



HOUSE BILL No. 4402

March 2, 1993, Introduced by Reps. Oxender, Randall, Gernaat, McBryde and Llewellyn and referred to the Committee on Labor.

A bill to amend Act No. 317 of the Public Acts of 1969,
entitled as amended
"Worker's disability compensation act of 1969,"
as amended, being sections 418.101 to 418.941 of the Michigan
Compiled Laws, by adding section 162.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 317 of the Public Acts of 1969, as
2 amended, being sections 418.101 to 418.941 of the Michigan
3 Compiled Laws, is amended by adding section 162 to read as
4 follows:

5 SEC. 162. (1) AN EMPLOYER WHO HAS RECEIVED AN EXEMPTION
6 UNDER SECTION 3127 OF THE FEDERAL INSURANCE CONTRIBUTIONS ACT, 26
7 U.S.C. 3127, MAY FILE AN APPLICATION WITH THE DIRECTOR TO BE
8 EXCLUDED FROM THE PAYMENT OF COMPENSATION AND OTHER BENEFITS
9 UNDER THIS ACT WITH RESPECT TO ANY EMPLOYEE WHO HAS ALSO RECEIVED

1 AN EXEMPTION UNDER SECTION 3127 OF THE FEDERAL INSURANCE
2 CONTRIBUTIONS ACT. THE APPLICATION SHALL INCLUDE A WRITTEN
3 WAIVER BY THE EMPLOYEE OF ALL COMPENSATION AND OTHER BENEFITS
4 UNDER THIS ACT.

5 (2) THE APPLICATION REQUIRED BY SUBSECTION (1) SHALL BE MADE
6 UPON A FORM PRESCRIBED BY THE DIRECTOR.

7 (3) THE APPLICATION SHALL BE APPROVED IF THE DIRECTOR DETER-
8 MINES THAT BOTH THE EMPLOYER AND THE EMPLOYEE QUALIFY FOR THE
9 EXEMPTIONS IN SECTION 3127 OF THE FEDERAL INSURANCE CONTRIBUTIONS
10 ACT AS DESCRIBED IN SUBSECTION (1).

11 (4) IF THE EMPLOYEE UNDER SUBSECTION (1) IS A MINOR, THE
12 WAIVER AND AFFIDAVIT REQUIRED BY SUBSECTION (1) MAY BE MADE BY A
13 PARENT OR GUARDIAN OF THE MINOR.

14 (5) AN EXCLUSION APPROVED UNDER THIS SECTION WITH REGARD TO
15 A SPECIFIC EMPLOYER AND EMPLOYEE SHALL BE VALID FOR ALL FUTURE
16 YEARS UNLESS EITHER THE EMPLOYEE OR EMPLOYER CEASES TO MEET THE
17 REQUIREMENTS OF THIS SECTION.