

# Legislative Analysis



## PUBLIC SCHOOL COLLECTIVE BARGAINING

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### House Bill 4219

Sponsor: Rep. Fred Miller

Committee: Labor

Complete to 5-11-09

## A SUMMARY OF HOUSE BILL 4219 AS INTRODUCED 2-10-09

The bill would amend the Public Employee Relations Act (Public Act 336 of 1947). That act, among other things, lists the subjects that are not to be included in collective bargaining between a public school employer and an employee bargaining representative and that are considered to be within the sole authority of the public school employer to decide. One of those prohibited subjects is:

*The decision whether or not to contract with a third party for one or more non-instructional support services; or the procedures for obtaining the contract; or the identity of the third party; or the impact of the contract on individual employees or the bargaining unit.*

House Bill 4219 would strike that language, thus presumably allowing such contracting decisions to be part of the school collective bargaining process.

MCL 423.215

## BACKGROUND INFORMATION:

Currently, the act explicitly prohibits collective bargaining between a public school employer and employees about nine issues: (1) the policyholder of an employee group insurance benefit; (2) the school year starting date and the amount of pupil contact time; (3) the composition of site-based decision making bodies and school improvement committees; (4) the decision of whether to provide inter-district or intra-district open enrollment; (5) the decision to act as an authorizing body for charter schools; (6) the decision to contract with a third party for one or more non-instructional support services as well as the procedures for obtaining the contract, the identity of the third party, and the impact of the contract on employees or the bargaining unit; (7) the use of volunteers in providing services; (8) decisions concerning the use of experimental or pilot programs and technology; and (9) any compensation or additional work assignment intended to reimburse an employee for any monetary penalty imposed under the act.

As mentioned above, House Bill 4219 would eliminate number 6, above regarding non-instructional support services. The bill also would revise number 3 above, to eliminate from the list of prohibited topics *the composition of site-based decision making bodies* but retain as a prohibition the composition of school improvement committees.

**FISCAL IMPACT:**

There would be no significant fiscal impact on the Department of Education or the Department of Energy, Labor and Economic Growth, including its Bureau of Employment Relations. Any fiscal impact to local districts would be indeterminate and would vary by district.

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