

HOUSE BILL No. 5068

September 25, 2003, Introduced by Reps. Daniels, Phillips, Zelenko, Farrah, Plakas, Hood, Smith, Hunter, Woodward, Byrum and Waters and referred to the Committee on Employment Relations, Training and Safety.

A bill to amend 1964 PA 154, entitled
"Minimum wage law of 1964,"
by amending section 7a (MCL 408.387a), as amended by 1997 PA 1.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7a. (1) The minimum hourly wage rate of an employee
2 ~~shall be \$2.65~~ **is \$4.65** per hour if all of the following
3 ~~occur~~ **are met**:

4 (a) The employee receives gratuities in the course of his or
5 her employment.

6 (b) The gratuities described in subdivision (a) equal or
7 exceed the difference between ~~\$2.65~~ **\$4.65** per hour and the
8 minimum hourly wage established under section 4.

9 (c) The gratuities are proven gratuities as indicated by the
10 employee's declaration for federal insurance contribution act
11 purposes.

1 (d) The employee was informed by the employer of the
2 provisions of this section.

3 (2) As used in this section, "gratuities" means tips or
4 voluntary monetary contributions received by an employee from a
5 guest, patron, or customer for services rendered to that guest,
6 patron, or customer and that the employee reports to the employer
7 for purposes of the federal insurance ~~contribution~~
8 **contributions** act, chapter 21 of subtitle C of the internal
9 revenue code of 1986, 26 U.S.C. 3101 to 3128.