

HOUSE BILL NO. 4725

July 01, 2025, Introduced by Reps. Rheingans, Andrews, Price, B. Carter, Tate and Wegela and referred to Committee on Government Operations.

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 1 (MCL 423.201), as amended by 2024 PA 145.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) As used in this act:

1 (a) "Bargaining representative" means a labor organization
2 recognized by an employer or certified by the commission as the
3 sole and exclusive bargaining representative of certain employees
4 of the employer.

5 (b) "Commission" means the employment relations commission
6 created in section 3 of 1939 PA 176, MCL 423.3.

7 (c) "Intermediate school district" means that term as defined
8 in section 4 of the revised school code, 1976 PA 451, MCL 380.4.

9 (d) "Lockout" means the temporary withholding of work from a
10 group of employees by shutting down the operation of the employer
11 to bring pressure upon the affected employees or the bargaining
12 representative, or both, to accept the employer's terms of
13 settlement of a labor dispute.

14 (e) "Public employee" means, except as otherwise provided in
15 ~~subdivisions~~ **subdivision** (f), ~~and (g),~~ an individual holding a
16 position by appointment or employment in the government of this
17 state, in the government of 1 or more of the political subdivisions
18 of this state, in the public school service, in a public or special
19 district, in the service of an authority, commission, or board, or
20 in any other branch of the public service. Public employee includes
21 ~~both~~ **all** of the following:

22 (i) An individual serving as a graduate student research
23 assistant or in an equivalent position.

24 (ii) An individual designated by the legislature as a public
25 employee. The legislature may designate an individual as a public
26 employee only for the purpose of collective bargaining. The
27 designation does not render the individual an employee of this
28 state or political subdivision of this state for any purpose other
29 than the limited purpose authorized by the legislature.

1 **(iii) A student participating in intercollegiate athletics on**
 2 **behalf of a public university in this state.**

3 (f) An individual employed by a private organization or entity
 4 who provides services under a time-limited contract with this state
 5 or a political subdivision of this state is not an employee of this
 6 state or that political subdivision, and is not a public employee.

7 ~~(g) A student participating in intercollegiate athletics on~~
 8 ~~behalf of a public university in this state is not a public~~
 9 ~~employee entitled to representation or collective bargaining rights~~
 10 ~~under this act.~~

11 **(g) ~~(h)~~—"Public school academy"** means a public school academy
 12 or strict discipline academy organized under the revised school
 13 code, 1976 PA 451, MCL 380.1 to 380.1852.

14 **(h) ~~(i)~~—"Public school employer"** means a public employer that
 15 is any of the following:

16 (i) The board of a school district, an intermediate school
 17 district, or a public school academy.

18 (ii) The governing board of a joint endeavor or consortium
 19 consisting of any combination of school districts, intermediate
 20 school districts, or public school academies.

21 **(i) ~~(j)~~—"School district"** means that term as defined in
 22 section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a
 23 local act school district as defined in section 5 of the revised
 24 school code, 1976 PA 451, MCL 380.5.

25 **(j) ~~(k)~~—"Strike"** means the concerted failure to report for
 26 duty, the willful absence from one's position, the stoppage of
 27 work, or the abstinence in whole or in part from the full,
 28 faithful, and proper performance of the duties of employment for
 29 the purpose of inducing, influencing, or coercing a change in

1 employment conditions, compensation, or the rights, privileges, or
2 obligations of employment. For employees of a public school
3 employer, strike also includes an action described in this
4 subdivision that is taken for the purpose of protesting or
5 responding to an act alleged or determined to be an unfair labor
6 practice committed by the public school employer.

7 (2) This act does not limit, impair, or affect the right of a
8 public employee to the expression or communication of a view,
9 grievance, complaint, or opinion on any matter related to the
10 conditions or compensation of public employment or their betterment
11 ~~as long as~~ ~~as if~~ the expression or communication does not interfere
12 with the full, faithful, and proper performance of the duties of
13 employment.