chairman Ruth:

Attached for the consideration of the Labor Relations Committee are proposed changes to Personnel Policy, #322 Discrimination and Sexual Harassment Policy. The policy has been revised and updated to reflect the latest Equal Employment Opportunity Commission's (EEOC) and Michigan Department of Civil Rights' (MDCR) guidance on sexual harassment and unlawful discrimination and recent legal cases. Harassment and discrimination policies from other counties were also reviewed in considering language revisions.

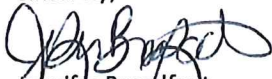
The policy has been revised to include separate sections addressing sexual harassment and discriminatory harassment based on other protected class statuses. The definition of sexual harassment was updated, examples of behaviors that may constitute sexual harassment were added, as well as language from the EEOC's website detailing circumstances in which harassment can occur. The list of protected class statuses was also expanded to reflect current protected classes.

The Administrative Procedures section was revised to more clearly establish reporting and investigatory procedures. An alternate reporting channel was developed and expectations added for managers and supervisors who witness or become informed of occurrences of possible harassment or discrimination. The selection of investigators and confidentiality considerations are now detailed, as well as steps that may be taken by the County if the complaint is not made in good faith. Finally, actions taken at the conclusion of the investigation are noted.

The revised policy also includes a provision relating to conduct that occurs off duty and it details how retaliatory behavior against someone who brings forward a harassment complaint in good faith will be handled.

Legal Counsel has reviewed and approved the new policy. I will be available at the August, 2022 Labor Relations Committee meeting to address any questions Commissioners have regarding the policy revisions.

Sincerely,

  
Jennifer Broadfoot  
Personnel Director

cc: Robert Belleman, Controller/CAO



Category: 300  
Number: 322

Subject: SEXUAL AND OTHER UNLAWFUL DISCRIMINATION AND SEXUAL HARASSMENT  
POLICY

1. PURPOSE: The purpose of this policy is to:
  - 1.1 Formulate a formal written County policy with respect to unlawful discrimination and sexual harassment; and
  - 1.2 Define and clarify proper procedure to be followed in the event of an incident of unlawful discrimination and/or sexual harassment and to communicate this to County employees and officials.
2. AUTHORITY: The Saginaw County Board of Commissioners.
3. APPLICATION: The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy #301. It also applies to County vendors, suppliers, contractors, consultants, people doing business in County offices and visitors.
4. RESPONSIBILITY: The County Controller/CAO shall be responsible for the implementation and administration of this policy.

~~5.~~ DEFINITIONS: NONE

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~~5-6.~~ POLICY: Saginaw County is committed to providing a working environment where all employees are treated with dignity and respect. Sexual harassment and other forms of unlawful discriminatory harassment will not be tolerated by Saginaw County, regardless of whether committed by or directed towards co-workers supervisors, vendors, suppliers, contractors, consultants, people doing business in County offices and visitors. The following details what type of conduct is prohibited and the actions that should be taken when harassment is encountered. ~~Sexual harassment and unlawful employment discrimination will not be tolerated by Saginaw County. The management of Saginaw County will actively investigate every complaint of unlawful discrimination and sexual harassment. It is the duty of every employee to cooperate in any such investigation, and it would constitute a serious infraction of County policy to retaliate against or penalize an employee for asserting a claim of discrimination or sexual harassment. Any employee found to have sexually harassed or unlawfully discriminated against another employee or to have retaliated against an employee for making a complaint of discrimination or sexual harassment will be subject to discipline, up to and including suspension or immediate dismissal.~~

6.1 SEXUAL HARASSMENT: Harassment on the basis of sex is a form of ~~sex~~ discrimination which is illegal and expressly prohibited by Saginaw County.

