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Senate Bill 319 (as passed by the Senate)
Sponsor: Senator Veronica Klinefelt
Committee: Labor

Date Completed: 8-1-25

RATIONALE

According to testimony before the Senate Committee on Labor, firefighters in Michigan have some of the lowest staffing levels per capita in the Midwest with approximately 50 firefighters per 100,000 people. Testimony also indicates that neighboring states like Wisconsin and Ohio have 82 and 111 firefighters per 100,000 people, respectively. Some have concern that these low staffing levels place Michigan residents at a higher risk from fire. The bill would allow public safety officers to negotiate with municipalities on staffing levels, which could improve the State's firefighter per capita ratio.

CONTENT

The bill would amend the public employment relations Act to specify that collective bargaining between a public police or fire department bargaining unit and its employer would include minimum staffing levels within the bargaining unit; however, the bill would make this requirement voluntary if the public employer had collected less sales tax or property tax revenue than the previous fiscal year.

Under the Act, representatives designated or selected for purposes of collective bargaining by the majority of the public employees in a unit are the exclusive representatives of all the public employees in the unit for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment, or other conditions of employment. These individuals are known as collective bargaining representatives. The Act requires a public employer to bargain collectively with its employees' collective bargaining representatives concerning the same matters.

Under the bill, for employees subject to Public Act (PA) 312 of 1969, collective bargaining with respect to "other conditions of employment" would include minimum staffing levels within the bargaining unit; however, if, as compared to the immediately preceding fiscal year, there were a reduction in the amount of sales tax revenue the public employer received from revenue sharing or a reduction in property tax collections due to a reduction in the total taxable value of the public employer, the public employer could, but would not have to, collectively bargain with employees subject to PA 312 of 1969 with respect to minimum staffing levels within the bargaining unit. For employees not subject to PA 312 of 1969, the requirements above would not prohibit the employees from collectively bargaining with respect to minimum staffing levels within the bargaining unit.

(Public Act 312 of 1969 governs compulsory arbitration for public police or fire department employees, who generally include local government police department and fire department employees, county corrections officers, emergency medical service personnel employed by public police or fire, and emergency telephone operators employed by public police or fire.)

MCL 423.211 & 423.215

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

Senate Bill 319 is a reintroduction of Senate Bill 1167 from the 2023-2024 Legislative Session. Senate Bill 1167 passed the Senate but saw no further action.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Requiring compulsory arbitration over minimum staffing levels for police and fire departments would give bargaining representatives of those departments the ability to negotiate with their local governments concerning the topic. According to testimony before the Senate Committee on Labor, if a local government is not required to discuss minimum staffing levels during arbitration, a minimum staffing level generally is not included in new contracts and is removed from old contracts. Bargaining representatives need a reliable way to compel the discussion of minimum staffing levels with local governments to ensure that minimum staffing levels are met so police and fire departments can do quality work.

Response: According to testimony, requiring arbitration for staffing levels fails to address a major cause of low staffing levels, that open positions are not being filled. Therefore, establishing minimum staffing levels to hire for new police and fire staff that may never be filled would be an ineffective solution for increasing manpower for police and fire departments.

Opposing Argument

The bill would codify poor fiscal management for local governments. Many local governments do not have adequate funds to fully staff their services, and codifying compulsory arbitration for police and fire minimum staff levels would increase the likelihood that the local government would experience financial insecurity. Additionally, contracts are typically multi-year agreements and negotiating staffing levels over a single year of financial change does not adequately reflect the fiscal health of a local government. Even if a local government collected more revenue that year, the bill's concession to concerns about financial downturn does not address the impact to local government's funding because of inflationary trends, contractual raises, healthcare costs, and other community expenses. The bill would worsen the financial states of local governments in Michigan and should not be passed.

Response: The bill would not negatively affect a local government's financial security. It would not require local governments to increase minimum staffing levels, only require them to discuss minimum staffing levels during compulsory arbitration. The ability to pay for more staff would be the first factor arbitrators would have to consider during compulsory arbitration under PA 312 of 1969. If a local government could not pay for more staff, it would not be required to during compulsory arbitration.

Legislative Analyst: Alex Krabill

FISCAL IMPACT

The bill would have no fiscal impact on the State and an indeterminate fiscal impact on local governmental units. There are approximately 18,000 police officers and 8,700 full-time paid firefighters that would be subject to the bill.

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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.