TEMPORARY ASSIGNMENT OF EMPLOYEES
Act 199 of 1976

AN ACT to provide for the temporary assignment of employees; to regulate the contracts thereof; and to prescribe powers and duties of the department of civil service.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

The People of the State of Michigan enact:

15.501 Definitions.

Sec. 1. As used in this act:

(a) "Employee" means a person who is employed by or is an employee of a federal agency, an institution of higher education, a local unit of government, or a state agency.

(b) "Federal agency" means an agency, board, bureau, commission, department, division, office, or subdivision thereof of the federal government.

(c) "Institution of higher education" means a public or private institution of a state which offers a degree or course of study beyond the twelfth grade.

(d) "Local unit of government" means a city, county, township, village, school district, intermediate school district, or subdivision thereof of this state or any other state. A governmental subdivision of another state which is not the same as a local unit of government of this state is included if it is similar in organization or has similar powers and duties as a local unit of government of this state.

(e) "Receiving agency" means a federal agency, institution of higher education, local unit of government, or a state agency which receives an employee from a sending agency pursuant to this act.

(f) "Sending agency" means a federal agency, institution of higher education, local unit of government, or a state agency which sends an employee to a receiving agency pursuant to this act.

(g) "State agency" means an agency, board, bureau, commission, department, division, office, or subdivision thereof of this state or another state.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

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15.502 Receiving agencies and sending agencies subject to act; conflict with federal law.

Sec. 2. (1) When an employee participates in a temporary assignment, the receiving agency, and the sending agency are subject to this act and a contract relative thereto is subject to and shall conform to this act.

(2) This act does not apply when the receiving agency is privately owned or operated, a federal agency, or located in another state, and the sending agency is privately owned or operated, a federal agency, or located in another state.

(3) If this act is in conflict with a federal law, the federal law shall control.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.503 Participation as sending or receiving agency.

Sec. 3. An institution of higher education of this state, a local unit of government of this state, or a state agency of this state may participate as a sending or receiving agency in a program involving a temporary assignment of an employee with a federal agency, institution of higher education, local unit of government, or state agency.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.504 Status of employee participating in temporary assignment; salary, benefits, and supervision of employee on detail; rights, benefits, and obligations of employee in status of leave of absence.

Sec. 4. (1) An employee who is participating in a temporary assignment shall be considered as being on detail to a regular work assignment of the sending agency or in a status of leave of absence from the sending agency.

(2) An employee who is on detail shall receive at least the same salary and benefits to which he would otherwise be entitled and which shall be paid by the sending agency except as otherwise agreed between the sending and the receiving agencies. A receiving agency shall supervise the duties of an employee who is on detail except as otherwise agreed to by the sending and receiving agencies.

(3) An employee who is on a status of leave of absence shall receive at least the same salary and benefits to which he would otherwise be entitled and which shall be paid by the receiving agency except as otherwise agreed between the sending and the receiving agencies. An employee who is on a status of leave of absence

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may be granted annual leave or other time off with compensation to the extent authorized by law applicable to the sending agency. Except as otherwise provided in this act, an employee who is in a status of leave of absence has the same rights, benefits, and obligations as other employees of the sending agency who are on a leave of absence status for any other purpose. Notwithstanding any other law an employee may credit the period of the assignment toward any retirement benefit of the sending agency.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.505 Workmen's compensation coverage; other benefits and coverage.

Sec. 5. (1) Except as provided in subsection (2) a receiving agency shall provide workmen's compensation coverage pursuant to Act No. 317 of the Public Acts of 1969, as amended, being sections 418.101 to 418.941 of the Michigan Compiled Laws, for an employee participating in a temporary assignment under this act. A sending agency by agreement may provide workmen's compensation coverage pursuant to Act No. 317 of the Public Acts of 1969, as amended, for an employee participating in a temporary assignment under this act in place of the receiving agency.

(2) If the sending agency was providing benefits and coverage for the employee before the temporary assignment under a different law and the benefits and coverage to the employee are greater than the benefits and coverage provided under Act No. 317 of the Public Acts of 1969, as amended, then the benefits and coverage provided by the sending agency shall apply regardless of any law or agreement to the contrary.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.506 Participant in temporary assignment as employee of sending agency.

Sec. 6. Except as otherwise provided in this act, an employee who participates in a temporary assignment pursuant to this act is and shall remain the employee of the sending agency during the time of the temporary assignment and for 24 hours thereafter.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.507 Duration of participation in temporary assignment; extension of contract.

Sec. 7. An employee may not be on detail or on a status of leave in a temporary assignment pursuant to this act for more than 2 years, except that the parties to the contract may agree to extend the contract for not more than 2 years. An extension of a contract does not require approval of the department of civil service.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.508 Provisions of contract; attachment of rules applying to reimbursement for expenses.

Sec. 8. (1) The contract under which the employee is to be temporarily assigned shall provide:

(a) The terms and conditions of the employee's reimbursement for travel or other necessary expenses.

(b) The name of the agency which is to pay the travel or other necessary expenses.

(2) A copy of any rule or regulation which applies to the employee's reimbursement for expenses shall be attached to each copy of the contract.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.509 Agreeing to and signing of contract; copies of contract.

Sec. 9. (1) The contract shall be agreed to and signed by the affected employee, the sending agency, and the receiving agency.

(2) The affected employee, the sending agency, the receiving agency, and the department of civil service shall receive a true copy of the contract.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.510 Approval of contract.

Sec. 10. Before a contract can be effective under this act, it shall be approved by the department of civil service.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.511 Participation by elected official prohibited.

Sec. 11. An elected official may not participate in a temporary assignment pursuant to this act.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

15.512 Duties of department of civil service.

Sec. 12. The department of civil service shall:

(a) Assist any employee, receiving agency, or sending agency which is participating or attempting to

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participate in a temporary assignment pursuant to this act.

(b) Make rules to implement this act.

(c) Take any action it deems necessary to implement this act.

(d) Make an annual report of its actions, operations, and recommendations to the governor and the legislature.

History: 1976, Act 199, Imd. Eff. July 23, 1976.

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