

# HOUSE BILL No. 5780

July 18, 2012, Introduced by Reps. Walsh, Lyons, Horn, Farrington, MacMaster, Outman, Lund, Shaughnessy, Crawford, Zorn, Rendon, Hughes, LaFontaine, Goike, Ouimet, Pettalia, Somerville, Cotter, Foster, Daley, LeBlanc, Poleski, Kowall and Kurtz and referred to the Committee on Local, Intergovernmental, and Regional Affairs.

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; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,"

by amending section 15b (MCL 423.215b), as added by 2011 PA 54.

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

1           Sec. 15b. (1) Except as otherwise provided in this section,  
2 after the expiration date of a collective bargaining agreement and  
3 until a successor collective bargaining agreement is in place, a  
4 public employer shall pay and provide wages and benefits at levels  
5 and amounts that are no greater than those in effect on the  
6 expiration date of the collective bargaining agreement. The  
7 prohibition in this subsection includes increases that would result

1 from wage step increases. Employees who receive health, dental,  
2 vision, prescription, or other insurance benefits under a  
3 collective bargaining agreement shall bear any increased ~~cost~~**COSTS**  
4 of maintaining those benefits that ~~occurs~~**OCCUR** after the  
5 expiration date. The public employer ~~is authorized to~~**MAY** make  
6 payroll deductions necessary to pay the increased costs of  
7 maintaining those benefits.

8 (2) Except as provided in subsection (3) **OR (4)**, the parties  
9 to a collective bargaining agreement shall not agree to, and an  
10 arbitration panel shall not order, any retroactive wage or benefit  
11 levels or amounts that are greater than those in effect on the  
12 expiration date of the collective bargaining agreement.

13 (3) For a collective bargaining agreement that expired before  
14 ~~the effective date of this section,~~**JUNE 8, 2011**, the requirements  
15 of this section apply to limit wages and benefits to the levels and  
16 amounts in effect ~~on the effective date of this section.~~**JUNE 8,**  
17 **2011.**

18 (4) **THIS SECTION DOES NOT APPLY TO A PUBLIC EMPLOYEE ELIGIBLE**  
19 **TO PARTICIPATE IN COMPULSORY ARBITRATION OF LABOR DISPUTES UNDER**  
20 **1969 PA 312, MCL 423.231 TO 423.247.**

21 (5) ~~(4)~~As used in this section:

22 (a) "Expiration date" means the expiration date set forth in a  
23 collective bargaining agreement without regard to any agreement of  
24 the parties to extend or honor the collective bargaining agreement  
25 during pending negotiations for a successor collective bargaining  
26 agreement.

27 (b) "Increased ~~cost~~**COSTS**" in regard to insurance benefits

1 means the difference in premiums or illustrated rates between the  
2 prior year and the current coverage year. The difference shall be  
3 calculated based on changes in ~~cost~~**COSTS** by category of coverage  
4 and not on changes in individual employee marital or dependent  
5 status.