

# HOUSE BILL NO. 4438

April 20, 2023, Introduced by Reps. Breen, Bezotte, Coleman, Paiz, Price, Scott, Liberati, Conlin, Shannon, Steckloff, Tyrone Carter, Weiss, Haadsma, Mentzer, Mueller, Hope, Snyder, McFall, Tsernoglou, Andrews, Rogers, Hood, Rheingans, Wilson, Wegela, MacDonell, Brabec, Harris, BeGole, St. Germaine, Schmaltz, Roth, Koleszar, Glanville, Hill, Outman, Zorn, Wozniak, Tisdell and Steele and referred to the Committee on Criminal Justice.

A bill to amend 1969 PA 312, entitled

"An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof,"

by amending section 2 (MCL 423.232), as amended by 2011 PA 116.

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

- 1           Sec. 2. (1) As used in this act: ~~"public~~  
2           (a) "**Public** police or fire department employee" means any

1 employee of a city, county, village, or township, or of any  
 2 authority, district, board, or any other entity created in whole or  
 3 in part by the authorization of 1 or more cities, counties,  
 4 villages, or townships, whether created by statute, ordinance,  
 5 contract, resolution, delegation, or any other mechanism, who is  
 6 engaged as a police officer ~~or in fire fighting~~ **firefighting** or  
 7 **who is** subject to the hazards thereof; **a corrections officer**  
 8 **employed by a county sheriff in a county jail, work camp, or other**  
 9 **facility maintained by a county and that houses adult prisoners;**  
 10 emergency medical service personnel employed by a public police or  
 11 fire department; or an emergency telephone operator, but only if  
 12 directly employed by a public police or fire department. Public  
 13 police ~~and or~~ fire department employee does not include any of the  
 14 following:

15 (i) ~~(a)~~—An employee of a community college.

16 (ii) ~~(b)~~—An employee of a metropolitan district created under  
 17 1939 PA 147, MCL 119.51 to 119.62.

18 (iii) ~~(c)~~—An emergency telephone operator employed by a ~~911-9-1-~~  
 19 **1** authority or consolidated dispatch center.

20 (iv) ~~(d)~~—An employee of an authority that is in existence on  
 21 June 1, 2011, unless the employee is represented by a bargaining  
 22 representative on that date or a contract in effect on that date  
 23 specifically provides the employee with coverage under this act. An  
 24 exclusion under this ~~subdivision~~ **subparagraph** terminates if the  
 25 authority composition changes to include an additional governmental  
 26 unit or portion of a governmental unit. This ~~subdivision~~  
 27 **subparagraph** does not apply to terminate an exclusion created under  
 28 ~~subdivisions (a) to (c)~~ **subparagraphs (i) to (iii)**.

29 (b) ~~(2)~~—"Emergency medical service personnel" ~~for purposes of~~

1 ~~this act~~ includes a person who provides assistance at dispatched or  
2 observed medical emergencies occurring outside a recognized medical  
3 facility including instances of heart attack, stroke, injury  
4 accidents, electrical accidents, drug overdoses, imminent  
5 childbirth, and other instances where there is the possibility of  
6 death or further injury; initiates stabilizing treatment or  
7 transportation of injured from the emergency site; and notifies  
8 police or interested departments of certain situations encountered  
9 including criminal matters, poisonings, and the report of  
10 contagious diseases.

11 (c) "Emergency telephone operator" ~~for the purpose of this act~~  
12 includes a person employed by a police or fire department for the  
13 purpose of relaying emergency calls to police, fire, or emergency  
14 medical service personnel.

15 (2) ~~(3)~~—This act does not apply to persons employed by a  
16 private emergency medical service company who work under a contract  
17 with a governmental unit or personnel working in an emergency  
18 service organization whose duties are solely of an administrative  
19 or supporting nature and who are not otherwise qualified under  
20 subsection ~~(2)~~. **(1) (b)** .

21 Enacting section 1. This amendatory act takes effect 90 days  
22 after the date it is enacted into law.