



HOUSE BILL No. 5527

January 25, 1996, Introduced by Reps. Brater, DeHart, Cherry, LaForge, Hanley, Gubow, Martinez, Agee, Goschka, DeMars, Wallace, Parks, Olshove, Gire, Jellema, Bankes, Freeman and Price and referred to the Committee on Human Resources and Labor.

A bill to require employers to allow an employee to receive certain telephone calls; to prescribe certain powers and duties of the department of labor; and to prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Employee" means an individual employed by an employer.

3 (b) "Employer" means an individual, sole proprietorship,
4 partnership, association, or corporation, public or private; this
5 state or an agency of this state; a city, county, village, town-
6 ship, school district, or intermediate school district; an insti-
7 tution of higher education; or an individual acting directly or
8 indirectly in the interest of an employer who employs 1 or more
9 individuals.

1 (c) "Job site" means the structure or geographical location
2 at which an employee performs his or her services for an
3 employer.

4 Sec. 2. (1) An employer who maintains a telephone at an
5 employee's job site shall allow the employee to receive at that
6 job site telephone calls that relate to the following:

7 (a) A medical or other emergency of an immediate family
8 member of the employee.

9 (b) Notification of a medical or other emergency, if the
10 employee is designated to be the individual notified of another
11 individual's medical or other emergency.

12 (2) After an employee receives and responds to a telephone
13 call described in subsection (1), an employer may request that
14 the employee provide evidence that the telephone call related to
15 an emergency described in subsection (1). If an employer
16 requests evidence under this subsection, the employee has 30 days
17 from the date of the request to provide that evidence. Except as
18 provided in subsection (3), an employer shall not require evi-
19 dence that a telephone call relates to an emergency before allow-
20 ing an employee to receive that telephone call.

21 (3) Before allowing an employee to receive a telephone call
22 alleged to be related to an emergency, an employer may require
23 evidence of that emergency, but only if the employee has received
24 3 or more telephone calls alleged to be related to an emergency
25 during his or her employment, the employer has requested evidence
26 of those emergencies under subsection (2), and the employee has

1 failed to provide the requested evidence for at least 3 of those
2 telephone calls.

3 Sec. 3. (1) An employer who violates this act shall be
4 liable for a civil fine of not more than \$250.00.

5 (2) A civil fine that is ordered pursuant to this act shall
6 be submitted to the state treasurer for deposit in the general
7 fund of the state.

8 Sec. 4. The department of labor shall administer and
9 enforce this act.