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Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes harassment when:

6.1.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or

6.1.2 Submission to or rejection of the conduct by an individual is used as the basis for an employment decision affecting such individual, or

6.1.3 Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

6.1.4 Examples of possible sexual harassment include, but are not limited to:

- Verbal sexual comments, including comments about gender specific traits, innuendos, insults, slurs, negative stereotyping or jokes, unwanted requests for dates or other advances and questions about an individual's personal life.
- Non-verbal sexual gestures, leering or staring.
- Visual displaying of sexual pictures, writings or objects including the use of technology or social media.
- Physically inappropriate touching or blocking someone's movement.
- Threats, threatening or insinuating reprisal for refusing sexual demands or conduct.

6.1.5 Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

6.1.5.1 The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee (i.e. vendor, temporary employee).

6.1.5.2 The victim does not have to be the person harassed but could be anyone impacted by the offensive conduct.

6.1.5.3 Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

6.2 OTHER DISCRIMINATORY HARASSMENT: Other forms of unlawful discriminatory harassment are also prohibited. Conduct that exhibits hostility or lack of respect towards an individual or group because of race, religion, color, national origin, age, disability, sex (including pregnancy), sexual orientation and gender identity, height, weight, marital status, military status, arrest record, citizenship or immigration status or genetic information or any other protected class status as designated by Federal or State law will not be tolerated.

As with sexual harassment, this behavior may take a number of forms including but not limited to the display or printed or graphic material, slurs, gestures, joke and physical acts.

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5.1 Sexual harassment may include requesting sexual favors in exchange for an enhancement of employment conditions, or penalizing or threatening to penalize an employee in their employment unless sexual favors are granted. Sexual harassment also consists of any unwelcome behavior or conduct of a sexual nature which causes or creates discomfort and/or interferes with job performance. Such conduct would include, but is not limited to, unwelcome touching or other bodily contact, the making of unwelcome sexual advances, the display or reference to pornographic, sexually explicit or offensive materials in the work place, the use of sexually provocative or offensive language, unwelcome inquiry into the private life of another employee, or any other unwelcome conduct of a sexual nature.

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Such activity is not only illegal but also detracts from the businesslike and professional image which Saginaw County expects its employees to project. Racial and sexual harassment also includes the leaving of racially and sexually derogatory messages within common areas of the workplace.

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## 7. ADMINISTRATIVE PROCEDURES:

7.1 REPORTING: An employee who believes that he/she has been subject to sexual or other unlawful discriminatory harassment (based on any other protected class/classification as designated by Federal or State law) shall notify the Personnel Division immediately, and in any event within thirty (30) calendar days of the incident(s) in order for accurate facts, conclusions, and disciplinary actions to be made regarding the report. The Personnel Division will provide the employee with a Discrimination/Harassment complaint form, a copy of which is attached to this Policy. If the individual has reason to not report the matter to Personnel, they may also report it to the Controller or to their Department Head. An employee who was witness to but not the target of the harassment may also file a complaint.

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All management and supervisory personnel will be responsible for the immediate reporting of any occurrence they may witness or of which they are informed. Management and supervisory personnel are required to speak to the alleged victim regarding the incident(s), provide them with a copy of the Policy and complaint form and should themselves report the matter to Personnel. Likewise, if a manager or supervisor has reason to not report the matter to Personnel, they may also report it to the Controller.

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The Discrimination/Harassment complaint form must be completed in detail as soon as possible so that the County will have adequate notice of and be able to investigate any claim of sexual or other discriminatory harassment. This form must be completed in order to trigger an official investigation of any claim.

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Failure to complete the form constitutes a waiver by the employee of any right to an investigation of said claim by Saginaw County. However, when an employee does not complete the form or otherwise requests that no formal action be taken, administrative



discretion may still be used to determine if further action and an investigation is necessary.

7.2 INVESTIGATION Upon receipt of a complete and signed complaint form, the County will complete a thorough investigation of the matter detailed in the complaint. The Controller at his/her discretion, will designate individual(s) to investigate complaints; this could include County employees or third party investigators who are not County employees. To the extent possible, the investigation will be conducted in a manner to protect the privacy of the individuals involved and the confidentiality of the complainant. However, no employee is promised strict or absolute confidentiality. It may be necessary to disclose information contained in the written complaint or that is learned during the investigation to others participating in the investigation or the alleged harasser to allow for a complete investigation and to allow the alleged harasser the opportunity to defend himself or herself. All employees are expected to cooperate in any such investigation. Failure to fully cooperate may result in disciplinary actions, up to and including termination.

