

Right-To-Work: What Does the Effective Date Mean to Your Workplace?

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As we alerted you in December, effective today, all agreements, contracts, understandings or practices that take effect, are extended or renewed are subject to Michigan's Right-To-Work laws, Public Acts 348 (private sector) and 349 (public sector). Thus, if your organization is presently a party to an existing agreement, contract, understanding or practice, Right-To-Work laws will not impact you unless or until the current agreement, contract, understanding or practice is extended or renewed.

The State of Michigan has released posters containing information regarding the new right to work laws. The poster for public employers can be found [here](#). The poster for private sector employers can be found [here](#).

The following describes the key changes:

Change

- Employees cannot be compelled to pay dues or join unions.
- Employers cannot be compelled to discharge employees for not paying or joining.
- \$500 fine and/or lawsuit for using force, intimidation or threats against those not paying or joining.

Status Quo

- Duty to recognize and bargain with union.
- Duty to honor all other contract provisions.
- The collective bargaining agreement (CBA) applies to all employees in a recognized bargaining unit, regardless of union membership (e.g., just cause discipline/discharge and right to grieve).
- Duty to collect dues per CBA and deduction authorization cards/forms.
- Union's duty of fair representation of all bargaining unit members.
- Employees' right to engage in protected concerted activity (e.g. strike, picketing, bargaining, protected communications, etc.)
- Employee contract voting rights (e.g. non-members cannot vote).

>> For more information, contact a member of **Miller Canfield's Employment + Labor practice group**.