

# SENATE BILL NO. 319

May 21, 2025, Introduced by Senators KLINEFELT, BAYER, SHINK, GEISS, MCMORROW, HERTEL, CHANG, SANTANA, WOJNO and CAMILLERI and referred to 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 sections 11 and 15 (MCL 423.211 and 423.215), section 15 as amended by 2023 PA 143.

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

1        Sec. 11. **(1)** Representatives designated or selected for  
 2 purposes of collective bargaining by the majority of the public  
 3 employees in a unit appropriate for ~~such those~~ purposes, ~~shall be~~  
 4 **are** the exclusive representatives of all the public employees in  
 5 ~~such the~~ unit for the purposes of collective bargaining ~~in with~~  
 6 respect to rates of pay, wages, hours of employment, or other  
 7 conditions of employment, and ~~shall must~~ be so recognized by the  
 8 public employer, ~~÷ Provided, That except that~~ any individual  
 9 employee at any time may present grievances to ~~his the~~ **employee's**  
 10 employer and have the grievances adjusted, without intervention of  
 11 the bargaining representative, if the adjustment is ~~not~~  
 12 ~~inconsistent consistent~~ with the terms of a collective bargaining  
 13 contract or agreement then in effect, ~~provided that and~~ the  
 14 bargaining representative has been given opportunity to be present  
 15 at ~~such the~~ adjustment.

16        **(2)** For public employees subject to 1969 PA 312, MCL 423.231  
 17 to 423.247, as used in subsection (1), "other conditions of  
 18 employment" includes, but is not limited to, minimum staffing  
 19 levels within the bargaining unit. However, if, as compared to the  
 20 immediately preceding fiscal year, there is a reduction in the  
 21 amount of monies the public employer receives under section 10 of  
 22 article IX of the state constitution of 1963 or a reduction in  
 23 property tax collections due to a reduction in the total taxable  
 24 value of the public employer, the public employer may, but is not  
 25 required to, collectively bargain with public employees subject to  
 26 1969 PA 312, MCL 423.231 to 423.247, with respect to minimum  
 27 staffing levels within the bargaining unit. For employees not  
 28 subject to 1969 PA 312, MCL 423.231 to 423.247, this subsection  
 29 does not prohibit the employees from collectively bargaining with

1 **respect to minimum staffing levels within the bargaining unit.**

2       Sec. 15. (1) A public employer shall bargain collectively with  
3 the representatives of its employees as described in section 11 and  
4 may make and enter into collective bargaining agreements with those  
5 representatives. Except as otherwise provided in this section, for  
6 the purposes of this section, to bargain collectively is to perform  
7 the mutual obligation of the employer and the representative of the  
8 employees to meet at reasonable times and confer in good faith with  
9 respect to wages, hours, and other terms and conditions of  
10 employment, or to negotiate an agreement, or any question arising  
11 under the agreement, and to execute a written contract, ordinance,  
12 or resolution incorporating any agreement reached if requested by  
13 either party, but this obligation does not compel either party to  
14 agree to a proposal or make a concession.

15       (2) A public school employer has the responsibility,  
16 authority, and right to manage and direct on behalf of the public  
17 the operations and activities of the public schools under its  
18 control.

19       (3) Collective bargaining between a public school employer and  
20 a bargaining representative of its employees must not include any  
21 of the following subjects:

22       (a) Who is or will be the policyholder of an employee group  
23 insurance benefit. This subdivision does not affect the duty to  
24 bargain with respect to types and levels of benefits and coverages  
25 for employee group insurance. A change or proposed change in a type  
26 or to a level of benefit, policy specification, or coverage for  
27 employee group insurance must be bargained by the public school  
28 employer and the bargaining representative before the change takes  
29 effect.

(b) Establishment of the starting day for the school year **under section 1284 of the revised school code, 1976 PA 451, MCL 380.1284**, and of the amount of pupil contact time required to receive full state school aid under ~~section 1284 of the revised school code, 1976 PA 451, MCL 380.1284~~, and under section 101 of the state school aid act of 1979, 1979 PA 94, MCL 388.1701.