The County takes all reports of harassment seriously. All employees are expected to bring violations to the County's attention in good faith. If an investigation into the complaint reveals it was frivolous or not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information.

At the conclusion of the investigation, a determination will be made as to the appropriate resolution of the matter. The determination will be reported to the complainant. If the investigation establishes that harassment or other inappropriate conduct has occurred, appropriate corrective action will be taken. Responsive action would be taken at the County's discretion and could include (but not be limited to) the following: counseling, verbal or written warning, demotion, suspension, reassignment, transfer, or termination of employment.

6-

6.1 An employee who believes that he/she has been subject to unlawful discrimination based on race, religion, color, national origin, age, sex (including pregnancy), height, weight, marital status, disability, genetic information or any other protected class/classification as designated by Federal or State law or sexual harassment, shall notify the Personnel Division immediately who will provide the employee with a Discrimination/Harassment complaint form, a copy of which is enclosed with this Policy. This form must be completed in detail as soon as possible so that the County will have adequate notice of and be able to investigate any claim of unlawful discrimination or sexual harassment. This form must be completed in order to trigger an investigation of any discrimination or harassment claim. Failure to complete the form will be considered by Saginaw County to be an admission by the employee that the claim of unlawful discrimination or sexual harassment is totally without merit and constitutes a waiver by the employee of any right to said claim.

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7.3 OFF DUTY CONDUCT. The Sexual and Other Unlawful Harassment Policy generally applies to conduct between employees which has an adverse impact on the workplace or work environment. Conduct between employees that occurs outside of the workplace may also have workplace impact or contribute to a hostile work environment and may be considered when enforcing this policy.

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7.4 RETALIATION. Any act of retaliation against an employee who in good faith filed a complaint, cooperated in an investigation or testified to fact regardless of the outcome is strictly prohibited. Any employee guilty of retaliation of any kind shall be subject to disciplinary action up to and including discharge. Allegations of retaliation will be processed in accordance with section 7.1 and 7.2, above.

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6.27.5 IMPLEMENTATION OF POLICY. The Saginaw County Sexual and Other Discriminatory Harassment Policy Discrimination and Sexual Harassment Policy will be communicated to all County employees.

~~6.2.1 All newly hired employees will be informed of the policy, reporting procedures, and consequences of violation, as a part of the County orientation practices.~~

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~~6.2.2 The Controller shall designate two (2) County staff persons, one male and one female, to receive, investigate and resolve complaints.~~

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7.5.1 Scope. Nothing contained within this policy shall be construed to limit in any way the remedies, legal or equitable, which are available to the County or any other person for the prevention or correction of sexual and other discriminatory harassment.

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~~7.~~ 8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

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Approved as to Substance:  
Saginaw County Controller/CAO

Approved as to Legal Content:  
Saginaw County Civil Counsel

ADOPTED: April 23, 2002  
AMENDED: February 16, 2010

## DISCRIMINATION/HARASSMENT COMPLAINT FORM

NAME: \_\_\_\_\_

DEPT. HEAD \_\_\_\_\_

Describe the alleged incident in detail, including the date upon which the incident occurred; the identity of the individual who committed the act of harassment and/or unlawful discrimination; the approximate time when the incident occurred; the acts which you believe constituted unlawful discrimination and/or sexual harassment, including any verbal acts; your response or reaction; and any other details which will assist the Personnel Division in its investigation:

[illegible]

Have you reported this incident to anyone else?

☒ Yes☐ No

Have you been subjected to similar acts of harassment and/or discrimination by the same employee(s) in the past?

☐ Yes☐ No

If Yes, did you report the prior incident(s)?

