

Legislative Analysis



PROVIDE PUBLIC EMPLOYEE CONTACT INFORMATION TO BARGAINING REPRESENTATIVES

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 169 (S-2) as passed by the Senate

Sponsor: Sen. John Cherry

House Committee: Labor

Senate Committee: Labor

Complete to 10-18-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 169 would add a new section to the Public Employment Relations Act (PERA) that would require public employers to provide collective bargaining representatives with their employees' employment and contact information.

Within 30 days of hiring an employee, and every 90 days, a public employer would have to provide the following information for each employee to their bargaining representative:

- The employee's full name.
- The employee's department or agency and classification.
- The address of the employee's primary work location.
- The employee's home address.¹
- The employee's personal telephone number and email address.
- The employee's work email address.
- The employee's date of hire.
- The employee's identification number, if applicable.
- The employee's wage and full-time or part-time status.

Before a public employer enters into a collective bargaining agreement (CBA) that requires all employees in a bargaining unit to pay dues or fees,² it would have to inform each affected employee of its intention to enter into the agreement. If such a CBA is in place, the employer would have to inform any prospective employee that would be subject to the agreement before hiring them, even if the agreement has not yet taken effect.

Proposed MCL 423.211a

¹ If the employee is a participant in the Address Confidentiality Program and their home address is confidential under the Address Confidentiality Program Act, the employer would instead be required to provide the employee's designated address at which the Department of Technology, Management, and Budget receives mail to forward to the employee.

² In 2018, the United States Supreme Court ruled in *Janus v AFSCME* that requiring public employees to pay fees to cover union costs is a violation of the First Amendment. Any agreement that requires public employees to pay dues or service fees is currently unenforceable because of the *Janus* ruling, but PERA provides that such an agreement would become effective upon a ruling that overturns or limits *Janus* or upon the ratification of an applicable amendment to the United States Constitution. For more on Michigan's preemptive repeal of this "Right to Work" policy, see Public Act 9 of 2023: <http://www.legislature.mi.gov/documents/2023-2024/billanalysis/House/pdf/2023-HLA-4004-FD01D433.pdf>.

FISCAL IMPACT:

The bill would have no fiscal impact to the state or to local units of government.

Legislative Analyst: Holly Kuhn
Fiscal Analyst: Michael Crossen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.