

COLLECTIVE BARGAINING AMENDMENTS

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 6074 (Substitute H-1)
Sponsor: Rep. Al Pscholka
Committee: Michigan Competitiveness

Complete to 12-8-14

A SUMMARY OF HOUSE BILL 6074 AS REPORTED FROM COMMITTEE 12-3-14

The bill would amend Public Act 336 of 1974, which deals with collective bargaining by public employees. The bill addresses two topics: (1) college students participating in intercollegiate athletics; and (2) independent audits required of exclusive bargaining representatives.

College students

The bill would exclude students participating in intercollegiate athletics on behalf of a public university from the definition of "public employee," and specify that such students are not public employees entitled to representation or collective bargaining rights under the act.

Independent Audit

Section 10(9) of the act requires that each exclusive bargaining representative that represents public employees to file an independent audit with the Michigan Employment Relations Commission by March 1 of each year. This is an audit of all expenditures attributed to the costs of collective bargaining, contract administration, and grievance adjustment during the prior calendar year. The commission is required to make the audits available on its website.

The bill would do the following regarding these audits:

** Replace the term "independent audit" with "independent auditor's report." This report is to verify the exclusive bargaining representative's calculation of all expenditures attributed to the costs of collective bargaining, contract administration, and grievance adjustment during the prior calendar year.

** Say that a public employees could not be compelled (by force, intimidation, or unlawful threats) to pay the costs of the independent auditor's report.

** Specify that an agreement with a collective bargaining unit shall not require a public employer to pay the costs of the independent audit.

** Require the exclusive bargaining representative to file a declaration identifying the local bargaining units that are represented. Local bargaining units so identified would then be exempt from filing a separate independent auditor's report.

** Appropriate \$100,000 to the commission for Fiscal Year 2014-15, for the costs of implementing the subsection containing the auditor's report requirement.

FISCAL IMPACT:

House Bill 6074 (H-1), as reported from committee, would have a fiscal impact on the Michigan Employment Relations Commission or the Bureau of Employment Relations (MERC/BER) as a result of the \$100,000 GF/GP appropriation for the costs to post independent auditor's reports filed with the MERC/BER to its website. According to LARA, HB 6074 (H-1) would result in nominal costs for the MERC/BER to revise forms and train staff.

Legislative Analyst: Chris Couch
Fiscal Analyst: Paul Holland

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.