

# MICHIGAN FREEDOM TO WORK IN THE PRIVATE SECTOR

Effective **March 28, 2013**, pursuant to the Labor Relations and Mediation Act (**LMA**), Act No. 176 of 1939 (**Act**), as amended by Act No. 348 of 2012, and consistent with Section 14(b) of the National Labor Relations Act, employees, as that term is defined in Section 2(e) of the Act, shall have the right to **do** or **not to do** any of the following activities:

- **Organize together or form, join, or assist in labor organization;**
- **Engage in lawful concerted activities for the purpose of collective negotiation or bargaining or other mutual aid and protection;**
- **Negotiate or bargain collectively with their employers through representatives of their own free choice.**

The information contained herein applies to all employees as that term is defined by Section 2(e) of the Act.

**PROHIBITED CONDUCT:** Effective March 28, 2013, an individual shall not be required as a condition of obtaining or continuing employment to do any of the following:

- (1) Refrain or resign from membership in, voluntary affiliation with, or voluntary financial support of a labor organization.
- (2) Become or remain a member of a labor organization.
- (3) Pay any dues, fees, assessments, or other charges or expenses of any kind or amount or provide anything of value to a labor organization.
- (4) Pay to any charitable organization or third party an amount that is in lieu of, equivalent to, or any portion of dues, fees, assessments, or other charges or expenses required of members of or employees represented by a labor organization.

Any person, employer, or labor organization that violates this prohibition shall be liable for a civil fine of not more than \$500.00. Any person who suffers an injury as a result of a violation or threatened violation of this prohibition may bring a civil action for damages, injunctive relief, or both. In addition, a court shall award court costs and reasonable attorney fees to a plaintiff who prevails in such a civil action.

The above prohibited conduct shall only apply to an agreement, contract, understanding or practice that takes effect or is renewed or extended after March 28, 2013.

**PROHIBITED CONDUCT:** Effective March 28, 2013, an employee or any other person shall not by force, intimidation or unlawful threats compel or attempt to compel any person to do any of the following:

- (1) Become or remain a member of a labor organization or otherwise affiliate with or financially support a labor organization.
- (2) Refrain from engaging in employment or refrain from joining a labor organization or otherwise affiliating with or financially supporting a labor organization.
- (3) Pay to any charitable organization or third party an amount that is in lieu of, equivalent to, or any portion of dues, fees, assessments, or other charges or expenses required of members of or employees represented by a labor organization.

Any person who engages in this prohibited conduct shall be liable for a civil fine of not more than \$500.00.

Additional information is available on our website at [www.michigan.gov/merc](http://www.michigan.gov/merc). Interested parties may also contact:

Department of Licensing and Regulatory Affairs  
Bureau of Employment Relations  
Cadillac Place  
3026 W. Grand Boulevard, Suite 2-750  
PO Box 02988  
Detroit, MI 48202-2988  
Tel: 313-456-3510  
Fax: 313-456-3511  
Email: [ftwinfo@michigan.gov](mailto:ftwinfo@michigan.gov)

National Labor Relations Board  
Detroit Regional Office  
477 Michigan Avenue, Room 300  
Detroit, MI 48226-2569  
Tel: 866-667-NLRB/313-226-3200  
Fax: 313-226-2090  
Web site: [www.nlr.gov](http://www.nlr.gov)

National Labor Relations Board  
Grand Rapids Regional Office  
Gerald R. Ford Federal Building  
110 Michigan St. NW Room 299  
Grand Rapids, MI 49503-2363  
Tel: 866-667-NLRB/616-456-2679  
Fax: 616-456-2596  
Web site: [www.nlr.gov](http://www.nlr.gov)