☒ Yes

☐ No

Signature \_\_\_\_\_

Date \_\_\_\_\_



**GILBERT & SMITH, P.C.**  
ATTORNEYS AT LAW

721 SOUTH MICHIGAN AVENUE  
SAGINAW, MICHIGAN 48602-1529

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www.gsb-law.com

DAVID M. GILBERT  
LAWRENCE WM. SMITH  
AMY L. LUSK

**LABOR  
RELATIONS**

SAGINAW (989) 790-2500  
FAX (989) 790-2889

July 6, 2022

8-16-24

RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
2022 JUL - 6 PM 1:57

Chairman Michael A. Webster  
Saginaw County Board of Commissioners  
111 S. Michigan Avenue  
Saginaw, Michigan 48602

Re: MOU for Consideration by the Labor Relations Committee

Dear Chairman Webster:

I am submitting for consideration by the Labor Relations Committee on August 9, 2022, a MOU regarding the employment of ten (10) contract/temporary workers in the Saginaw County Clerk's Office.

I will be in attendance at the August 9<sup>th</sup> Labor Relations Committee meeting to answer any questions.

Respectfully,



David M. Gilbert  
Civil/Labor Counsel

DMG/dms  
Enclosure

## **MEMORANDUM OF UNDERSTANDING AND AGREEMENT**

This MEMORANDUM OF UNDERSTANDING AND AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and among the County of Saginaw and the Saginaw County Clerk's Office (Collectively Employer) and the Technical, Professional and Office Workers Association of Michigan (Union).

WHEREAS, the EMPLOYER and UNION are parties to a Collective Bargaining Agreement ("CBA") which covers the time period December 14, 2021 through September 30, 2024; and

WHEREAS, EMPLOYER is desirous of employing up to ten (10) contract/temporary workers for a period not to exceed two (2) years;

WHEREAS, EMPLOYER is also desirous of employing the contract/temporary workers to assist in scanning historical files and paying those workers in the pay range of \$15.00 to \$20.00 per hour, with no additional benefits;

WHEREAS, UNION is also desirous of employing up to ten (10) contract/temporary workers for a period not to exceed two (2) years;

WHEREAS, UNION is also desirous of employing the contract/temporary workers to assist in scanning historical files and paying those workers in the pay range of \$15.00 to \$20.00 per hour, with no additional benefits.

THEREFORE, it is agreed as follows:

1. Article 1, Section 2 of the CBA shall be modified to provide that the EMPLOYER can employ up to ten (10) contract/temporary workers for a period not to exceed two (2) years and those workers shall receive a pay range in the amount of \$15.00 to \$20.00 per hour with no additional benefits.
2. Those contract workers will assist with scanning historical files.
3. This MOU shall expire on the \_\_\_\_ day of \_\_\_\_\_, 2024.
4. This MOU shall be binding upon the UNION and EMPLOYER; shall not be considered precedent setting; and shall not affect the CBA in any other manner than that which is specifically set forth herein.

FOR THE COUNTY OF SAGINAW:

FOR THE UNION:

---

Carl E. Ruth, Chair

---

Jim Cross

Board of Commissioners

---

Robert V. Belleman  
Controller/CAO

---

Vanessa Guerra

---

David M. Gilbert – Labor Specialist

Business Agent

---

Blanca Echevarria-Fulgencio  
President

**GILBERT & SMITH, P.C.**  
ATTORNEYS AT LAW

721 SOUTH MICHIGAN AVENUE  
SAGINAW, MICHIGAN 48602-1529

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www.gsb-law.com

**LABOR  
RELATIONS**

DAVID M. GILBERT  
LAWRENCE WM. SMITH  
AMY L. LUSK

SAGINAW (989) 790-2500  
FAX (989) 790-2889

August 4, 2022

8-16-30

Commissioner Michael A. Webster  
Chairman – Labor Relations Committee  
111 S. Michigan Avenue  
Saginaw, Michigan 48602

RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
2022 AUG -4 PM 2:09

Re: MOU between Saginaw County, County Clerk's Office and TPOAM

Dear Commissioner Webster:

I am submitting for consideration by the Labor Relations Committee on Monday, August 8, 2022, a MOU between Saginaw County, the County Clerk's Office and TPOAM regarding a four (4) day work week.

