



SENATE BILL No. 106

January 13, 1993, Introduced by Senator DI NELLO and referred to the Committee on Education.

A bill to prohibit certain education associations from vetoing or prohibiting certain locally negotiated collective bargaining agreements; and to prescribe penalties and remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Education association" means an organization in which
3 local school district employees or intermediate school district
4 employees participate and that exists for the common purpose of
5 protecting and advancing the wages, hours, and working conditions
6 of the organization's members.

7 (b) "Intermediate school district" means an intermediate
8 school district established under part 7 of the school code of
9 1976, Act No. 451 of the Public Acts of 1976, being sections
10 380.601 to 380.703 of the Michigan Compiled Laws.

1 (c) "Local school district" means a school district
2 established under part 2, 3, 3a, 4, 5, or 6 of the school code of
3 1976, Act No. 451 of the Public Acts of 1976, being sections
4 380.71 to 380.485 of the Michigan Compiled Laws, or a local act
5 school district, as defined in Act No. 451 of the Public Acts of
6 1976.

7 (d) "Person" means an individual, association, or any other
8 legal entity.

9 Sec. 2. A county, regional, or state education association
10 shall not veto a collective bargaining agreement reached between
11 a local school district or intermediate school district and a
12 local education association or in any other way prohibit or pre-
13 vent the local education association from entering into the col-
14 lective bargaining agreement.

15 Sec. 3. If an education association violates this act, a
16 local school district or intermediate school district or any
17 other person adversely affected by the violation of the act may
18 bring an action to compel compliance with this act in the circuit
19 court for the county in which the plaintiff resides or the cir-
20 cuit court for the county in which the affected school district
21 is located. Failure to comply with an order of the court may be
22 punished as contempt. In addition, the court shall award court
23 costs and reasonable attorney fees to a plaintiff who prevails in
24 an action brought under this section.