

Legislative Analysis



TEACHER STRIKES

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House Bill 6528 (Substitute H-1)

Sponsor: Rep. Phil Pavlov

Committee: Education

Complete to 12-6-06

A SUMMARY OF HOUSE BILL 6528 AS REPORTED FROM COMMITTEE

House Bill 6528 would amend Public Act 336 of 1947, which prohibits strikes by public school teachers, to require that a public school employer immediately notify the Michigan Employment Relations Commission of any suspected strike. Under the bill, if a school employer failed to notify the commission within 24 hours after a strike started, then a parent (or legal guardian) of a student could notify the commission of the strike.

In addition and under the bill, a parent (or legal guardian) of a student enrolled in a school or program operated by a public school employer could institute a civil action against the employee bargaining representative, in order to recover actual expenses incurred because of a strike. For purposes of this subsection, "actual expenses" is defined to mean expenses of obtaining alternative child care and includes lost wages if a parent or guardian must leave employment to care for the student.

Currently under the law, a public school employer must notify the commission of any strike among its employees, and the commission must conduct a hearing within 60 days after receiving the notice. Under the bill, the commission would be required to conduct a hearing within seven days. After the hearing, if a majority of the commission finds that public school employees engaged in a strike, then the commission can fine each employee for each day that he or she was striking, and in addition, the commission must fine the bargaining representation of the employee \$5,000 for each full or partial day of the strike.

MCL 423.202a

FISCAL IMPACT:

There is no fiscal impact on the State of Michigan or its local units of government.

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