



## Public Employer Labor Sidebar

**By Karl W. Butter**

Public employers should be aware that an “at will” nonunionized employee may file a charge of unfair labor practices against the public employer. While nonunionized workers employed by *private* employers have the right to engage in concerted activities for the purpose of mutual aid or protection under the federal National Labor Relations Act ([see related NLRA article](#)), Michigan workers employed by a *public* employer have similar rights under the Public Employment Relations Act (PERA).

PERA is enforced by the Michigan Employment Relations Commission (MERC). Unlike its federal counterpart, the National Labor Relations Board, MERC does not investigate or prosecute charges of unfair labor practices. However, MERC, has the authority to order reinstatement of terminated employees, back pay, and a change in a public employer’s employment practices.