

HOUSE BILL NO. 5820

February 23, 2022, Introduced by Reps. Sabo, Weiss, Brenda Carter, Clemente, Haadsma, Coleman, Breen, Stone, Hope, Neeley, Brabec, Sowerby, Garza, Liberati, O'Neal, Pohutsky, Steckloff, Cavanagh, Rabhi, Cherry, Steenland, Tyrone Carter, Manoogian, Bolden, Kuppa, Rogers, Sneller, Scott, Anthony, Thanedar, Ellison, Aiyash, Peterson, Koleszar, Hood, Young, Shannon, Tate, Morse, Jones, Hertel, Brixie and Whitsett and referred to the Committee on Government Operations.

A bill to amend 1969 PA 312, entitled

"An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof,"

by amending the title and sections 1 and 2 (MCL 423.231 and 423.232), section 2 as amended by 2011 PA 116, and by adding section 15.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to provide for compulsory arbitration of labor disputes ~~in municipal police and fire departments; to define such public departments; for public employees;~~ to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof.

Sec. 1. It is the public policy of this state that ~~in public police and fire departments, where the~~ **for public employees, whose** right ~~of employees~~ to strike is by law prohibited, it is requisite to the high morale of such employees and the efficient operation of ~~such departments~~ **public entities** to afford an alternate, expeditious, effective, and binding procedure for the resolution of disputes, and to that end the provisions of this act, providing for compulsory arbitration, shall be liberally construed.

Sec. 2. ~~(1)~~ As used in this act, "public police or fire department employee" means ~~any employee of a city, county, village, or township, or of any authority, district, board, or any other entity created in whole or in part by the authorization of 1 or more cities, counties, villages, or townships, whether created by statute, ordinance, contract, resolution, delegation, or any other mechanism, who is engaged as a police officer, or in fire fighting or subject to the hazards thereof; emergency medical service personnel employed by a public police or fire department; or an emergency telephone operator, but only if directly employed by a public police or fire department. Public police and fire department employee does not include any of the following:~~

~~(a) An employee of a community college.~~

~~(b) An employee of a metropolitan district created under 1939~~

1 ~~PA 147, MCL 119.51 to 119.62.~~

2 ~~(c) An emergency telephone operator employed by a 911~~
3 ~~authority or consolidated dispatch center.~~

4 ~~(d) An employee of an authority that is in existence on June~~
5 ~~1, 2011, unless the employee is represented by a bargaining~~
6 ~~representative on that date or a contract in effect on that date~~
7 ~~specifically provides the employee with coverage under this act. An~~
8 ~~exclusion under this subdivision terminates if the authority~~
9 ~~composition changes to include an additional governmental unit or~~
10 ~~portion of a governmental unit. This subdivision does not apply to~~
11 ~~terminate an exclusion created under subdivisions (a) to (c).~~

12 ~~(2) "Emergency medical service personnel" for purposes of this~~
13 ~~act includes a person who provides assistance at dispatched or~~
14 ~~observed medical emergencies occurring outside a recognized medical~~
15 ~~facility including instances of heart attack, stroke, injury~~
16 ~~accidents, electrical accidents, drug overdoses, imminent~~
17 ~~childbirth, and other instances where there is the possibility of~~
18 ~~death or further injury; initiates stabilizing treatment or~~
19 ~~transportation of injured from the emergency site; and notifies~~
20 ~~police or interested departments of certain situations encountered~~
21 ~~including criminal matters, poisonings, and the report of~~
22 ~~contagious diseases. "Emergency telephone operator" for the purpose~~
23 ~~of this act includes a person employed by a police or fire~~
24 ~~department for the purpose of relaying emergency calls to police,~~
25 ~~fire, or emergency medical service personnel.~~

26 ~~(3) This act does not apply to persons employed by a private~~
27 ~~emergency medical service company who work under a contract with a~~
28 ~~governmental unit or personnel working in an emergency service~~
29 ~~organization whose duties are solely of an administrative or~~

~~supporting nature and who are not otherwise qualified under~~
~~subsection (2).~~ **a public employee as that term is defined in section**
1 of 1947 PA 336, MCL 423.201.

Sec. 15. An award issued by an arbitration panel under this
act that involves an employee in the classified state civil service
does not take effect unless the award is approved by the civil
service commission.

Enacting section 1. This amendatory act does not take effect
unless Senate Joint Resolution ____ or House Joint Resolution 0
(request no. 04923'21) of the 101st Legislature becomes a part of
the state constitution of 1963 as provided in section 1 of article
XII of the state constitution of 1963.