



SENATE BILL No. 1120

April 27, 1994, Introduced by Senator WELBORN and referred
to the Committee on Commerce

A bill to amend Act No 336 of the Public Acts of 1947
entitled as amended

"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 and to prescribe means of enforcement and penalties for the violation of the provisions of this act,"

being sections 423 201 to 423 216 of the Michigan Compiled Laws,
by adding section 15a

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Act No 336 of the Public Acts of 1947, being
2 sections 423 201 to 423 216 of the Michigan Compiled Laws, is
3 amended by adding section 15a to read as follows

4 SEC 15A (1) IN ADDITION TO THOSE MATTERS DESCRIBED IN
5 SECTION 15(3), COLLECTIVE BARGAINING BETWEEN A PUBLIC SCHOOL
6 EMPLOYER AND A BARGAINING REPRESENTATIVE OF ITS EMPLOYEES SHALL

1 NOT INCLUDE WHO IS OR WILL BE THE INSURER, HEALTH CARE
2 CORPORATION, HEALTH MAINTENANCE ORGANIZATION, DENTAL CARE CORPO-
3 RATION, THIRD PARTY ADMINISTRATOR, VOLUNTARY EMPLOYEE BENEFICIARY
4 ASSOCIATION, OR OTHER ENTITY PROVIDING COVERAGE FOR OR ADMINIS-
5 TERING AN EMPLOYEE GROUP INSURANCE BENEFIT THESE MATTERS ARE
6 PROHIBITED SUBJECTS OF BARGAINING BETWEEN A PUBLIC SCHOOL
7 EMPLOYER AND A BARGAINING REPRESENTATIVE OF ITS EMPLOYEES, AND,
8 FOR THE PURPOSES OF THIS ACT, ARE WITHIN THE SOLE AUTHORITY OF
9 THE PUBLIC SCHOOL EMPLOYER TO DECIDE THIS SECTION DOES NOT
10 AFFECT THE DUTY TO BARGAIN WITH RESPECT TO TYPES AND LEVELS OF
11 BENEFITS AND COVERAGES FOR EMPLOYEE GROUP INSURANCE HOWEVER, IF
12 A CERTAIN TYPE OR LEVEL OF BENEFIT, POLICY SPECIFICATION, OR COV-
13 ERAGE CAN ONLY BE OBTAINED FROM 1 COVERAGE CARRIER 1 ADMINISTRA-
14 TOR, OR 1 ASSOCIATION, THEN AN INSISTENCE THAT THE TYPE OR LEVEL
15 OF BENEFIT MUST BE INCLUDED IN A COLLECTIVE BARGAINING AGREEMENT
16 IS A VIOLATION OF THIS SECTION

17 (2) AS USED IN THIS SECTION

18 (A) "BARGAINING REPRESENTATIVE" MEANS A LABOR ORGANIZATION
19 RECOGNIZED BY AN EMPLOYER OR CERTIFIED BY THE COMMISSION AS THE
20 SOLE AND EXCLUSIVE BARGAINING REPRESENTATIVE OF CERTAIN EMPLOYEES
21 OF THE EMPLOYER

22 (B) "INTERMEDIATE SCHOOL DISTRICT" MEANS THAT TERM AS
23 DEFINED IN SECTION 4 OF THE SCHOOL CODE OF 1976, ACT NO 451 OF
24 THE PUBLIC ACTS OF 1976, BEING SECTION 380 4 OF THE MICHIGAN
25 COMPILED LAWS

26 (C) "PUBLIC SCHOOL ACADEMY" MEANS A PUBLIC SCHOOL ACADEMY
27 ORGANIZED UNDER PART 6A OF ACT NO 451 OF THE PUBLIC ACTS OF

1 1976, BEING SECTIONS 380 501 TO 380 507 OF THE MICHIGAN COMPILED
2 LAWS

3 (D) "PUBLIC SCHOOL EMPLOYER" MEANS A PUBLIC EMPLOYER THAT IS
4 THE BOARD OF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR
5 PUBLIC SCHOOL ACADEMY, OR IS THE GOVERNING BOARD OF A JOINT
6 ENDEAVOR OR CONSORTIUM CONSISTING OF ANY COMBINATION OF SCHOOL
7 DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, OR PUBLIC SCHOOL
8 ACADEMIES

9 (E) "SCHOOL DISTRICT" MEANS THAT TERM AS DEFINED IN SECTION
10 6 OF ACT NO 451 OF THE PUBLIC ACTS OF 1976, BEING SECTION 380 6
11 OF THE MICHIGAN COMPILED LAWS, OR A LOCAL ACT SCHOOL DISTRICT AS
12 DEFINED IN SECTION 5 OF ACT NO 451 OF THE PUBLIC ACTS OF 1976,
13 BEING SECTION 380 5 OF THE MICHIGAN COMPILED LAWS