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Senate Bill 169 (Substitute S-2 as passed by the Senate)  
Sponsor: Senator John Cherry  
Committee: Labor

Date Completed: 6-12-23

## **CONTENT**

**The bill would add Section 11a to the public employment relations Act to require a public employer to provide specified employment and contact information of public employees to the labor organization responsible for representing the public employees in collective bargaining agreements, except in cases where a public employee's address was a confidential address. It also would require a public employer to inform an affected public employee before entering into a collective bargaining agreement. If the employer had already entered into an agreement, the employer would have to inform a prospective employee who would be affected by such an agreement.**

The public employment relations Act requires that each unit of public employees votes (by majority) for a labor organization to represent them in collective bargaining disputes and agreements (representative). The representative has exclusive rights to represent the public employees in respect to rates of pay, wages, and hours of employment, among other conditions of employment.

Specifically, under the bill, a public employer would have to share with the appropriate representative the following information about each employee, within 30 days of hiring an employee and every 90 days:

- First, middle, and last name.
- Department or agency.
- Classification.
- Address of primary work location.
- Home address; however, if the public employee's home address was a confidential address, the public employer would instead provide the individual's designated address.
- Personal telephone number.
- Personal e-mail address.
- Work e-mail address.
- Date of hire.
- Employee identification number, if applicable.
- Full-time or part-time employment status.
- Wage.

As used above, "confidential address" would mean that term as defined in Section 3 of the Address Confidentiality Program Act: the address of an Address Confidentiality Program participant's residence, as specified on an application to be a Program participant or on a notice of change of information that is classified confidential by the Department of the Attorney General. "Designated address" would mean the mailing address at which the Department of Technology, Management, and Budget receives mail to forward to Program participants.

Before a public employer entered into a collective bargaining agreement with a bargaining representative, the public employer would have to inform each of its public employees to whom the agreement would apply that the public employer intended to enter into the agreement. If a public employer had entered into a collective bargaining agreement that was in effect or had yet to take effect, the public employer would have to inform the individual that the public employer had entered into the agreement before the employer hired the individual as a public employee to whom the agreement would apply.

Proposed MCL 423.211a

### **BRIEF RATIONALE**

Some people believe collective bargaining representatives have trouble communicating effectively with those they represent because of out-of-date employment and contact information. According to testimony, this information ensures unions can meet their legal obligations to certain members and that contracts are followed. Accordingly, it has been suggested that public employers be required to regularly provide specified information of public employees to labor organizations that represent the employees.

### **PREVIOUS LEGISLATION**

*(Please note: This section does not provide a comprehensive account of all previous legislative efforts on the relevant subject matter.)*

The bill is a reintroduction of Senate Bill 899 from the 2021-2022 Legislative Session.

Legislative Analyst: Alex Krabill

### **FISCAL IMPACT**

This bill would have an indeterminate but likely minor cost to the State and local units of government. The additional reporting cost would apply only if the State or local unit of government did not currently report new or existing employees to their representatives. Local units of government would include counties, cities, villages, townships, intermediate school districts, and school districts.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.