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House Bill 4356 and 4357 (Substitute H-1 as passed by the House)

Sponsor: Representative Brenda Carter (H.B. 4356)

Representative Rachel Hood (H.B. 4357)

House Committee: Labor

Senate Committee: Labor

Date Completed: 6-21-23

CONTENT

House Bill 4356 (H-1) would amend the public employment relations Act to allow the decision of whether to contract with a third party for one or more noninstructional support services and related subjects to be discussed during collective bargaining.

House Bill 4357 (H-1) would amend the State School Aid Act to delete provisions prohibiting a school district or intermediate district from entering into a collective bargaining agreement that automatically deducts union dues from employee compensation or includes a method of compensation that does not comply with a requirement in the Revised School Code that methods of compensation for teachers and administrators be performance-based.

House Bill 4357 is tie-barred to House Bill 4356.

House Bill 4356 (H-1)

Among other things, the public employment relations Act governs how public employees and their employers may engage in collective bargaining. The Act prohibits certain subjects from collective bargaining between a public school employer and a bargaining representative of its employees.

Currently, if a bargaining unit that provides noninstructional support services is given an opportunity to bid on the contract for the noninstructional support services on an equal basis as other bidders, the decision of whether or not to contract with a third party for one or more noninstructional support services; the procedures for obtaining the contract for noninstructional support services other than bidding; the identity of the third party; or the impact of the contract for noninstructional support services on individual employees or the bargaining unit are prohibited from discussion. The bill would delete this provision, allowing these subjects to be discussed during collective bargaining.

House Bill 4357 (H-1)

Among other things, the State School Aid Act prohibits a district or intermediate district from entering into a collective bargaining agreement that does any of the following:

- Establishes racial or religious preferences for employees.
- Conflicts with any State or Federal law regarding district or intermediate district transparency.
- Automatically deducts union dues from employee compensation.

- Includes a method of compensation that does not comply with Section 1250 of the Revised School Code, which requires a school district, public school academy, or intermediate school district to implement and maintain a method of compensation for its teachers and school administrators that considers job performance and job accomplishments.

The bill would delete the latter two provisions.

MCL 423.215 (H.B. 4356)
388.1764h (H.B. 4357)

Legislative Analyst: Alex Krabill

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on local intermediate school districts, school districts, and public school academies that have collective bargaining agreements. The impact would depend on whether a collective bargaining agreement, allowed under the bills, increased costs to the local unit that otherwise would have been permitted under current law.

Fiscal Analyst: Cory Savino, PhD

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.