

Legislative Analysis



ALLOW INCLUSION OF CERTAIN TOPICS DURING COLLECTIVE BARGAINING UNDER PERA

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4356 (H-1) as reported from committee
Sponsor: Rep. Brenda Carter

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4357 (H-1) as reported from committee
Sponsor: Rep. Rachel Hood

Committee: Labor
Complete to 6-12-23

SUMMARY:

House Bill 4356 would amend 1947 PA 336, the public employment relations act (PERA), to allow the inclusion of certain topics during collective bargaining for public school employees. House Bill 4357 would make complementary updates to the State School Aid Act.

House Bill 4356 would amend PERA to remove restrictions on collective bargaining negotiations between schools and employees for noninstructional support service contracts.

The following subjects, which currently cannot be included in negotiations when a bargaining unit that provides noninstructional support services can bid on a contract on an equal basis with other bidders, would no longer be prohibited topics under the bill:

- The decision to contract with a third party for the services.
- The procedures for obtaining a contract.
- The identity of the third party.
- The impact of the contract for the services on individual employees or on the bargaining unit.

MCL 423.215

House Bill 4357 would amend the State School Aid Act to remove the current prohibitions on collective bargaining agreements entered into by a school district or intermediate school district that include automatic payroll deductions for union dues¹ or methods of compensation that do not comply with section 1250 of the Revised School Code.²

The bill is tie-barred to House Bill 4356, meaning that it would not go into effect unless HB 4356 were also enacted.

MCL 388.1764h

FISCAL IMPACT:

The bills would have an indeterminate, but likely minimal, fiscal impact on local school districts, intermediate school districts (ISDs), and public school academies (PSAs). Any fiscal

¹ This change is proposed to be made to PERA by House Bill 4233 of the current legislative session.

² Section 1250 pertains to performance-based methods of compensation for teachers and school administrators.

impact for an individual district, ISD, or PSA would be directly related to the assumed costs or benefits of any new collective bargaining agreement under the provisions of the bills compared to the prior or alternative status of any collective bargaining agreement that prohibited certain subjects from being collectively bargained.

POSITIONS:

Representatives of the following entities testified in support of the bills:

- Department of Labor and Economic Opportunity (5-18-23)
- Bay City Education Association (5-25-23)
- Dearborn Federation of Teachers (5-25-23)
- Hamtramck Federation of Teachers (5-25-23)
- Michigan Education Association (5-18-23)

The following entities indicated support for the bills:

- American Federation of Teachers Michigan (5-25-23)
- Detroit Federation of Teachers (5-18-23)
- Galesburg-Augusta Education Association (5-18-23)
- Michigan AFL-CIO (5-18-23)
- Michigan Building and Construction Trades Council (5-18-23)
- Service Employees International Union Michigan (5-25-23)
- Taylor Federation of Teachers (5-18-23)

The Mackinac Center for Public Policy indicated opposition to House Bill 4356. (5-25-23)

The following entities indicated opposition to the bills:

- Barry Intermediate School District (5-25-23)
- Branch Intermediate School District (5-25-23)
- Calhoun Intermediate School District (5-25-23)
- Detroit Public Schools Community District (5-18-23)
- Grand Rapids Area Chamber of Commerce (5-25-23)
- Jackson Intermediate School District (5-25-23)
- K-12 Alliance of Michigan (5-18-23)
- Lenawee Intermediate School District (5-25-23)
- Macomb Intermediate School District (5-18-23)
- Michigan Association of Intermediate School Administrators (5-18-23)
- Monroe Intermediate School District (5-25-23)
- Oakland Schools (5-18-23)
- Wayne County Regional Educational Service Agency (5-18-23)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.