

SENATE BILL No. 493

September 16, 2015, Introduced by Senators PROOS, BRANDENBURG, COLBECK, HORN, KNOLLENBERG, ROBERTSON and STAMAS and referred to the Committee on Commerce.

A bill to amend 1969 PA 317, entitled
"Worker's disability compensation act of 1969,"
(MCL 418.101 to 418.941) by adding section 120.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 120. AN EMPLOYEE OF A FRANCHISEE IS NOT AN EMPLOYEE OF
2 THE FRANCHISOR FOR PURPOSES OF THIS ACT UNLESS BOTH OF THE
3 FOLLOWING APPLY:

4 (A) THE FRANCHISEE AND FRANCHISOR SHARE IN THE DETERMINATION
5 OF OR CODETERMINE THE MATTERS GOVERNING THE ESSENTIAL TERMS AND
6 CONDITIONS OF THE EMPLOYEE'S EMPLOYMENT.

7 (B) THE FRANCHISEE AND FRANCHISOR BOTH DIRECTLY AND
8 IMMEDIATELY CONTROL MATTERS RELATING TO THE EMPLOYMENT
9 RELATIONSHIP, SUCH AS HIRING, FIRING, DISCIPLINE, SUPERVISION, AND
10 DIRECTION.

11 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.