

HOUSE BILL No. 4201

February 6, 2013, Introduced by Rep. Kelly and referred to the Committee on Oversight.

A bill to amend 1947 PA 336, entitled

"An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,"

by amending section 9 (MCL 423.209), as amended by 2012 PA 349.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) Public employees may do any of the following:

2 (a) Organize together or form, join, or assist in labor
3 organizations; engage in lawful concerted activities for the
4 purpose of collective negotiation or bargaining or other mutual aid
5 and protection; or negotiate or bargain collectively with their
6 public employers through representatives of their own free choice.

7 (b) Refrain from any or all of the activities identified in
8 subdivision (a).

1 (2) No person shall by force, intimidation, or unlawful
2 threats compel or attempt to compel any public employee to do any
3 of the following:

4 (a) Become or remain a member of a labor organization or
5 bargaining representative or otherwise affiliate with or
6 financially support a labor organization or bargaining
7 representative.

8 (b) Refrain from engaging in employment or refrain from
9 joining a labor organization or bargaining representative or
10 otherwise affiliating with or financially supporting a labor
11 organization or bargaining representative.

12 (c) Pay to any charitable organization or third party an
13 amount that is in lieu of, equivalent to, or any portion of dues,
14 fees, assessments, or other charges or expenses required of members
15 of or public employees represented by a labor organization or
16 bargaining representative.

17 (3) A person who violates subsection (2) is liable for a civil
18 fine of not more than \$500.00. A civil fine recovered under this
19 section shall be submitted to the state treasurer for deposit in
20 the general fund of this state.

21 **(4) NOTWITHSTANDING THE RIGHTS GRANTED UNDER THIS SECTION, A**
22 **PUBLIC EMPLOYEE OR COLLECTIVE BARGAINING ORGANIZATION SHALL NOT USE**
23 **PUBLICLY OWNED PROPERTY, FACILITIES, OR SERVICES, INCLUDING AN**
24 **ELECTRONIC MAIL SYSTEM, FOR POLITICAL ACTIVITIES, POLITICAL FUND-**
25 **RAISING, CAMPAIGNING FOR OFFICE OF A COLLECTIVE BARGAINING**
26 **ORGANIZATION, COLLECTIVE BARGAINING ORGANIZING ACTIVITIES, OR**
27 **SOLICITATION OF EMPLOYEES FOR MEMBERSHIP IN A COLLECTIVE BARGAINING**

1 ORGANIZATION. THIS SUBSECTION DOES NOT LIMIT THE RIGHT OF A PUBLIC
2 EMPLOYEE OR COLLECTIVE BARGAINING ORGANIZATION TO USE, ON THE SAME
3 TERMS AS MEMBERS OF THE GENERAL PUBLIC, PUBLIC PROPERTY THAT IS
4 MADE AVAILABLE AS A PUBLIC FORUM.