

**WORKFORCE OPPORTUNITY WAGE ACT (EXCERPT)**  
**Act 138 of 2014**

**408.423 Discrimination based on sex.**

Sec. 13. (1) An employer having employees subject to this act shall not discriminate between employees within an establishment on the basis of sex by paying wages to employees in the establishment at a rate less than the rate at which the employer pays wages to employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility and that is performed under similar working conditions, except if the payment is made under 1 or more of the following:

- (a) A seniority system.
- (b) A merit system.
- (c) A system that measures earnings by quantity or quality of production.
- (d) A differential based on a factor other than sex.

(2) An employer that is paying a wage differential in violation of this section shall not reduce the wage rate of an employee to comply with this section.

(3) For purposes of administration and enforcement, any amount owing to an employee that has been withheld in violation of this section is considered unpaid minimum wages under this act.

**History:** 2014, Act 138, Imd. Eff. May 27, 2014.

**Compiler's note:** For transfer of powers and duties of wage deviation board as provided in workforce opportunity wage act, 2014 PA 138, MCL 408.411 to 408.424, to the director of department of licensing and regulatory affairs, and abolishment of the wage deviation board, see E.R.O. No. 2016-3, compiled at MCL 408.431.