SENATE BILL No. 1012

July 16, 2014, Introduced by Senator ANANICH and referred to the Committee on Reforms, Restructuring and Reinventing.

A bill to require employers to provide paid leave for employees to vote; to provide the conditions for granting the leave; to prohibit discrimination against employees who request or use the leave; and to provide for remedies for a violation of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 1. (1) This act shall be known and may be cited as the
2   "voting leave act".
3   (2) As used in this act:
4   (a) "Election" means an election regulated under the Michigan
5   election law, 1954 PA 116, MCL 168.1 to 168.992.
6   (b) "Employee" does not include an independent contractor, a
7   domestic servant employed in or about a private home, or a farm or
8   ranch laborer.

1   (c) "Employer" means an individual or entity, including this

2 state and a political subdivision of this state, that regularly

3 employs 50 or more full-time employees.

4   (3) Subject to subsections (4) and (5), an employer shall

5 allow each of his or her employees to request and take paid leave,

6 not to exceed 3 hours for each election day, for the purpose of

7 voting in an election.

8   (4) An employee shall provide the employer with notice of the

9 intent to use leave under this act 7 or more days in advance of the

10 election day.

11   (5) An employer may deny use of leave requested under this act

12 only if granting the leave would endanger the public safety or

13 welfare.

14   Sec. 2. (1) An employer shall not discharge, threaten, or

15 otherwise discriminate against an employee regarding the employee's

16 compensation, or the terms, conditions, or privileges of employment

17 because the employee requests or takes leave under this act.

18   (2) An employee may bring a civil action against an employer

19 who violates the employee's rights under this act and may recover

20 the greater of the employee's actual damages or $2,500.00 for each

21 violation.