

HOUSE BILL NO. 4924

May 26, 2021, Introduced by Reps. Breen, Marino, Bezotte, Cavanagh and Berman 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 sections 5 and 7a (MCL 423.235 and 423.237a), section 5 as amended by 2011 PA 116.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Within 7 days ~~of~~**after** a request from 1 or both

1 parties, the employment relations commission shall select from its
 2 panel of arbitrators, as provided in subsection (2), 3 persons as
 3 nominees for impartial arbitrator or ~~chairman~~**chair** of the
 4 arbitration panel. Within 5 days after the selection, each party
 5 may peremptorily strike the name of 1 of the nominees. Within 7
 6 days after this 5-day period, the commission shall designate 1 of
 7 the remaining nominees as the impartial arbitrator or ~~chairman~~
 8 **chair** of the arbitration panel.

9 (2) The employment relations commission shall establish and
 10 appoint a panel of arbitrators, who shall be known as the Michigan
 11 employment relations commission panel of arbitrators. The
 12 commission shall appoint members for indefinite terms. Members
 13 shall be impartial, competent, and reputable citizens of the United
 14 States and residents of ~~the~~**this** state, and shall qualify by taking
 15 and subscribing the constitutional oath or affirmation of office.
 16 The commission may at any time appoint additional members to the
 17 panel of arbitrators ~~and~~ may remove existing members without
 18 cause.

19 (3) The employment relations commission shall establish the
 20 qualifications and training that are necessary for an individual to
 21 serve as the chair of an arbitration panel under this act. The
 22 commission may waive the qualifications and training requirements
 23 for an individual who has served as a commission-appointed chair of
 24 an arbitration panel in an arbitration proceeding under this act
 25 before ~~the effective date of the amendatory act that added this~~
 26 ~~subsection.~~**July 20, 2011.**

27 Sec. 7a. At any time before the rendering of an award, the
 28 ~~chairman~~**chair** of the arbitration panel, if he **or she** is of the
 29 opinion that it would be useful or beneficial to do so, may remand

1 the dispute to the parties for further collective bargaining for a
2 period not to exceed 3 weeks. If the dispute is remanded for
3 further collective bargaining, the time provisions of this act
4 shall ~~be~~**are** extended for a time period equal to that of the
5 remand. The ~~chairman~~**chair** of the panel of arbitration shall notify
6 the employment relations commission of the remand.

7 Enacting section 1. This amendatory act does not take effect
8 unless House Bill No. 4725 of the 101st Legislature is enacted into
9 law.