

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.