

# HOUSE BILL NO. 6137

November 14, 2024, Introduced by Reps. Weiss and Tsernoglou and referred to the Committee on Labor.

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 15b (MCL 423.215b), as amended by 2014 PA 322.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**       Sec. 15b. (1) Except as otherwise provided in this section,

1 after the expiration date of a collective bargaining agreement and  
2 until a successor collective bargaining agreement is in place, a  
3 public employer shall pay and provide wages and benefits at levels  
4 and amounts that are no greater than those in effect on the  
5 expiration date of the collective bargaining agreement. The  
6 prohibition in this subsection includes increases that would result  
7 from wage step increases. Employees who receive health, dental,  
8 vision, prescription, or other insurance benefits under a  
9 collective bargaining agreement shall bear any increased costs of  
10 maintaining those benefits that occur after the expiration date.  
11 The public employer may make payroll deductions necessary to pay  
12 the increased costs of maintaining those benefits.

13 (2) Except as provided in subsection (3) or (4), the parties  
14 to a collective bargaining agreement shall not agree to, and an  
15 arbitration panel shall not order, any retroactive wage or benefit  
16 levels or amounts that are greater than those in effect on the  
17 expiration date of the collective bargaining agreement.

18 (3) For a collective bargaining agreement that expired before  
19 June 8, 2011, the requirements of this section apply to limit wages  
20 and benefits to the levels and amounts in effect on June 8, 2011.

21 (4) All of the following apply to a public employee eligible  
22 to submit labor disputes to compulsory arbitration under 1969 PA  
23 312, MCL 423.231 to 423.247:

24 (a) Subsection (1) does not prohibit wage or benefit  
25 increases, including step increases, expressly authorized under the  
26 expired collective bargaining agreement.

27 (b) The increase in employee costs for maintaining health,  
28 dental, vision, prescription, or other insurance benefits after the  
29 collective bargaining contract expiration date that the employee is

1 required to bear under subsection (1) ~~shall~~**must** not cause the  
 2 total employee costs for those benefits to exceed the amount of the  
 3 employee's share under ~~the publicly funded health insurance~~  
 4 ~~contribution act, former~~ 2011 PA 152. ~~, MCL 15.561 to 15.269.~~ If  
 5 the public employer is exempt from the limitations of that act, the  
 6 total employee costs for those benefits ~~shall~~**must** not exceed the  
 7 higher of the minimum required employee share under section 3 or 4  
 8 of ~~the publicly funded health insurance contribution act, former~~  
 9 2011 PA 152, ~~MCL 15.563 and 15.264,~~ calculated as if the public  
 10 employer were subject to that act.

11 (c) Subsection (2) does not prohibit retroactive application  
 12 of a wage or benefit increase if the increase is awarded in the  
 13 decision of the arbitration panel under 1969 PA 312, MCL 423.231 to  
 14 423.247, or included in a negotiated bargaining agreement.

15 (5) As used in this section:

16 (a) "Expiration date" means the expiration date set forth in a  
 17 collective bargaining agreement without regard to any agreement of  
 18 the parties to extend or honor the collective bargaining agreement  
 19 during pending negotiations for a successor collective bargaining  
 20 agreement.

21 (b) "Increased costs" in regard to insurance benefits means  
 22 the difference in premiums or illustrated rates between the prior  
 23 year and the current coverage year. The difference ~~shall~~**must** be  
 24 calculated based on changes in costs by category of coverage and  
 25 not on changes in individual employee marital or dependent status.

26 Enacting section 1. This amendatory act does not take effect  
 27 unless Senate Bill No. \_\_\_\_ or House Bill No. 6036 (request no.  
 28 02062'23) of the 102nd Legislature is enacted into law.