

# HOUSE BILL No. 4840

May 31, 2005, Introduced by Reps. Gosselin, Meyer, Hoogendyk, Palmer, Stahl, Sheen, Drolet, Garfield, Marleau, Acciavatti, Brandenburg, Pastor and Nitz and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1239.

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

1           **SEC. 1239. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2),**  
2           **THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR**  
3           **THE BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL ENSURE ALL**  
4           **OF THE FOLLOWING:**

5           **(A) THAT FUNDS OF THE SCHOOL DISTRICT, INTERMEDIATE SCHOOL**  
6           **DISTRICT, OR PUBLIC SCHOOL ACADEMY ARE NOT USED TO PAY ANY PART OF**  
7           **THE SALARY OF A PERSON WHO IS EMPLOYED TO ENGAGE IN COLLECTIVE**  
8           **BARGAINING ON BEHALF OF AN EMPLOYEE ORGANIZATION OR GRIEVANCE**

1 PROCEDURES ON BEHALF OF AN EMPLOYEE ORGANIZATION.

2 (B) THAT AN EMPLOYEE OF THE SCHOOL DISTRICT, INTERMEDIATE  
3 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS NOT ASSIGNED TO WORK  
4 ON COLLECTIVE BARGAINING ACTIVITIES ON BEHALF OF AN EMPLOYEE  
5 ORGANIZATION OR GRIEVANCE PROCEDURE ACTIVITIES ON BEHALF OF AN  
6 EMPLOYEE ORGANIZATION AS ANY PART OF HIS OR HER EMPLOYMENT BY THE  
7 SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL  
8 ACADEMY.

9 (2) IF A COLLECTIVE BARGAINING AGREEMENT IS IN EFFECT AS OF  
10 THE EFFECTIVE DATE OF THIS SECTION FOR EMPLOYEES OF A SCHOOL  
11 DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT,  
12 AND IF THAT COLLECTIVE BARGAINING AGREEMENT IS NOT IN COMPLIANCE  
13 WITH SUBSECTION (1), THEN SUBSECTION (1) DOES NOT APPLY TO THAT  
14 SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL  
15 DISTRICT UNTIL AFTER THE EXPIRATION OF THAT COLLECTIVE BARGAINING  
16 AGREEMENT.