

LEGISLATIVE CHANGES IMPACTING COLLECTIVE BARGAINING (PARTIAL LIST)*

Updated 7/2024

PA#	DESCRIPTION OF CHANGE or ADDITION	EFFECTIVE	WEBLINK	MERC DECISION*
8 (2023)	Repeals FTW in Labor Mediation Act to allow agency fee payments as a condition of employment (private sector only).	2-13-24	http://www.legislature.mi.gov/documents/2023-2024/publicact/htm/2023-PA-0008.htm	
9 (2023)	Repeals FTW in PERA to allow agency fee payments as a condition of public sector employment, subject to <i>reversal of Janus vs AFSCME or constitutional amendment</i> . Re-establishes MERC as conduit to receive and post annual audits from unions.	2-13-24	http://www.legislature.mi.gov/documents/2023-2024/publicact/htm/2023-PA-0009.htm	
9 (2011)	Requires collective bargaining agreements to contain a provision regarding the Emergency Manager law (Section 15(5))	3-16-11	http://legislature.mi.gov/doc.aspx?mcl-423-215	
45 (2012)	Excludes “Graduate Assistants or equivalent” from “public employee” definition for collective bargaining purposes. Repealed by 2023 PA 237	3-13-12		<i>*University of Michigan 6-19-14</i>
53 (2012)	Prohibits school districts from collecting union dues or fees via payroll deduction (check-off); Repealed by 2023 PA 114	3-20-12		
54 (2011)	At contract expiration until a newly ratified CBA: (a) wages & step increases are frozen, (b) Insurance increases passed to employees, (c) Eliminates retroactive increases. Repealed by 2023 PA 113	6-8-11		<i>*Kent County 12-18-17 *Traverse Bay ISD 12-18-14 *Schoolcraft County 11-24-14 *Michigan State University 9-17-14 *Shelby Township 8-18-14 *Waverly Schools 12-14-12 *Bedford Schools 12-14-12</i>

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63 (2022)	Requires public meetings of state licensing boards, state commission panels, and state rule-making boards to record meetings to allow for the capture of sound, such as an audio-only recording, a video recording with sound and picture, or a broadcast that is capable of being recorded.	3-28-23	http://www.legislature.mi.gov/documents/2021-2022/publicact/pdf/2022-PA-0063.pdf	
76 (2012)	Excludes from the “public employee” definition for collective bargaining purposes those persons employed by private entities that receive a government subsidy or stipend.	4-10-12	http://legislature.mi.gov/doc.aspx?mcl-423-201	
100 (2011)	Removes “Reasonable and Just Cause” discharge standard for public school employees subject to the Teacher Tenure Act. Repealed by 2023 PA	7-19-11		
101 (2011)	Establishes new standards for achieving and maintaining teacher tenure; revises teacher tenure hearing procedures.	7-19-11	http://legislature.mi.gov/doc.aspx?mcl-38-91	
102 (2011)	Emphasizes student achievement in teacher performance evaluations; Expands prohibited subjects of bargaining. Repealed by 2023 PA 115	7-19-11		*Pontiac Schools 3-17-14
103 (2011)	Expands prohibited subjects of bargaining for public school teachers to include: performance evaluation standards; merit pay standards; decisions on layoff, recall, hiring, position eliminations, etc. Repealed by 2023 PA 115	7-19-11		*Kalamazoo Schs 10-11-22 *Garden City Schs&EA 10-22-20 *Vassar Schools 3-24-17 *Ionia Schools 12-27-16 *Howell Schools 10-20-16 *Ionia ISD 8-15-16 *Shiawassee 7-25-16 *Pontiac Education Assn. 12-18-14

