



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 477 (as introduced 5-25-21)
Sponsor: Senator Adam Hollier
Committee: Judiciary and Public Safety

Date Completed: 5-26-21

CONTENT

The bill would amend Public Act 336 of 1947, which governs public employment relations, to specify that a bargaining representative would not have a duty to represent a public employee who was a member of the bargaining representative in a grievance proceeding if certain conditions were met.

A representative designated or selected for purposes of collective bargaining by the majority of the public employees in a unit appropriate for those purposes is the exclusive representative of its member employees in the unit for collective bargaining with respect to rates of pay, wages, hours of employment or other conditions of employment, and must be recognized as the exclusive representative by the public employer. However, an individual employee may present grievances to his or her employer and have the grievances adjusted, without intervention of the bargaining representative.

The adjustment may not be inconsistent with the terms of a collective bargaining contract or agreement then in effect, and the bargaining representative must be given opportunity to be present at the adjustment. Under the bill, this provision would apply if the employee were a member of the bargaining representative.

Additionally, under the bill, a bargaining representative would not have a duty to represent a public employee who was a member of the bargaining representative in a grievance proceeding if all of the following conditions were met:

- The public employee was a public police employee.
- A disciplinary action taken against the public employee was the issue of the grievance proceeding.
- The bargaining representative determined that contesting the disciplinary action would be without merit.

The bill would take effect 90 days after its enactment.

MCL 423.211

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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