

POLICY BRIEF

Michigan Association of School Administrators
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**Updated 9/6/12*

Issue: The Michigan "Protect Our Jobs" proposal WILL be on the November statewide ballot in Michigan. The initiative would add a section to the state constitution guaranteeing a right to "organize together to form, join or assist labor organizations, and to bargain collectively with a public or private employer." It will also prohibit any existing or future law of the state from impairing, restricting or limiting the negotiation and enforcement of any collective bargaining agreement, *except the ability to prohibit or restrict strikes by public employees.*

Support: Protect Our Jobs Coalition

Supporters (To Date):

Michigan UAW	Lecturers' Employee Organization	National Education Association
Michigan Education Association	Michigan Branch of the AFT	Progress Michigan
We Are the People – Michigan	Michigan AFL-CIO	Michigan Democratic Party
Michigan Nurses Association	Michigan State Utility Workers Council	

"Protect Our Jobs" has spent about \$1.2 million and has about \$6.9 million in cash on hand, according to a recent public expenditure report.

Opposition (To Date):

Michigan Governor Rick Snyder	Michigan Association of School Boards
Michigan Association of School Administrators	Michigan Chamber of Commerce
Citizens Protecting Michigan's Constitution	

Status: A petition was filed on June 13 2012. Supporters collected and turned in 684,286 signatures (322,609 were needed). On 9/5/12 the Michigan Supreme Court ordered the proposal on the ballot.

Impact: A memorandum from the Office of the Michigan Attorney General indicates that the ballot initiative could repeal at least 18 provisions in the Michigan constitution, adversely impact at least 13 Michigan statutes and repeal at least 170 Michigan laws. Passage of this initiative would effectively repeal all limitations on the right to collectively bargain, including prohibited subjects of bargaining set forth in the Public Employment Relations Act (PERA) listed below:

Policyholder of insurance benefit	Volunteers	Discharge/ discipline of an employee
Starting day for the school year	Experimental or pilot programs	Classroom observations
Amount of pupil contact time	Technology use decisions	Method of compensation
School improvement committees	Recover any monetary penalty	Employee performance evaluation
Open enrollment opportunity	Placement of teachers	Performance-based compensation
Public school academies	Personnel decisions (add/reduce)	Notification to parents
Contracting non-instructional services		

The ballot proposal would also abrogate in whole or in part current laws and statutory requirements including:

- Prohibition on **automatic wage, step and benefit increases** (PA 54 of 2011)
- **Tenure** Act Reforms (PA 100 and PA 101 of 2011)
- Publicly Funded **Health Insurance Contribution** Act (PA 152 of 2011)
- Michigan School Code: Mcl 380.620 **transparency** reporting; .1230a **criminal background checks**; .1230b **unprofessional conduct** disclosure; .1230d **criminal history** disclosure; .1235 **sabbatical** leave; .1248 **LIFO** policies; .1249 **evaluation system** criteria – **effectiveness** labels; .1250 **merit compensation**; 1280c **SRRO**; .1284a **common calendar**; .1284b **Post Labor Day start**; .1312 **corporal punishment**; .1317 **employee prohibited conduct**; 1535a/b **teaching certificate hearings/suspensions**;
- Michigan School Aid Act: Mcl 388.1701 teacher **professional development** requirements