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				<p><i>*Ionia Schools 12-18-14</i> <i>*Pontiac Schools 10-16-14</i> <i>*Calhoun Intermediate Ed. Assn. 9-15-14</i> <i>*Pontiac Schools 5-21-14</i> <i>*Pontiac Schools 5-20-14</i> <i>*Ionia Schools 4-22-14</i> <i>*Pontiac Schools 3-17-14</i></p>
109 (2015)	Require school districts with a general fund balance of less than 5% of total general fund revenues to transmit its budgetary assumptions to the Center for Educational Performance and Information.	7-7-15	http://legislature.mi.gov/doc.aspx?mcl-380-1219	
110 (2015)	Provides that the state financial authority for a school district with a deficit elimination plan (DEP) to be the State Treasurer rather than the State Superintendent; Requires a district's state financial authority to determine existence of probable financial stress if the district either: failed to comply with the DEP or has a DEP that provides for the elimination of its deficit over a period greater than 5 years.	7-7-15	http://legislature.mi.gov/doc.aspx?2015-HB-4326	
111 (2015)	Shifts and expands the requirements related to DEP's from the School Aid Act to the Revised School Code.	7-7-15	http://legislature.mi.gov/doc.aspx?mcl-380-1220	
112 (2015)	Gives authority to Department of Treasury to withhold school aid payments from a district to incentivize it to eliminate its deficit until it submits, and Treasury approves, its DEP.	7-7-15	http://legislature.mi.gov/doc.aspx?mcl-388-1702	

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112 (2023)	Amends Revised School Code to include job performance and accomplishments as a significant determining factor when determining compensation for Teachers and School Administrators.	7-27-23	https://www.legislature.mi.gov/documents/2023-2024/publicact/htm/2023-PA-0112.htm	
113 (2023)	Repeals §15b of PERA and eliminates language prohibiting public employers from paying agreed upon increases in wages or benefits after expiration of current collective bargaining agreement.	2-13-24		Repeals Pa 54 and 152 of 2011
114 (2023)	Removes the prohibition against public school employers using school resources to collect union dues or service fees. Repeals 2012 PA 53	2-13-24	https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-423-210	
115 (2023)	Removes certain prohibited subjects of bargaining that had been previously added under Section 15(3) & (11) that applied to K-12 public schools. Repeals 2014 PA 414	2-13-24	https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-423-215	
116 (2011)	Shifts cost of 312 arbitration solely to the Parties; Last offers submitted up front in process; Sets strict timelines; Requires MERC training for 312 panel arbitrators.	7-20-11	http://legislature.mi.gov/doc.aspx?mcl-423-235 http://legislature.mi.gov/doc.aspx?mcl-423-236 http://legislature.mi.gov/doc.aspx?mcl-423-238	
143 (2023)	Removes Sec 15 prohibition that prevented bargaining over a public school employer's decision to outsource noninstructional support services.	2-13-24	https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-423-215	
144 (2023)	Removes prior prohibition of public schools involvement in automatic fee deductions based on CBA check off provisions.	2-13-24	https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-388-1764H	
152 (2011)	Caps Employer's health care contributions to either: (a) Hard Cap plan (Single 5.5K, 2person 11K, Family 15K); or (b) 80-20 plan	9-27-11	https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-act-152-of-2011	*Kent County 12-18-17 *Clarkston Schools 9-18-17 *Grand Traverse Co. 3-29-17 (20 Day Ord

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	health. Employers must comply or forfeit budget offsets.			<p><i>*Traverse Bay ISD 10-20-15</i> <i>*Capac Schools 7-28-15</i> <i>*Garden City Schools 2-11-15</i> <i>*City of Southfield 11-18-14</i> <i>*West Iron Schools 11-21-14</i> <i>*Watersmeet Schools 10-8-14</i> <i>*Shelby Township 8-18-14</i> <i>*Decatur Schools 1-21-14</i></p>
171 (2023)	Amends Act 312 to extend its coverage to (i) corrections officers employed by a county sheriff's department, and (ii) police officers and fire fighters employed by "higher education institutions."	1-22-24	https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-HB-4438	
172 (2023)	Amends Act 312 to make some of the language more gender neutral by changing "chairman" and "he" to "chair" or "the chair." Tie-barred with HB 4438 when passed by the House.	10-24-23	https://www.legislature.mi.gov/Bills/Bill?ObjectName=2023-HB-4439	
194 (2016)	Revise the process for handling teacher strikes and lockouts in order to provide a more effective and efficient means for addressing these violations of PERA.	9-19-16	http://legislature.mi.gov/doc.aspx?mcl-423-202a	
236 (2023)	Adds Section 11(a) to PERA: requires Employer to provide Union certain contact information regarding bargaining unit employees within 30 days of adding a new member and in 90 day intervals for the entire bargaining unit.	2-13-24	https://www.legislature.mi.gov/Laws/MCL?ObjectName=mcl-423-211a	
237 (2023)	Deletes "graduate student research assistants or equivalent positions" from being excluded from the "public employee" definition under PERA; Also deletes the 20-factor test for	2-13-24	https://www.legislature.mi.gov/documents/2023-2024/publicact/htm/2023-PA-0237.htm	

