

COUNTY BOARDS OF COMMISSIONERS (EXCERPT)
Act 156 of 1851

46.16j Rights of township employees; layoff status; determination of necessary positions; collective bargaining; labor agreements; pension or retirement system; representative of employees or group of employees; effect of military service.

Sec. 16j.

(1) Except as provided in subsection (2), an employee of a township whose duties are transferred to a consolidated township shall be given a comparable position of employment with the consolidated township and shall maintain his or her seniority status and all other benefit rights of the position held in the township before the consolidation.

(2) If sufficient positions of comparable employment are not available for all employees at the time of consolidation, a less senior employee who is not transferred to a comparable position shall be placed on layoff status with the consolidated township and shall be recalled to any position for which he or she may qualify, which recall may occur after a reasonable training period or as soon as a vacancy exists. The layoff status, or any layoff list, shall not be mandatorily honored beyond 3 years from the date of layoff. The coordinating committee or township board of the consolidated township shall determine the number of positions necessary in the consolidated township and is not required to create or maintain unnecessary positions.

(3) A consolidated township may bargain collectively and enter into agreements with labor organizations pursuant to Act No. 336 of the Public Acts of 1947, being sections 423.201 to 423.216 of the Michigan Compiled Laws. When a township becomes part of a consolidated township, the consolidated township shall immediately assume and be bound by any existing labor agreements applicable to employees of that township for the remainder of the term of the labor agreement. Subject to the provisions of subsection (2), the members and beneficiaries of any pension or retirement system or other benefits established by a township that becomes part of a consolidated township shall have the same rights, privileges, benefits, obligations, and status with respect to the comparable systems established by the consolidated township. A representative of the employees or any group of employees in a township who represents or is entitled to represent the employees or a group of employees of the township, pursuant to Act No. 336 of the Public Acts of 1947, shall continue to represent the employee or group of employees after the employees are transferred to the consolidated township. This subsection does not limit the rights of employees, pursuant to applicable law, to assert that a bargaining representative protected by this subsection is no longer their representative.

(4) An employee who left the employ of a township to enter the military service of the United States shall have the same employment rights as to the consolidated township as he or she would have had as to the township as provided in Act No. 263 of the Public Acts of 1951, being sections 35.351 to 35.356 of the Michigan Compiled Laws.

History: Add. 1988, Act 37, Imd. Eff. Mar. 4, 1988