

HOUSE BILL No. 5847

September 23, 2014, Introduced by Reps. Daley, Lauwers, Kurtz, Kelly, Price, Shirkey, Denby, Rogers, Lori, Lund and Haveman and referred to the Committee on Commerce.

A bill to amend 1939 PA 176, entitled

"An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; to make appropriations; and to prescribe means of enforcement and penalties for violations of this act,"

by amending section 16 (MCL 423.16).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16. (1) ~~It shall be unlawful for an employer or any~~
2 ~~officer or agent of an employer (1) to interfere~~ **AN EMPLOYER SHALL**
3 **NOT DO ANY OF THE FOLLOWING:**

4 **(A) INTERFERE** with, restrain, or coerce employees in the
5 exercise of their rights guaranteed in section 8. ~~;(2) to~~

1 ~~initiate,~~

2 (B) **INITIATE**, create, dominate, contribute to, or interfere
 3 with the formation or administration of ~~any~~ labor organization. ~~+~~
 4 ~~Provided, That an employer shall not be prohibited from permitting~~
 5 ~~employees to confer with him during working hours without loss of~~
 6 ~~time or pay; (3) to discriminate~~

7 (C) **DISCRIMINATE** in regard to hire, terms, or other conditions
 8 of employment in order to encourage or discourage membership in any
 9 labor organization. ~~+~~ ~~(4) to encourage~~

10 (D) **ENCOURAGE** membership in, or initiate, create, dominate, or
 11 contribute to a company union. ~~+~~ ~~(5) to discriminate~~

12 (E) **DISCRIMINATE** against any employee because he **OR SHE** has
 13 given testimony or instituted a proceeding under this act. ~~+~~ ~~or (6)~~
 14 ~~to refuse~~

15 (F) **REFUSE** to bargain collectively with the representative of
 16 his **OR HER** employees, subject to ~~the provisions of~~ section 26.

17 (2) **SUBSECTION (1) DOES NOT DO ANY OF THE FOLLOWING:**

18 (A) **PROHIBIT AN EMPLOYER FROM PERMITTING EMPLOYEES TO CONFER**
 19 **WITH THE EMPLOYER DURING WORKING HOURS WITHOUT LOSS OF TIME OR PAY.**

20 (B) **REQUIRE AN EMPLOYER TO ALLOW PUBLIC POSTING IN THE**
 21 **WORKPLACE OF NAMES OF INDIVIDUALS WHO ELECT NOT TO JOIN A UNION.**