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	determining employer- employee relationship. Repeals 2021 PA 45			
260 (2011)	Expands prohibited subjects of bargaining for public school teachers to include: classroom observation, teacher placement, evaluation, discipline and discharge. Repealed by 2023 PA 115	12-14-11		*Detroit Federation of Teachers 11-14-11
261 (2011)	Authorizes intergovernmental transfers of municipal emergency service employees.	12-14-11	http://legislature.mi.gov/doc.aspx?mcl-124-610	
262 (2011)	Permits consolidations at Employer's discretion; Obligates parties to negotiate a new CBA(s).	12-14-11	http://legislature.mi.gov/doc.aspx?mcl-124-534	
263 (2011)	Authorizes intergovernmental transfers of employees and responsibilities.	12-14-11	http://legislature.mi.gov/doc.aspx?mcl-124-505	
277 (2011)	Allows more charter schools in MI (unlimited).	3-28-12	http://legislature.mi.gov/doc.aspx?2011-SB-0618	
297 (2011)	Prohibits public employers from providing domestic partner benefits.	12-22-11	http://legislature.mi.gov/doc.aspx?mcl-act-297-of-2011	
322 (2014)	Excludes Act 312 eligible employees from the provisions of PA 54.	10-15-14	https://www.legislature.mi.gov/documents/2013-2014/publicact/htm/2014-PA-0322.htm	
323 (2014)	Parties are prohibited from bargaining over the subject of a prohibition on a firefighter volunteering for or obtaining paid on-call employment with another fire department.	10-15-14	http://legislature.mi.gov/doc.aspx?mcl-423-215a	*Delhi Charter Township 10-31-13

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348 (2012)	Establishes MI as a 'right to work' state (private sector), which prohibits private sector employees in unionized workplaces from being required to join the union, or that nonunion employees pay agency fees, condition of employment. Repealed by 2023 PA 09	3-28-13		
349 (2012)	Establishes MI as a 'right to work' state (public sector), which prohibits public sector employees from being required to join the union, or that non-union employees pay. Repealed by 2023 PA 09	3-28-13		<ul style="list-style-type: none"> *TPOAM&Renner 12-10-19 *Lansing EA&Shock 6-25-19 *Dewitt&MEA&Stepanski 6-12-19 *MEA & Robinson 4-17-18 *Ann Arbor EA & Finnan & Merante 4-18 *Clarkston Schs 9-18-17 *Grand Blanc Clerical Ass'n 2-11-16 *Teamsters&House 2-10-16 *Standish-Sterling 1-15-16 *Teamsters&Cottrell 1-14-16 *Teamsters&Beutler 12-11-16 *Saginaw Education Association 9-23-15 *Taylor Schools 2-13-15 *Delhi Charter Township 2-14-14
414 (2014)	Excludes university athletes from "public employee" definition for collective bargaining purposes; Requires exclusive bargaining representative to file a declaration identifying the local bargaining units represented; Requires Unions to use an "Independent Examiner" to verify its expenditures attributed to collective bargaining, contract administration, and grievance adjustment, and to file the verification with MERC/BER. Repealed by 2023 PA 115	12-30-14		

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436 (2012)	Replaces Emergency Financial Manager (EFM) authority under PA 72. Permits the appointment of an Emergency Manager (EM) where a financial emergency exists; Duty to Bargain suspended for up to 5years; EM term limited to 16 months; EM can nullify existing CBAs.	3-28-13	http://legislature.mi.gov/doc.aspx?mcl-act-436-of-2012	<p><i>*Wayne County 5-12-17</i></p> <p><i>*City of Ecorse 5-13-16</i></p> <p><i>*Wayne County 10-16-15</i></p> <p><i>*City of Detroit 6-14-13</i></p>
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