

Michigan
Council 25



AFSCME

We Make Michigan Happen

ALERT

American Federation of State, County and Municipal Employees, AFL-CIO

Albert Garrett, President

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AFSCME Local 3309 Members:

These Are Your Rights!

This Alert is to inform all members of AFSCME Local 3309 of their rights. The Third Circuit Court has terminated the collective bargaining agreement between it and AFSCME. Normally, when an employer terminates a collective bargaining agreement it must maintain all terms and conditions of employment in that agreement until the parties reach impasse.

Third Circuit Court has refused to arbitrate any disputes alleging that it can alter the arbitration clause, which is an exception to the above general rule maintaining the status quo. Michigan AFSCME Council 25 challenged this action in Court. The Court found that the arbitration clause is gone and the employer has no duty to arbitrate grievances.

Council 25 has consulted with its attorneys and is of the opinion that if the arbitration clause is cancelled, the individual aggrieved employees may seek redress in

Wayne County Circuit Court after exhausting the remaining steps of the grievance procedure.

Therefore, if you believe your employer has violated any term or condition of employment within the contract, you may file a grievance. AFSCME will process the grievance through the various steps in the grievance procedure. Normally, an arbitration clause would preclude any action in court and the Union has discretion what cases go to arbitration. If the issue remains unresolved and there is nothing more that the Union can do, you may file an action in Wayne County Circuit Court, which will be transferred to another court, against the Wayne County Circuit Court, with or without the Union's consent. You may hire an attorney or file on your own.

AFSCME remains available to assist you in any way. If you have any questions, do not hesitate to contact us.