

HOUSE BILL No. 4213

February 7, 2007, Introduced by Reps. Agema, Meekhof, Opsommer, Acciavatti, Shaffer, Hoogendyk, Emmons, Marleau, Brandenburg, Pastor, Pearce, Knollenberg, Stahl, Garfield, Steil, Pavlov, Hansen and Huizenga and referred to the Committee on Labor.

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 8 (MCL 423.238).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. At or before the conclusion of the hearing held
2 pursuant to section 6, the arbitration panel shall identify the
3 economic issues in dispute, and direct each of the parties to
4 submit, within such time limit as the panel shall prescribe, to the
5 arbitration panel and to each other its last offer of settlement on
6 each economic issue. The determination of the arbitration panel as
7 to the issues in dispute and as to which of these issues are
8 economic shall be conclusive. The arbitration panel, within 30 days

1 after the conclusion of the hearing, or such further additional
2 periods to which the parties may agree, shall make written findings
3 of fact and promulgate a written opinion and order upon the issues
4 presented to it and upon the record made before it, and shall mail
5 or otherwise deliver a true copy thereof to the parties and their
6 representatives and to the employment relations commission. As to
7 each economic issue, the arbitration panel shall ~~MAY~~ adopt the last
8 offer of settlement ~~which~~ **OF 1 PARTY OR A POSITION WITHIN THE RANGE**
9 **ESTABLISHED BY THE PARTIES' LAST OFFERS ON THE ECONOMIC ISSUE, IF,**
10 in the opinion of the arbitration panel, **A COMPROMISE POSITION** more
11 nearly complies with the applicable factors prescribed in section
12 9. The findings, opinions and order as to all other issues shall be
13 based upon the applicable factors prescribed in section 9. ~~This~~
14 ~~section as amended shall be applicable only to arbitration~~
15 ~~proceedings initiated under section 3 on or after January 1, 1973.~~
16 **THE ARBITRATION PANEL'S POWER TO ADOPT A COMPROMISE POSITION ON**
17 **ECONOMIC ISSUES APPLIES TO ARBITRATION PROCEEDINGS INSTITUTED AFTER**
18 **MARCH 1, 2008.**