

HOUSE BILL NO. 5801

May 20, 2020, Introduced by Reps. Cherry, Hoadley, Hood, Pohutsky, Rabhi, Kennedy, Kuppa, Stone, Sowerby, Brixie, Shannon, Manoogian, Ellison, Chirkun, Sneller and Hammoud and referred to the Committee on Commerce and Tourism.

A bill to amend 2018 PA 337, entitled
"Improved workforce opportunity wage act,"
by amending section 2 (MCL 408.932) and by adding section 4e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Commissioner" means the director of the department of
3 ~~licensing-labor~~ and ~~regulatory affairs.~~**economic opportunity.**

4 (b) "Employ" means to engage, suffer, or permit to work.

5 (c) "Employee" means an individual not less than 16 years of
6 age employed by an employer on the premises of the employer or at a



1 fixed site designated by the employer, and includes a minor
2 employed subject to section 15(1) of the youth employment standards
3 act, 1978 PA 90, MCL 409.115.

4 (d) "Employer" means a person, firm, or corporation, including
5 this state and its political subdivisions, agencies, and
6 instrumentalities, ~~and a person acting in the interest of the~~
7 ~~employer,~~ who employs 2 or more employees at any 1 time within a
8 calendar year, **and includes a person acting in the interest of the**
9 **employer.** An employer is subject to this act during the remainder
10 of that calendar year. Except as specifically provided in the
11 franchise agreement, as between a franchisee and franchisor, the
12 franchisee is considered the sole employer of workers for whom the
13 franchisee provides a benefit plan or pays wages.

14 (e) "Essential worker" means an employee whose continued
15 employment during a state of emergency is necessary for the public
16 health, safety, or welfare, as determined by the commissioner.

17 Sec. 4e. (1) Beginning on June 15, 2020, the minimum hourly
18 wage rate for an essential worker is \$15.00.

19 (2) Every January beginning in January 2021, the state
20 treasurer shall adjust the minimum hourly wage rate then in effect
21 under this section by an amount determined by the state treasurer
22 at the end of the immediately preceding calendar year to reflect
23 the average annual percentage change in the Consumer Price Index
24 for the most recent 5-year period for which data are available. The
25 wage and hours division of the department of labor and economic
26 opportunity shall post the adjusted minimum hourly wage rate on its
27 website before February 2 of the year it is calculated. The
28 adjusted rate is effective beginning April 1 of that year.

29 (3) As used in this section, "Consumer Price Index" means the



1 most comprehensive index of consumer prices available for the
2 midwest region from the Bureau of Labor Statistics of the United
3 States Department of Labor.

