

# HOUSE BILL No. 4399

March 22, 2017, Introduced by Reps. Glenn, Kelly and Lilly and referred to the Committee on Michigan Competitiveness.

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; to prescribe means of enforcement and penalties for the violation of the provisions of this act; and to make appropriations,"

(MCL 423.201 to 423.217) by adding section 12a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **SEC. 12A. THE COMMISSION SHALL ISSUE AN ORDER DIRECTING A**  
2           **SECRET BALLOT ELECTION IN ANY EXISTING CERTIFIED APPROPRIATE UNIT**  
3           **EVERY 2 YEARS FOLLOWING THE LATER OF THE EFFECTIVE DATE OF THE**  
4           **AMENDATORY ACT THAT ADDED THIS SECTION OR THE DATE OF INITIAL**  
5           **CERTIFICATION OF A BARGAINING REPRESENTATIVE. THE ELECTION MUST BE**  
6           **CONDUCTED BY SECRET BALLOT. IF THE EXISTING CERTIFIED BARGAINING**  
7           **REPRESENTATIVE RECEIVES A MAJORITY OF THE VOTES CAST AND THE**  
8           **MAJORITY REPRESENTS AT LEAST 50% OF THE EMPLOYEES IN THE UNIT, THE**

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1 EXISTING CERTIFICATION CONTINUES. IF THE CERTIFIED BARGAINING  
2 REPRESENTATIVE FAILS TO RECEIVE A MAJORITY VOTE REPRESENTING 50% OF  
3 THE EMPLOYEES IN THE UNIT, THE EXISTING CERTIFICATION TERMINATES.  
4 IF CERTIFICATION IS TERMINATED, THE TERMS OF THE EXISTING CONTRACT  
5 BETWEEN THE EMPLOYEES REPRESENTED BY THE BARGAINING REPRESENTATIVE  
6 AND THE EMPLOYER CONTINUES IN EFFECT FOR THE REMAINING CONTRACT  
7 TERM EXCEPT FOR ANY PROVISIONS THAT INVOLVE DUTIES OF OR  
8 OBLIGATIONS TO THE BARGAINING REPRESENTATIVE, SUCH AS UNION  
9 SECURITY, DUES AND FEES, AND INVOLVEMENT IN GRIEVANCE AND  
10 ARBITRATION PROCEDURES.

11 Enacting section 1. This amendatory act takes effect 90 days  
12 after the date it is enacted into law.