(c) The composition of school improvement committees established under section 1277 of the revised school code, 1976 PA 451, MCL 380.1277.

(d) The decision of whether or not to provide or allow interdistrict or intradistrict open enrollment opportunity in a school district or the selection of grade levels or schools in which to allow an open enrollment opportunity.

(e) The decision of whether or not to act as an authorizing body to grant a contract to organize and operate 1 or more public school academies under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

(f) The use of volunteers in providing services at its schools.

(g) Decisions concerning use and staffing of experimental or pilot programs and decisions concerning use of technology to deliver educational programs and services and staffing to provide that technology, or the impact of those decisions on individual employees or the bargaining unit.

(h) Any compensation or additional work assignment intended to reimburse an employee for or allow an employee to recover any monetary penalty imposed under this act.

(4) The ~~matters~~-**subjects** described in subsection (3) are prohibited subjects of bargaining between a public school employer

1 and a bargaining representative of its employees, and, for the  
2 purposes of this act, are within the sole authority of the public  
3 school employer to decide.

4 (5) Each collective bargaining agreement entered into between  
5 a public employer and public employees under this act on or after  
6 March 28, 2013 must include a provision that allows an emergency  
7 manager appointed under the local financial stability and choice  
8 act, 2012 PA 436, MCL 141.1541 to 141.1575, to reject, modify, or  
9 terminate the collective bargaining agreement as provided in the  
10 local financial stability and choice act, 2012 PA 436, MCL 141.1541  
11 to 141.1575. Provisions required by this subsection are prohibited  
12 subjects of bargaining under this act.

13 (6) Collective bargaining agreements under this act may be  
14 rejected, modified, or terminated pursuant to the local financial  
15 stability and choice act, 2012 PA 436, MCL 141.1541 to 141.1575.  
16 This act does not confer a right to bargain that would infringe on  
17 the exercise of powers under the local financial stability and  
18 choice act, 2012 PA 436, MCL 141.1541 to 141.1575.

19 (7) A unit of local government that enters into a consent  
20 agreement under the local financial stability and choice act, 2012  
21 PA 436, MCL 141.1541 to 141.1575, is not subject to subsection (1)  
22 for the term of the consent agreement, as provided in the local  
23 financial stability and choice act, 2012 PA 436, MCL 141.1541 to  
24 141.1575.

25 (8) If the charter of a city, village, or township with a  
26 population of 500,000 or more requires and specifies the method of  
27 selection of a retirant member of the municipality's fire  
28 department, police department, or fire and police department  
29 pension or retirement board, the inclusion of the retirant member

1 on the board and the method of selection of that retirant member  
2 are prohibited subjects of collective bargaining, and any provision  
3 in a collective bargaining agreement that purports to modify that  
4 charter requirement is void and of no effect.

5 (9) An agreement with a collective bargaining unit must not  
6 require a public employer to pay the costs of an independent  
7 examiner verification described in section 10(4).

8 (10) For public employees subject to 1969 PA 312, MCL 423.231  
9 to 423.247, as used in subsection (1), "other terms and conditions  
10 of employment" includes, but is not limited to, minimum staffing  
11 levels within the bargaining unit. However, if, as compared to the  
12 immediately preceding fiscal year, there is a reduction in the  
13 amount of monies the public employer receives under section 10 of  
14 article IX of the state constitution of 1963 or a reduction in  
15 property tax collections due to a reduction in the total taxable  
16 value of the public employer, the public employer may, but is not  
17 required to, collectively bargain with public employees subject to  
18 1969 PA 312, MCL 423.231 to 423.247, with respect to minimum  
19 staffing levels within the bargaining unit. For employees not  
20 subject to 1969 PA 312, MCL 423.231 to 423.247, this subsection  
21 does not prohibit the employees from collectively bargaining with  
22 respect to minimum staffing levels within the bargaining unit.