

HOUSE BILL No. 5429

December 9, 1997, Introduced by Rep. Goschka and referred to the Committee on Labor and Occupational Safety.

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 the title and sections 1 and 3 (MCL 423.231 and 423.233).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

2

An act to provide for compulsory arbitration of labor dis-

3

putes in ~~municipal~~ PUBLIC police and fire departments AND

4

COUNTY ROAD COMMISSIONS; to ~~define such public departments~~

5

PROVIDE CERTAIN DEFINITIONS; to provide for the selection of mem-

6

bers of arbitration panels; to prescribe the procedures and

7

authority ~~thereof~~ OF ARBITRATION PANELS; and to provide for the

1 enforcement and review of awards ~~thereof~~ OF ARBITRATION
2 PANELS.

3 Sec. 1. It is the public policy of this state ~~that in~~
4 ~~public police and fire departments, where the right of employees~~
5 ~~to strike is by law prohibited, it is requisite to the high~~
6 ~~morale of such employees and the efficient operation of such~~
7 ~~departments~~ to afford an alternate, expeditious, effective, and
8 binding procedure for the resolution of disputes IN PUBLIC POLICE
9 AND FIRE DEPARTMENTS AND IN COUNTY ROAD COMMISSIONS, WHERE THE
10 RIGHT OF EMPLOYEES TO STRIKE IS PROHIBITED BY LAW, and to ~~that~~
11 ~~end~~ ENSURE THE HIGH MORALE OF THOSE EMPLOYEES AND THE EFFICIENT
12 OPERATION OF PUBLIC POLICE AND FIRE DEPARTMENTS AND COUNTY ROAD
13 COMMISSIONS, the provisions of this act ~~, providing for~~
14 GOVERNING compulsory arbitration ~~,~~ shall be liberally
15 construed.

16 Sec. 3. (1) ~~Whenever in the course of mediation of a~~
17 ~~public police or fire department employee's dispute, except a~~
18 ~~dispute concerning the interpretation or application of an exist-~~
19 ~~ing agreement (a "grievance" dispute), the~~ IF A LABOR dispute
20 THAT IS THE SUBJECT OF MEDIATION has not been resolved to the
21 agreement of both parties within 30 days ~~of~~ AFTER the submis-
22 sion of the dispute to mediation, or within ~~such~~ further addi-
23 tional periods to which the parties ~~may~~ agree, ~~the employees~~
24 ~~or employer~~ EITHER PARTY may initiate binding arbitration pro-
25 ceedings by MAKING A prompt WRITTEN request ~~therefor, in~~
26 ~~writing,~~ FOR BINDING ARBITRATION to the other, ~~with~~ AND

1 PROVIDING A copy OF THE REQUEST to the employment relations
2 commission.

3 (2) AS USED IN THIS SECTION, "LABOR DISPUTE" MEANS A DIS-
4 AGREEMENT BETWEEN AN EMPLOYEE OF A PUBLIC POLICE OR FIRE DEPART-
5 MENT, OR AN EMPLOYEE OF A COUNTY ROAD COMMISSION, AND THAT
6 INDIVIDUAL'S EMPLOYER. LABOR DISPUTE DOES NOT INCLUDE A DIS-
7 AGREEMENT RELATING TO THE INTERPRETATION OR APPLICATION OF AN
8 EXISTING AGREEMENT (A "GRIEVANCE" DISPUTE).