

Legislative Analysis



COMPULSORY LABOR ARBITRATION FOR CERTAIN COUNTY CORRECTIONS OFFICERS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4438 as reported from committee
Sponsor: Rep. Kelly Breen

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4439 as reported from committee
Sponsor: Rep. Robert J. Bezotte

Committee: Criminal Justice
Complete to 5-23-23

SUMMARY:

House Bill 4438 would amend 1969 PA 312, which provides for compulsory arbitration for labor disputes involving municipal police and fire departments, to include within its scope certain county-level corrections officers.

The act requires binding arbitration to resolve labor disputes involving *public police or fire department employees* under certain circumstances and lays out the parameters of that arbitration process.

The act currently defines *public police or fire department employee* to mean an employee of a local unit of government or municipal entity who is engaged as a police officer or in firefighting or is subject to the hazards of those jobs; emergency medical service personnel employed by a public police or fire department; or an emergency telephone operator directly employed by a public police or fire department.

The bill would add to that definition, and thus make the act applicable to, a corrections officer employed by a county sheriff in a county jail, work camp, or other facility maintained by a county that houses adult prisoners.

MCL 423.232

House Bill 4439 would amend two sections of the same act to make their provisions gender-neutral, for instance by replacing *chairman* with *chair*. The bill would make several other revisions of an editorial nature that would not result in a substantive change in law.

MCL 423.235 and 423.237a

BACKGROUND:

House Bill 4438 is identical to HBs 4639 and 4725 of the 2021-22 legislative session, which were jointly considered by the House Committee on Commerce and Tourism, with HB 4725 being reported and passed by the House. Those bills were reintroductions of HB 5623 of the 2019-20 legislative session, which was referred by the House Committee on Commerce and Tourism to the House Committee on Ways and Means.

House Bill 4439 is a reintroduction of HB 4924 of the 2021-22 legislative session, which did not receive a hearing.

FISCAL IMPACT:

House Bill 4438 would have an indeterminate fiscal impact on local court funding units. The fiscal impact would depend on how provisions of the bill affected court caseloads and related administrative costs.

House Bill 4439 would have no fiscal impact on the state or local units of government.

POSITIONS:

Representatives of the following entities testified in support of the bills (5-9-23):

- Michigan Sheriffs' Association
- Jackson County Police Officers Association
- Police Officers Association of Michigan

The Michigan Fraternal Order of Police indicated support for the bills. (4-9-23)

The following entities indicated opposition to House Bill 4438 (5-9-23):

- Michigan Association of Counties
- Mackinac Center for Public Policy

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