I will be in attendance at Labor Relations Committee meeting on August 8 to answer any questions.

Respectfully,



David M. Gilbert  
Civil/Labor Counsel

DMG/dms  
Enclosures



## **MEMORANDUM OF UNDERSTANDING AND AGREEMENT**

This MEMORANDUM OF UNDERSTANDING AND AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and among the County of Saginaw and the Saginaw County Clerk's Office (Collectively Employer) and the Technical, Professional and Office Workers Association of Michigan (Union).

WHEREAS, the EMPLOYER and UNION are parties to a Collective Bargaining Agreement ("CBA") which covers the time period December 14, 2021 through September 30, 2024; and

WHEREAS, EMPLOYER is desirous of implementing a voluntary four (4) day work week, consisting of ten (10) hour days with a one-half hour lunch and two 15-minute break periods, with one-half of the staff being off on Monday and the other half being off on Friday;

WHEREAS, UNION is also desirous of implementing a voluntary four (4) day work week, consisting of ten (10) hour days with a one-half hour lunch and two 15-minute break periods, with one-half of the staff being off on Monday and the other half being off on Friday;

THEREFORE, it is agreed as follows:

1. Article 1, Section 2 of the CBA shall be modified to provide for a voluntary four (4) day work week, consisting of ten (10) hour days with a one-half hour lunch and two 15-minute break periods.
2. One-half of the staff who is volunteering will have Mondays off and the other half will have Fridays off.
3. Those employees participating in the four (4) day work week will be required to use ten (10) hours of PTO for any day they take off.
4. If a holiday falls on a scheduled day off, those employees participating in the four (4) day work week will not get holiday pay. However, if a holiday falls on a scheduled work day, those employees participating in the four (4) day work week will get ten (10) hours of holiday pay instead of eight (8).
5. Those employees not volunteering for the four (4) day work week will be treated in accordance with the Collective Bargaining Agreement with respect to PTO, holiday pay, and other provisions of employment.
6. Employees may opt out of the four (4) day work week providing they give the EMPLOYER two weeks' notice of their intent to opt out. Employees will not be allowed to opt in and out to manipulate the level of benefits received.

7. This MOU applies only to employees of the County Clerk's Office, shall be binding upon the UNION and EMPLOYER; shall not be considered precedent setting; and shall not affect the CBA in any other manner than that which is specifically set forth herein.

FOR THE COUNTY OF SAGINAW:

FOR THE UNION:

---

Carl E. Ruth, Chairman  
Board of Commissioners

---

Jim Cross  
Business Agent

---

Robert V. Belleman  
Controller/CAO

---

Blanca Echevarria-Fulgencio  
President

---

Vanessa Guerra, County Clerk

---

David M. Gilbert – Labor Specialist

**GILBERT & SMITH, P.C.**  
ATTORNEYS AT LAW

721 SOUTH MICHIGAN AVENUE  
SAGINAW, MICHIGAN 48602-1529

-----  
www.gsb-law.com

**LABOR  
RELATIONS**

DAVID M. GILBERT  
LAWRENCE WM. SMITH  
AMY L. LUSK

SAGINAW (989) 790-2500  
FAX (989) 790-2889

August 4, 2022

Commissioner Michael A. Webster  
Chairman – Labor Relations Committee  
111 S. Michigan Avenue  
Saginaw, Michigan 48602

Re: Amended Disability Leave Policy

Dear Commissioner Webster:

I am submitting for consideration by the Labor Relations Committee on Monday, August 8, 2022, a proposed amended Disability Leave Policy.

I will be in attendance at Labor Relations Committee meeting on August 8 to answer any questions.

Respectfully,

*David M. Gilbert*

David M. Gilbert  
Civil/Labor Counsel

DMG/dms  
Enclosures

8-16-31  
RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
2022 AUG - 5 A 10:00

Category: 300

Number: 361

Subject: **DISABILITY LEAVE**

1. PURPOSE: To provide benefit eligible employees with protection against income loss as a result of a covered injury, sickness, or pregnancy.

