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The Basics of Bargaining What the Law Says

What is bargained?

- In the workplace, administration retains all management rights not addressed in the collective bargaining agreement.
- Administration must bargain about wages, rates of pay, hours of employment, and other conditions of employment.
- The law (Public Act 112) prohibits the union from bargaining certain topics, such as, the starting day of the school year, the decision on whether or not to provide open enrollment, experimental or pilot programs, the decision whether to authorize a public school academy, the policy holder of an employee group insurance benefit, and several other topics.
- There are also voluntary subjects of bargaining such as hiring standards, program cuts, and the decision to lay off worker. Neither side may demand that the other side bargain these topics.

Impasse:

- If, at a point in bargaining, the Michigan Employment Relations Commission (MERC) determines that impasse exists, that is, that neither party is willing to compromise further in negotiations, the employer may implement all or only a portion of its last offer.

Strikes:

- If an employee fails to perform all or a portion of his/her work in order to coerce a change in employment conditions, that employee will be fined an amount equal to one day of pay for each full or partial day he/she engaged in this behavior.

