

HOUSE BILL No. 4614

May 4, 2011, Introduced by Reps. Brown, Bauer, Slavens, Constan, Barnett, Nathan, Hovey-Wright, Tlaib, Liss, Stanley, Kandreas, Lindberg, Hammel, Byrum, Irwin, Durhal, Santana, Melton, Smiley, Brunner, Geiss, Dillon and McCann and referred to the Committee on Commerce.

A bill to amend 1978 PA 390, entitled

"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,"

by amending section 13a (MCL 408.483a), as added by 1982 PA 524.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13a. (1) An employer shall not do any of the following:

2 (a) Require as a condition of employment nondisclosure by an
3 employee of his or her wages.

4 (b) Require an employee to sign a waiver or other document
5 ~~which~~ **THAT** purports to deny an employee the right to disclose his
6 or her wages.

7 (c) Discharge, formally discipline, or otherwise discriminate

1 against for job advancement an employee who discloses his or her
2 wages.

3 (D) WITHIN 30 DAYS AFTER AN EMPLOYEE'S REQUEST, FAIL TO
4 PROVIDE THE EMPLOYEE WITH WAGE INFORMATION ON SIMILARLY SITUATED
5 EMPLOYEES COVERING A PERIOD OF UP TO 3 YEARS PRIOR TO THE DATE OF
6 THE REQUEST. THE EMPLOYER MAY REDACT THE NAMES OF SIMILARLY
7 SITUATED EMPLOYEES, BUT SHALL PROVIDE INFORMATION ABOUT THE SEX AND
8 SENIORITY OF SIMILARLY SITUATED EMPLOYEES FOR WHOM WAGE INFORMATION
9 IS PROVIDED. AS USED IN THIS SUBDIVISION:

10 (i) "SIMILARLY SITUATED EMPLOYEES" MEANS EMPLOYEES WHO ARE
11 WITHIN THE SAME JOB CLASSIFICATION AS THE EMPLOYEE REQUESTING THE
12 INFORMATION OR WHOSE DUTIES ARE COMPARABLE IN SKILL, EFFORT,
13 RESPONSIBILITY, WORKING CONDITIONS, AND TRAINING TO THOSE OF THE
14 REQUESTING EMPLOYEE.

15 (ii) "WAGE INFORMATION" INCLUDES SALARY AND HOURLY WAGE
16 INFORMATION AS WELL AS INFORMATION ABOUT BONUS PAY, OVERTIME PAY,
17 AND OTHER FORMS OF COMPENSATION PROVIDED BY THE EMPLOYER.