

# HOUSE BILL NO. 4454

May 06, 2025, Introduced by Reps. Andrews, Glanville, Weiss, Brixie, Rogers, Xiong, Rheingans, Neeley, Hope, Tsernoglou, MacDonell, B. Carter, Conlin, Steckloff, Foreman, Arbit, Skaggs, Wegela, Young, Pohutsky, McKinney, Mentzer, Longjohn, Dievendorf, McFall, Wilson, Byrnes, Myers-Phillips, Price, T. Carter, Snyder, Breen, Wooden and Tate and referred to Committee on Economic 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,"

by amending sections 12 and 14 (MCL 423.212 and 423.214), section 14 as amended by 2024 PA 145.

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

Sec. 12. (1) ~~When~~ If a public employee or group of public employees, or an individual or labor organization acting on their behalf, files a petition with the commission in accordance with the rules promulgated by the commission that alleges that more than 50% of the public employees within a unit claimed to be appropriate for the purpose of collective bargaining wish to be represented for collective bargaining, the commission shall investigate the petition. If, after the commission completes the investigation, the commission has reasonable cause to believe that a question of representation exists, the commission shall provide an appropriate hearing after due notice. If, based on the record of a hearing conducted under this subsection, the commission determines that more than 50% of the public employees within a unit appropriate for the purpose of collective bargaining wish to be represented for collective bargaining, the commission shall certify the representative as the exclusive bargaining representative as described in section 11.

(2) If the commission receives a petition ~~is~~ filed ~~by~~ either of the following in accordance with the rules promulgated by the commission, the commission shall investigate the petition and, if the commission has reasonable cause to believe that a question of representation exists, provide an appropriate hearing after due notice:

(a) ~~By a~~ A public employee or group of public employees, or an individual or labor organization acting ~~in~~ on their behalf, alleging that 30% or more of the public employees within a unit claimed to be appropriate for ~~such~~ the purpose of collective bargaining wish to be represented for collective bargaining and that their public employer declines to recognize their

1 representative as the representative ~~defined~~**described** in section  
 2 11, or ~~assert~~**asserting** that the individual or labor organization,  
 3 which is certified or is being currently recognized by their public  
 4 employer as the bargaining representative, is no longer a  
 5 representative as ~~defined~~**described** in section 11. ~~+~~**or**

6 (b) ~~By a~~**A** public employer or ~~his~~**the public employer's**  
 7 representative alleging that 1 or more individuals or labor  
 8 organizations have presented to ~~him~~**the public employer** a claim to  
 9 be recognized as the representative ~~defined~~**described** in section  
 10 11. ~~+~~

11 (3) ~~The commission shall investigate the petition and, if it~~  
 12 ~~has reasonable cause to believe that a question of representation~~  
 13 ~~exists, shall provide an appropriate hearing after due notice. If,~~  
 14 ~~the commission finds upon~~**based on** the record of ~~the~~**a** hearing  
 15 **conducted under subsection (2), the commission determines** that such  
 16 a question of representation exists, ~~it~~**the commission** shall direct  
 17 an election by secret ballot and ~~shall~~ certify the results ~~thereof.~~  
 18 ~~Nothing in this~~**of the election. This** section shall be construed to  
 19 **does not** prohibit the waiving of hearings by stipulation for the  
 20 purpose of a consent election in ~~conformity~~**accordance** with the  
 21 rules ~~of~~**promulgated by** the commission.

22 Sec. 14. An election must not be directed in any bargaining  
 23 unit or any subdivision within which, in the preceding 12-month  
 24 period, a valid election was held **or a bargaining representative**  
 25 **was certified under section 12(1).** The commission shall determine  
 26 who is eligible to vote in the election and shall promulgate rules  
 27 governing the election. In an election involving more than 2  
 28 choices, if none of the choices on the ballot receives a majority  
 29 vote, a runoff election must be conducted between the 2 choices

1 receiving the 2 largest numbers of valid votes cast in the  
2 election. An election must not be directed in any bargaining unit  
3 or subdivision of any bargaining unit if there is in force and  
4 effect a valid collective bargaining agreement that was not  
5 prematurely extended and that is of fixed duration. ~~A-However, the~~  
6 **existence of a valid** collective bargaining agreement **that was not**  
7 **prematurely extended and that is of fixed duration** does not bar an  
8 election upon the petition of persons not parties to the collective  
9 bargaining agreement if more than 3 years have elapsed since the  
10 agreement's execution or last timely renewal, whichever was later.