

EXECUTIVE REORGANIZATION ORDER (EXCERPT)
E.R.O. No. 2020-3

37.113 Transfer of the Michigan women's commission from the department of civil rights to the department of labor and economic opportunity by a type I transfer; transfer of the Michigan council on educational opportunity for military children from the department of labor and economic opportunity to the department of education by a type II transfer.

During a series of conversations facilitated by the Michigan Women's Commission across this state, the women of Michigan expressed directly to Governor Whitmer that economic security is the biggest barrier to achieving gender equity.

To achieve economic security, Michigan women overwhelmingly cite pay equity, available and affordable childcare, paid parental leave, and the need for more women—and a more diverse group of women—in leadership roles in government, business, academia, and nonprofits as priorities. They also highlight the need for more equitable and affordable access to the types of training and education that lead to better paying jobs. Across all conversations, Michigan women expressed the importance of centering the most marginalized communities and the most affected populations in every policy decision.

Achieving these priorities can best be addressed by collaboration between the Department of Labor and Economic Opportunity and the Michigan Women's Commission. This partnership will broaden, strengthen, coordinate, and streamline efforts to achieve gender equity in the state, while at the same time building greater economic security for women.

The functions, duties, and responsibilities assigned to the Michigan Women's Commission can be more effectively organized and carried out within the Department of Labor and Economic Opportunity.

It is necessary in the interests of efficient administration and effectiveness of government to change the organization of the executive branch of state government by transferring the Michigan Women's Commission from the Department of Civil Rights to the Department of Labor and Economic Opportunity.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 2 of article 5 of the Michigan Constitution of 1963 empowers the governor to make changes in the organization of the executive branch of state government or in the assignment of functions among its units that the governor considers necessary for efficient administration.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Transfer of the Michigan Women's Commission to the Department of Labor and Economic Opportunity

(a) The positions of chairman and vice-chairman of the Michigan Women's Commission (the "Commission") are abolished.

(b) The executive director of the Commission shall be its chief executive officer, and shall provide executive direction and supervision of the Commission's activities. The executive director shall serve as an ex officio member of the Commission.

(c) The governor shall designate a chairperson and a vice-chairperson of the Commission from among its members.

(d) The heads of the following departments and commissions, or their designees, shall serve as ex officio members of the Commission: Department of Civil Rights, Department of Education, Department of Labor and Economic Opportunity, Department of Health and Human Services, and Michigan Civil Service Commission.

(e) The Commission is transferred by Type I transfer to the Department of Labor and Economic Opportunity, including but not limited to its two full-time staff.

(f) The director of the Department of Civil Rights shall provide executive direction and supervision for the implementation of the transfer.

2. Definitions.

As used in this order:

(a) "Department of Civil Rights" means the principal department of state government created by section 475 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.575.

(b) "Department of Education" means the principal department of state government created by section 300 of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.400.

(c) "Department of Health and Human Services" means the principal department of state government created by Executive Order 2015-4, MCL 400.227.

(d) "Department of Labor and Economic Opportunity" means the principal department of state government created by Executive Order 2019-13, MCL 125.1998.

(e) "Michigan Civil Service Commission" means the commission created by Section 5 of Article XI of the Michigan Constitution of 1963.

(f) "Michigan Council on Educational Opportunity for Military Children" means the council required by article 8 of section 1 of 2008 PA 160, MCL 3.1041.

(g) "Michigan Women's Commission" means the independent unit created by 1968 PA 1, as amended, MCL 10.71 et seq.

(h) "Type I transfer" means that term as defined in section 3(a) of the Executive Organization Act of 1965, 1965 PA 380, as amended, MCL 16.103(a).

(i) "Type II transfer" means that term as defined in section 3(b) of the Executive Organization Act of 1965, MCL 16.103(b).

3. Implementation and other matters.

(a) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.

(b) If any portion of this order is found to be unenforceable, the unenforceable provision should be disregarded, and the rest of the order should remain in effect as issued.

(c) The Michigan Council on Educational Opportunity for Military Children is transferred by Type II transfer from the Department of Labor and Economic Opportunity to the Department of Education. The director of the Department of Labor and Economic Opportunity shall provide executive direction and supervision for the implementation of the transfer.

(d) Consistent with section 2 of article 5 of the Michigan Constitution of 1963, this order is effective November 1, 2020 at 12:01 a.m.

History: 2020, E.R.O. No. 2020-3, Eff. Nov. 1, 2020.

Compiler's note: Executive Reorganization Order No. 2020-3 was promulgated August 26, 2020, as Executive Order No. 2020-171, Eff. Nov. 1, 2020.