~~1. are unable to work or disabled and working due to non-work related reasons a disability.~~

2. AUTHORITY: The Saginaw County Board of Commissioners.

3. APPLICATION: The rules and regulations herein set forth apply to all employees paid by Saginaw County, pursuant to Policy #301.

4. RESPONSIBILITY: The Controller's Office shall be responsible for processing any applications as the policyholder with the disability company ~~the implementation and administration of this policy.~~

5. DEFINITIONS: For purpose of this policy, regular full-time employees may hold probationary status and qualify for leave. Additional definitions are outlined in the schedule of benefits provided by the disability company.

5.1. Disabled and working means that employees prevented by nonwork related injury, sickness, mental illness, substance abuse or pregnancy from performing some but not all of the essential duties of the employee's occupation, is working on a part-time or limited duty basis and as a result, current weekly earnings are more than 20% but less than 80% of pre-disability earnings.

5.2. Total disability or totally disabled means an employee is prevented by injury, sickness, mental illness, substance abuse or pregnancy from performing the essential duties of the employee's occupation and as a result, the employee is earning 20% or less of his/her pre-disability earnings.

~~5.~~

\_\_\_\_\_ POLICY:

6.

6.1. Coverage. A non-probationary regular Active full-time employees who working at least thirty (30) hours weekly, who are employed by Saginaw County and become Disabled from a covered Injury, sickness, or pregnancy.



- 6.2. Contributions. The employer will pay 100% of the cost for the coverage.
- 6.3. Eligibility Waiting Period for Coverage. The waiting period is the first of the month following 30 days of continuous service. Employees will be automatically enrolled in the short-term disability plan after meeting the eligibility waiting period for coverage.
- 6.4. Commencement of Benefits: 1) for disability caused by Injury: on the 15<sup>th</sup> consecutive day of Total Disability or Disabled and working; 2) for disability caused by Sickness: on the 15<sup>th</sup> consecutive day of total disability or disabled and working.
- 6.5. Weekly Benefits Payments. Weekly benefits are the lesser of (1) 60% of the employee's pre-disability earnings or (2) \$1,600 (sixteen hundred dollars), for those employees who are unable to work or are disabled and working for reasons due to injury, sickness, mental illness, substance abuse or pregnancy. ~~are or illness of a non-work related nature is eligible to apply for disability leave (described in 6.2) the first day of the month following the completion of thirty (30) days of service. Benefits commence on the 15<sup>th</sup> consecutive day of total disability or disabled and working. The weekly benefit amount is the lesser of 60% of the employee's pre-disability earnings or One Thousand Six Hundred Dollars (\$1,600.00), reduced by other income benefits. Other benefits include, but are not limited to: (1) Workers' Compensation Benefits, (2) unemployment, (3) income from any accumulated sick time or salary continuation received from the employer, (4) individual insurance policy, (5) No-fault automobile insurance benefits, (6) Social Security disability, (7) disability benefit from the Department of Veterans Affairs, and (8) other benefits listed by the disability company as other income benefits. Upon approval, the disability plan works in concert with the Paid Time Off process described in the Paid Time Off Policy (Policy # 341). The plan requires an unpaid 14 calendar day waiting period during the disability before the disability compensation program begins, however, the employee must use his/her Paid Time Off bank during the 14 calendar day period, if such PTO time is available. Prior to beginning a Disability Leave, an employee may choose to retain up to forty (40) PTO hours of banked time by opting for unpaid time once his/her PTO bank reaches forty (40) hours, (or the desired amount of banked time up to forty [40] hours), by indicating so on his/her disability application. If the disability continues beyond the 14 calendar days, the employee shall receive 60% of his/her pay up to one year or the employee's seniority, whichever is less. The employee may also choose to supplement disability pay with PTO, so long as total pay is no more than 100% of the employee's pay.~~

