



SENATE BILL No. 114

January 13, 1993, Introduced by Senator DI NELLO and referred to the Committee on Labor.

A bill to amend section 7 of Act No. 390 of the Public Acts of 1978, entitled as amended

"An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,"

being section 408.477 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 7 of Act No. 390 of the Public Acts of
2 1978, being section 408.477 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 7. (1) With the exception of those deductions
5 required or expressly permitted by law or by a collective
6 bargaining agreement AND SUBJECT TO SUBSECTION (2), an employer

1 shall not deduct from the wages of an employee, directly or
2 indirectly, any amount without the full, free, and written con-
3 sent of the employee, obtained without intimidation or fear of
4 discharge for refusal to permit the deduction.

5 (2) AN EMPLOYER SHALL NOT DEDUCT FROM THE WAGES OF AN
6 EMPLOYEE ANY DUES, FEES, ASSESSMENTS, OR OTHER CHARGES TO BE HELD
7 FOR, TRANSFERRED TO, OR PAID OVER TO A LABOR ORGANIZATION WITHOUT
8 THE WRITTEN CONSENT OF THE EMPLOYEE, AS DESCRIBED IN SUBSECTION
9 (1). THE EMPLOYEE MAY REVOKE HIS OR HER CONSENT AT ANY TIME BY
10 GIVING WRITTEN NOTICE OF THE REVOCATION TO THE EMPLOYER. THIS
11 SUBSECTION CANNOT BE ALTERED BY A COLLECTIVE BARGAINING
12 AGREEMENT.

13 (3) A deduction for the benefit of the employer ~~shall~~
14 ~~require~~ REQUIRES written consent from the employee for each wage
15 payment subject to the deduction, and the cumulative amount of
16 the deductions shall not reduce the gross wages paid to a rate
17 less than minimum rate as defined in THE MINIMUM WAGE LAW OF
18 1964, Act No. 154 of the Public Acts of 1964, as amended, being
19 sections 408.381 to ~~408.397~~ 408.398 of the Michigan Compiled
20 Laws.

21 (4) Each deduction shall be substantiated in the records of
22 the employer and shall be identified as pertaining to an individ-
23 ual employee. Prorating of deductions between 2 or more employ-
24 ees ~~shall~~ IS not ~~be~~ permitted.