

HOUSE BILL No. 5277

January 24, 2012, Introduced by Reps. Townsend, Barnett, Dillon, McCann, Bledsoe, Darany and Hovey-Wright and referred to the Committee on Transportation.

A bill to amend 1947 PA 336, entitled

"An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; to require certain provisions in collective bargaining agreements; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,"

by amending section 15b (MCL 423.215b), as added by 2011 PA 54.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 15b. (1) Except as otherwise provided in this section,
2 after the expiration date of a collective bargaining agreement and
3 until a successor collective bargaining agreement is in place, a
4 public employer shall **NOT** pay ~~and~~**OR** provide wages and benefits at
5 levels and amounts that are ~~no~~ greater than those in effect on the
6 expiration date of the collective bargaining agreement. The
7 prohibition in this subsection includes increases that would result
8 from wage step increases. Employees who receive health, dental,

1 vision, prescription, or other insurance benefits under a
2 collective bargaining agreement shall bear any increased cost of
3 maintaining those benefits that occurs after the expiration date.
4 The public employer is authorized to make payroll deductions
5 necessary to pay the increased costs of maintaining those benefits.

6 (2) Except as provided in subsection (3), the parties to a
7 collective bargaining agreement shall not agree to, and an
8 arbitration panel shall not order, any retroactive wage or benefit
9 levels or amounts that are greater than those in effect on the
10 expiration date of the collective bargaining agreement.

11 (3) For a collective bargaining agreement that expired before
12 ~~the effective date of this section, JUNE 8, 2011,~~ the requirements
13 of this section apply to limit wages and benefits to the levels and
14 amounts in effect on ~~the effective date of this section. JUNE 8,~~
15 **2011.**

16 (4) As used in this section:

17 (a) "Expiration date" means the expiration date set forth in a
18 collective bargaining agreement without regard to any agreement of
19 the parties to extend or honor the collective bargaining agreement
20 during pending negotiations for a successor collective bargaining
21 agreement.

22 (b) "Increased cost" in regard to insurance benefits means the
23 difference in premiums or illustrated rates between the prior year
24 and the current coverage year. The difference shall be calculated
25 based on changes in cost by category of coverage and not on changes
26 in individual employee marital or dependent status.

27 **(5) THIS SECTION DOES NOT APPLY TO LIMIT A PUBLIC EMPLOYER'S**

1 PAYMENTS OF WAGES AND BENEFITS TO EMPLOYEES WHO ARE SUBJECT TO
2 SECTION 5333(B) OF THE FEDERAL TRANSIT LAW, 49 USC 5333(B).