



MIRS Capitol Capsule

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Snyder Signs MQCCC Bill

Gov. Rick SNYDER today signed SB 1018, a bill championed by the free-market Mackinac Center as ending the "forced unionization" of home health care workers, but decried by opponents as ending a needed program for the elderly or disabled who want to stay in their homes.

The bill, sponsored by Sen. Dave HILDENBRAND (R-Lowell), is now Public Act 76.

"Those employed by private individuals cannot become public employees simply by receiving government dollars," Snyder said. "I am pleased this bill will return the interpretation of the law to its initial intent."

The controversy surrounding the Michigan Quality Community Care Council (MQCCC) stems from an interdepartmental agreement under which the state of Michigan declared home health care workers who only receive Medicaid or Medicare money for the service they provide as public employees, giving them the power to organize.

The bill is designed to make it clear that the state's Michigan Employment Relations Commission (MERC) can't recognize the SEIU-backed bargaining unit that organized these private-sector workers who received public money, but were not traditional public employees. It would be retroactive.

While MQCCC was the vehicle used by the SEIU to organize the home help care workers, it also provides a registry to match clients with workers. It also promotes training and background checks.

Dohn HOYLE of ARC Michigan, a supporter of the MQCCC, said he didn't know why MQCCC wouldn't continue to exist after the legislation was signed into law today.

He said he had questions about the legislation from the beginning because it is retroactive.

Hoyle said he doesn't understand people who have not talked with or dealt with MQCCC but are "so bent on changing things without regard for what it does to people."

"To me it is just an ideological problem when people get so bent in one direction and ignore people who are on the other end of it, those with disabilities and those who are older," he said. "That's just sad in my mind."

He called the legislation the "result of term limits," because those who supported it will not "have to answer for their

actions."

MIRS asked if the groups involved would consider a lawsuit over the legislation. Hoyle said he would want to talk with legal consultants and his colleagues to review the issue before deciding about a lawsuit.

Mackinac Center officials today applauded the bill's signing, saying it will ensure home health care aides can no longer "be forced into a government employee union and have dues withheld."

Patrick WRIGHT, director of the Mackinac Center Legal Foundation, said designating "private contractors and family members as government employees was illegal from the beginning."

"Ending this lucrative charade is terrific news for Michigan's home health care providers who have seen nearly \$30 million skimmed from their payments over the last six years," Wright said.

The Mackinac Center contends that of the 44,000 home health care providers in Michigan at the time of the union representation vote in 2007, only 7,900 voted, with 6,900 ballots cast for the union. The Center said, "although many providers were unaware that a vote was taking place, they nonetheless were forced into the union."

Scott HEINZMAN, chairman of the MQC3 board of directors and an organizer for ADAPT Michigan, a disability rights group, said senior and disability rights advocates were saddened by the "decision to hurt home help providers and the people they care for.

"Taking away home help providers' pay, benefits and training opportunities will hurt the quality of care for Michigan seniors and persons with disabilities," Heinzman said.

Marge Robinson FAVILLE, RN and president of SEIU Healthcare Michigan, said the legislation "does absolutely nothing to save Michigan taxpayers a single penny."

"It takes the freedom to choose to stay independent and healthy in their own homes away from seniors and those with disabilities," Faville said. "Not only will this legislation hurt our most vulnerable citizens and the home care workers who care for them, it will cost the state millions of dollars by forcing them into expensive nursing homes."