

<u>Michigan SENATE BILL No. 1260</u>	<u>ALEC's Union Recertification Act</u>
<p>12A. (1) BEGINNING IN 1 2022, IN EVERY EVEN-NUMBERED YEAR THE COMMISSION SHALL DIRECT AN ELECTION IN AN EXISTING CERTIFIED APPROPRIATE UNIT.</p>	<p>This policy ensures that no collective bargaining representative or exclusive representative shall represent public employees in a unit without the concurrence of a majority of all the public employees in the unit. A commission will recertify a representative in a secret ballot election within three years of this act being passed and every even year thereafter.</p>
<p>(A) THE ELECTION MUST TAKE PLACE DURING A 7-DAY PERIOD BEGINNING ON OR AFTER AUGUST 1 AND ENDING 1 ON OR BEFORE NOVEMBER 30.</p>	<p>The board shall allow represented [public employees] to cast ballots for a period of [seven days/ time prescribed in labor statute.]</p>
<p>(C) THE COMMISSION SHALL CONDUCT THE ELECTION BY SECRET BALLOT IN PERSON; BY MAIL, TELEPHONE, OR INTERNET; OR BY ANY OTHER MEANS THAT THE COMMISSION DETERMINES TO BE FAIR, CONFIDENTIAL, AND RELIABLE.</p>	<p>i. The [board/ commission] shall determine whether elections shall be conducted in-person, by mail, by telephone, by internet-based systems, or by any other means determined by the [board/ commission] to be fair, confidential, and reliable.</p>
<p>(E) THE EXISTING CERTIFIED BARGAINING REPRESENTATIVE SHALL PAY THE COSTS OF THE ELECTION PURSUANT TO A FEE SCHEDULE ESTABLISHED BY THE COMMISSION.</p>	<p>ii. The [board/ commission] may establish a fee schedule from [collective bargaining representative / exclusive representative] participating in elections conducted under this section for the purpose of funding of the elections.</p>
<p>IF AN EXISTING CERTIFIED BARGAINING REPRESENTATIVE RECEIVES A MAJORITY OF THE VOTES CAST IN AN ELECTION HELD UNDER THIS SECTION, AND THE MAJORITY REPRESENTS AT LEAST 50% OF THE PUBLIC EMPLOYEES IN THE UNIT, THE EXISTING CERTIFICATION CONTINUES. IF THE CERTIFIED BARGAINING REPRESENTATIVE FAILS TO RECEIVE A MAJORITY VOTE REPRESENTING AT LEAST 50% OF THE EMPLOYEES IN THE UNIT, THE EXISTING CERTIFICATION TERMINATES.</p>	<p>Should the existing [collective bargaining representative / exclusive representative] receive affirmative votes from a majority of all [public employees] employed in the unit the pre-existing certification shall continue. If the existing [collective bargaining representative / exclusive representative] fails to receive affirmative votes from a majority of all [public employees] employed in the unit, the [board/ commission] shall decertify the [collective bargaining representative / exclusive representative] and the [public employees] shall be unrepresented.</p>
<p>IF CERTIFICATION IS TERMINATED, THE TERMS OF THE EXISTING CONTRACT BETWEEN THE EMPLOYEES REPRESENTED BY THE BARGAINING REPRESENTATIVE AND THE EMPLOYER CONTINUES IN EFFECT FOR THE REMAINING CONTRACT TERM EXCEPT FOR ANY PROVISIONS THAT INVOLVE</p>	<p>In the event of a termination of certification, the terms of any pre-existing contract between the [collective bargaining representative / exclusive representative] and the [public employer] shall continue and remain in effect for the remaining contract term except for any provisions involving,</p>

DUTIES OF OR OBLIGATIONS TO THE BARGAINING REPRESENTATIVE INCLUDING, BUT NOT LIMITED TO, UNION SECURITY, DUES AND FEES, AND INVOLVEMENT IN GRIEVANCE AND ARBITRATION PROCEDURES.

in any manner, the [collective bargaining representative / exclusive representative] including but not limited to union security, dues and fees, and grievance and arbitration.