



**House
Legislative
Analysis
Section**

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RE-ESTABLISH MEEBOC

House Bill 4459

Sponsor: Rep. Floyd Clack

**Committee: Civil Rights and
Women's Issues**

Complete to 4-19-93

A SUMMARY OF HOUSE BILL 4459 AS INTRODUCED 3-9-93

Executive Order 1985-2 established the Michigan Equal Employment and Business Opportunity Council (MEEBOC) in the governor's office. Executive Order 1985-2 was later rescinded by Executive Order 1990-8, which re-established MEEBOC. House Bill 4459 would create a new act, the Michigan Equal Employment and Business Opportunity Act, to create the council under statute. Under the bill, the council, the Civil Service Commission, and the Department of Civil Rights would continue to review existing discrimination complaint processing procedures and would cooperate in implementing modifications and improvements. Each state department and agency would be required to make information available to, and to cooperate with, the council in the implementation of its duties; to review its affirmative action plan at least once per year to assure continued improvement in the hiring, upgrading, and retention of blacks, Hispanics, Asians, Native Americans, women, and handicappers; and to submit its plans, and the programs to carry them out, to the council for review, evaluation, and approval.

MEEBOC. The directors of the Departments of Civil Rights, Civil Service, Management and Budget, Commerce, Labor, Transportation, and Social Services would be members of the council. The council's chairperson would be the lieutenant governor, who would designate a person to serve as executive director and coordinator of equal employment and business opportunity programs. In addition, the director of the Office of State Employer would be a nonvoting member. All members of the council would serve ex-officio. MEEBOC's executive director would accomplish the following:

- Direct the activities of the liaison staff.
- Review and report the equal employment and affirmative action procurement efforts of various departments and agencies to the council.
- Establish working relationships with individuals and organizations considered appropriate to improve the state program and realize the objectives of the bill.
- Advise the lieutenant governor, state departments, and the legislature on equal employment and business opportunity programs annually.
- Advise the Department of Civil Rights of any complaints he or she receives and report to the council on the department's response.

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The council would be required to issue affirmative action guidelines for state departments, agencies, and commissions to increase the number of black, Hispanic, Asian, Native American, handicapper, and female employees in state government, and to assure equal employment opportunity in recruitment, selection, promotion, and retention for all classified positions. The council would also be required to develop and recommend standards and procedures to increase the participation of black, Hispanic, Asian, Native American and female contractors for each department, agency, and commission.

MEEBOC Subcommittees. Two subcommittees would be created to comply with the requirements of Public Act 428 of 1980, which provides for state procurement from businesses owned by women and minorities: (Note: Public Act 428 of 1980 would be repealed under House Bill 4499, and replaced with the Women and Minority Business Utilization Act.)

-- One subcommittee would consist of department, agency, and commission affirmative action officers, personnel directors, or designated employees, and would serve as an advisory group to MEEBOC's executive director. Each affirmative action officer would be required to pre-review all appointments into classes in which minorities and women were under-represented, and to report to their department director and to the council. The bill would require the immediate appointment of an affirmative action officer by any state agency that did not have one. The position would report directly to the department director. Further, in no case could the personnel officer act as the affirmative action officer.

-- A second subcommittee would consist of department, agency, and commission procurement officers; the director of the Administrative Section of the Purchasing Division of the Department of Management and Budget; and the directors of the Office of Community Development and Small Business Development and Minority Business Development divisions of the Office of Economic Development in the Department of Commerce. The second subcommittee would serve as an advisory group and would be called together on a regular basis by the executive director.

Affirmative Action Plans. Each state department, agency, and commission would be required to submit an annual affirmative action plan to the governor for review. The plans would have to make full use of the Employment Preference Affirmative Action Exemption provision in the Civil Service Commission's general rules, and collective bargaining agreements that protect affirmative gains achieved before the bill's effective date. MEEBOC would review these plans. The council would be required to work with each department, agency, or commission to develop the best feasible affirmative action plan and report on each to the governor as soon as possible. In addition, the Civil Rights Commission and the Civil Service Commission would be required to review the state's overall affirmative action plan to ensure that it complied with the state constitution, the Michigan Handicappers' Civil Rights Act, and the Elliott-Larsen Civil Rights Act; and would be required to pre-review departmental affirmative action plans to ensure that they complied with the principles of equal employment opportunity and the principles of merit employment.

Additional Council Duties. The council would have the following duties:

- a) Review and evaluate existing personnel rules, procedures, recruitment procedures, and career development programs affecting the classified service, in conjunction with the Civil Service Commission and state agency appointing authorities, and make policy recommendations to the governor and the commission.
- b) Appoint ad hoc study committees, as necessary, to review particular aspects of the state's equal employment and business opportunity programs, and recommend appropriate changes.
- c) Review and advise the Department of Civil Service, in advance, of final action on every proposed appointment in the classified service equivalent to level 15 and above, the classified executive service, or other classified position or levels that every effort had been made to assure equal employment opportunities in recruitment, selection, promotion, and retention for all classified positions.
- d) Receive, review, and approve all contracting departments' procurement operating plans.
- e) Receive and review all progress reports required under Public Act 428 of 1980, which provides for state procurement from businesses owned by women and minorities.
- f) Prepare and transmit reports to the governor and the legislature, as required under Public Act 248 of 1980.