



It's Opening Day for Right-to-Work in Michigan!

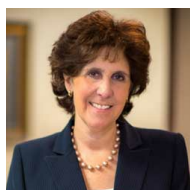
MIRIAM ROSEN | EMPLOYER ADVOCATE | MAR 28, 2013

Opening day for the Detroit Tigers isn't until next week, but for employers in Michigan it's "opening day" of another sort today. Effective March 28, 2013, Michigan is a right-to-work ("RTW") state.

Under Michigan's new RTW law, collective bargaining provisions that require employees to become union members are now **impermissible** for most public and all private sector employers. This means that employees at a facility represented by a union may choose not to join the union and not to pay union dues.

There are a few caveats to keep in mind, however. First, the RTW law does not apply to collective bargaining agreements that are in place on the law's effective date of March 28, 2013. That means that union security provisions will continue to be in effect and are enforceable until the next time that the contract expires or is extended or renewed. Second, even if the union security clause is no longer effective, that does not automatically result in the end of union dues check-off. Union dues authorization and check-off forms are a separate agreement between an employee and their union recognized under federal labor laws. To effectively end the union dues deduction, an employee must follow the established revocation procedures. These procedures are typically found on the deduction authorization card.

Practically speaking, what does this mean for unionized employers in Michigan? Well, for employers with union security provisions in existing collective bargaining agreements, it means that the right-to-work game has started, but that it's still in the first inning!



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