

MICHIGAN'S NEW RIGHT TO WORK LAW

On December 11, 2012, Governor Rick Snyder signed House Bill 4003 and Senate Bill 116 enacting "freedom-to-work" laws in Michigan. The new laws give Michigan workers expanded options when deciding whether or not to join a union. Some of you have raised questions about what this new law means and how it may affect your workplace rights. The College has attempted to answer some of these questions below.

Are unions prohibited under the new laws?

No. Workers will still have the option of joining the union representing employees within their workplace.

Do the new laws prohibit collective bargaining?

No. Workers in Michigan will still have the right to engage in collective bargaining.

What does this new "Right to Work" law do?

The law makes it unlawful for a union and an employer to negotiate a labor contract that requires an employee to become or remain a member of a union or pay union dues, assessments or other compensation to a union as a condition of employment.

Who does it apply to?

It applies to public and private sector employees in Michigan with a few specific exceptions (e.g., firefighters, police officers, agricultural laborers, individuals employed by parents or spouses, and in-home domestic service employees).

When does the law take effect?

The law takes effect on March 27, 2013. Once effective, however, it applies only to agreements or contracts that are newly negotiated, extended, or renewed. This means that employees covered by an existing collective bargaining agreement may have to wait until that agreement expires or is extended or renewed to exercise their rights.

What does that mean for employees represented by unions?

Once the law takes effect, employees may exercise their right to resign from the union and to stop paying dues, fees, etc. without losing their job. However, employees covered by a labor contract or collective bargaining agreement ratified *prior* to March 27, 2013, may have to wait until that agreement expires before exercising their rights.

What happens to pay and benefits if employees resign from the union and stop paying dues?

Nothing. The union continues to represent bargaining unit employees, and those employees continue to receive the wages, benefits and other rights provided for in the collective bargaining agreement. It is illegal for employers to compensate bargaining unit employees differently based on whether or not they are union members.

Can there be retaliation for exercising my rights under this new law?

No. You are protected by law. It is unlawful for an employer or union to retaliate against you, or to coerce or intimidate you with respect to your right to choose whether to be a union member and to pay union dues.

Where can I find more information on Michigan's new freedom-to-work laws?

Detailed language for both HB 4003 and SB 116 can be viewed by visiting www.legislature.mi.gov .

The College would like to emphasize that it is neither encouraging nor discouraging you to take any action relative to union representation or payment of dues. That is entirely your decision, and we support your legal rights to decide based on what you think is best for you and your family.