

PUBLIC EMPLOYER-PAID RELEASE TIME FOR UNION BUSINESS PROHIBITED

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Senate Bill 796 (S-1) as passed by the Senate
Sponsor: Sen. Marty Knollenberg
House Committee: Education Reform
Senate Committee: Education
Complete to 12-5-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 796 would amend the Public Employment Relations Act, or PERA, to prohibit a public employer from entering into a bargaining agreement that would allow *release time* for the conducting of union business if the release time would be paid by the public employer.

This prohibition would not apply to any of the following:

- Employees subject to compulsory arbitration under Public Act 312 of 1969, which applies to labor disputes in police and fire departments.
- Corrections officers employed by a county sheriff in a county jail, work camp, or other facility maintained by a county that houses adult prisoners.
- Corrections officers employed by the Department of Corrections (DOC).
- Employees of a state or local transit authority seeking or receiving financial assistance under federal law providing transit employees protective arrangements.

Release time would mean the following, as defined in the Public School Employees Retirement Act, or any other type of released time:

- Employee organization professional services leave or professional services leave, which would mean a leave of absence renewed annually by the reporting unit so that a member could accept a position with a public school employee organization to which he or she belongs and which represents employees of a reporting unit in employment matters.
- Employee organization professional services released time or professional services released time, which would mean a portion of the school fiscal year during which a member is released by the reporting unit from his or her regularly assigned duties to engage in employment matters for a public school employee organization to which he or she belongs.

The bill would take effect 90 days after enactment.

MCL 423.210

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on state and local governments, but would likely decrease costs to the extent that other benefits are not negotiated to replace the loss of paid release time.

According to the Office of Retirement Services, for FY 2017-18, approximately \$1.6 million in wages were associated with paid release time among Michigan Public School Employee Retirement System (MPERS) employers. There are no data available regarding the extent to which other public employers pay for release time.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.