

HOUSE BILL No. 4902

September 22, 2015, Introduced by Rep. Garcia and referred to the Committee on Commerce and Trade.

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.