6.6. Maximum Duration of Benefits Payable. 50 weeks if caused by non work related injury or sickness.

6.7 Employee Benefits.

~~Disability leave may be allowed in cases of sickness or injury occurring during a Paid Time Off (vacation) period. Evidence of such incapacity from the first (1<sup>st</sup>) day must however be provided to the satisfaction of the employer. If a subsequent disability occurs, solely resulting from the same illness or injury, the original fourteen-day waiting period described above shall be considered the waiting period required for the subsequent disability except however, no more than one year of disability pay shall be paid for the same illness or injury.~~

PTO shall only accrue for the first ninety (90) days of the disability.

~~All payroll deductions in effect prior to disability will be deducted from disability payments. The disability plan will also provide for Hhealth, and dental Insuranceoptical and dental benefitseverage to will~~ continue during the entire period of disability (up to ~~one year~~50 weeks). Employees will be responsible their portion of the -with the same bi-weekly cost-sharing, which is normally deducted each bi-weekly pay period. The benefits department will invoice employee each missed bi-weekly pay period. Payment will be due to the benefits department within 2 weeks of invoice date. Failure to remit payment will result in immediate cancellation of benefits.

In the case where employees use PTO to during the benefits waiting period, bi-weekly benefit cost sharing may be deducted, if there is not enough gross pay to cover deductions the benefits department will invoice employee for any missed employee payroll deductions on a bi-weekly basis. Payment will be due to the benefits department within 2 weeks of invoice date. Failure to remit payment will result in immediate cancellation of benefits.

The employer will continue to pay the premium for the employee's employee-co-pay or percentage of premium contribution, which the employee will be responsible for. Basic life and Vision insurance policy coverage will also continue during the period of disability. -with the appropriate employee premium share without cost during the disability.

Voluntary benefits will be maintained based on continuous employee premium payments. Payment arrangements must be made with the Saginaw County Controller's Office (attention benefits).



**MERS Defined Contribution:** Defined contributions will not be made during the period of disability due to lack of income being received from the County.

~~Voluntary additional coverage will be maintained based on continuous employee premium payments.~~

Maximum payment of benefits is fifty (50) weeks if caused by an injury or caused by sickness.

~~Disabled and working means that employees prevented by injury, sickness, mental illness, substance abuse or pregnancy from performing some but not all of the essential duties of the employee's occupation, is working on a part-time or limited duty basis and as a result, current weekly earnings are more than 20% but less than 80% of pre-disability earnings. Total disability or totally disabled means an employee is prevented by injury, sickness, mental illness, substance abuse or pregnancy from performing the essential duties of the employee's occupation and as a result, the employee is earning 20% or less of his/her pre-disability earnings.~~

## 7. EligibilityPROCEDURE:

- 7.1. Upon hire, eligible staff will receive a schedule of benefits containing information about benefit coverage of available short-term disability insurance.
- 7.2. Employees desiring Short Term disability should contact the Payroll department within 30 days after disability or loss occurs to initiate a Short Term Disability claim. Under no circumstances will an employee be eligible for benefits described in Section 6.1 except by County approved medical disability. Requests are submitted and processed through the Controller's Office and for Court employees in coordination with the designated court official(s). Employees will be required to submit any documentation as required by the company.
- 5.1 Benefits will not be paid unless the employee submits the attending physician's certificate of disability stating the nature of illness or injury and anticipated period of disability. In all cases of alleged disability, the County retains the right to verify said certificate(s) and may refer the employee to a physician of its choice whenever it deems necessary, which will be paid for by the County.
- 5.1.1 An eligible employee requesting a disability leave must also apply for who may also be eligible under the Family Medical Leave Act (FMLA). If FMLA FML is approved, time designated as Short Term disability will be concurrently requirements designated shall have the time used counted toward towards the annual (FMLA FML) entitlement of twelve (12) total weeks (See Policy #364).



