



**Senate Fiscal Agency**  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL



ANALYSIS

**Telephone: (517) 373-5383**  
**Fax: (517) 373-1986**

Senate Bills 492 and 493 (as reported without amendment)

Sponsor: Senator Jack Brandenburg (S.B. 492)

Senator John Proos (S.B. 493)

Committee: Commerce

### **CONTENT**

Senate Bill 492 would amend the Franchise Investment Law to specify that, to the extent allocation of employer responsibilities between the franchisor and franchisee is permitted by law, the franchisee would be considered the sole employer of workers for whom it provided a benefit plan or paid wages except as otherwise specifically provided in the franchise agreement.

Senate Bill 493 would amend the Worker's Disability Compensation Act to provide that an employee of a franchisee would not be considered an employee of the franchisor for purposes of the Act unless the following were met: a) the franchisee and franchisor shared in the determination of or codetermined the matters governing the essential terms and conditions of the employee's employment; and b) the franchisee and franchisor directly and immediately controlled matters relating to the employment relationship, such as firing, discipline, supervision, and direction.

Proposed MCL 445.1504b (S.B. 492)

Legislative Analyst: Jeff Mann

Proposed MCL 418.120 (S.B. 493)

### **FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Date Completed: 10-7-15

Fiscal Analyst: Joe Carrasco  
Josh Sefton