- 7.3. Use of PTO. Employees must use any paid time off (PTO) to the extent available during the benefits waiting period, but may reserve forty (40) hours in their PTO bank. Designation must be made prior to beginning the disability leave, by indicating so on his/her disability application.
- ~~6.38. Final Determination~~FINAL DETERMINATION. ~~The Controller's Office will exclusively make the~~ The final determination to grant approve or deny a disability claim ~~and notification will be made by the County's disability company. Notification will be provided to the affected Department Head along with any work restrictions.~~
10. TerminationTERMINATION. Disability payments shall remain in effect as long as the employee remains eligible as defined by the company. ~~terminate when the employee is able to return to regular work or restricted work if directed by medical authority and can be accommodated by the County or when the treating physician's statement of disability expires and an extension is not provided; when the employee retires as a result of disability or normal service retirement; upon layoff, death, discharge, or resignation or after twelve months pursuant to section 6.1 above~~ fifty (50) weeks. If disability benefits are exhausted and the employee cannot return to work, with or without reasonable accommodation, the employee's employment with the County of Saginaw shall be terminated. If an employee is terminated because of exhausting disability leave, all insurance and other employment benefits will also terminate.
- ~~1. — 11.~~
- ~~Social Security Offset. Disability payment described herein shall be offset by any Social Security disability payment or insurance settlement relating to such disability (subject to language contained in a collective bargaining agreement) due or received by the employee. An employee determined to be disabled for an indefinite period shall be obligated to apply for benefits from the Social Security Administration and in such case any disability payments received by the employee from the County for any period paid by Social Security shall be repaid by the employee to the County.~~
- ~~Returning to Work~~RETURNING TO WORK. The employer will ensure that employees are able to return to the workplace as quickly and safely as possible. ~~All employees will be evaluated for possible accommodations in accordance with the County's Americans' with Disabilities Act (ADA) Policy.~~
12. ADMINISTRATIVE PROCEDURES: NONE

13. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:

Approved as to Legal Content:

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Saginaw County Controller/CAO

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Saginaw County Civil Counsel

ADOPTED: November 23, 1999

AMENDED: April 23, 2002; August 12, 2008; September 22, 2020; January 19, 2021



# COUNTY OF SAGINAW

OFFICE OF COUNTY CONTROLLER

111 SOUTH MICHIGAN AVENUE  
SAGINAW, MICHIGAN 48602

## LABOR RELATIONS

August 5, 2022

**ROBERT V. BELLEMAN**

*Controller/Chief Administrative Officer*

*rbelleman@saginawcounty.com*

Commissioner Carl E. Ruth, Chairman  
Board of Commissioners  
County of Saginaw  
111 S Michigan Avenue  
Saginaw MI 48602

8-16-32

RECEIVED  
SAGINAW COUNTY  
BOARD OF COMMISSIONERS  
2022 AUG - 5 P 2:08

**RE: REQUEST TO APPOINT DEPUTY MEDICAL EXAMINER**

Dear Chairman Ruth:

I am requesting the Labor Relations Committee recommend the Board of Commissioners appoint a Deputy Medical Examiner pursuant to state statute.

The Board of Commissioners, at its May 17, 2022 regular session appointed Dr. Russell Bush as it's Chief Medical Examiner. This appointment is for four (4) years. The County entered a contract with Dr. Bush to act as the County's Chief Medical Examiner and perform all duties set forth in the applicable state statutes.

The County needs a Deputy Medical Examiner to act in Dr. Bush's place when he is on vacation or has taken leave. Dr. Bush plans to be out of the office August 30, 2022 through September 7, 2022 Dr. Bush is contacting several area physicians to ascertain their interest in being appointed Deputy Medical Examiner. I will have more information on the recommended physician to act as Deputy Medical Examiner at the time of the Labor Relations Committee meeting.

I plan to attend the August 8, 2022 Labor Relations Committee meeting to present additional information and address any questions you or other committee members may have regarding this request.

Sincerely,

  
Robert V. Belleman  
Controller/CAO

C: Russell Bush, MD, Chief Medical Examiner  
L. William Smith, Gilbert & Smith PC, Civil Counsel