

HOUSE BILL No. 5072

November 10, 2015, Introduced by Rep. Jenkins and referred to the Committee on
Commerce and Trade.

A bill to amend 2014 PA 138, entitled
"Workforce opportunity wage act,"
by amending section 2 (MCL 408.412).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Commissioner" means the director of the department of
3 licensing and regulatory affairs.

4 (b) "Employ" means to engage, suffer, or permit to work.

5 (c) "Employee" means an individual not less than 16 years of
6 age employed by an employer on the premises of the employer or at a
7 fixed site designated by the employer, and includes a minor
8 employed subject to section 15(1) of the youth employment standards
9 act, 1978 PA 90, MCL 409.115.

(d) "Employer" means a person, firm, or corporation, including ~~the~~ **THIS** state and its political subdivisions, agencies, and instrumentalities, and a person acting in the interest of the employer, who employs 2 or more employees at any 1 time within a calendar year. An employer is subject to this act during the remainder of that calendar year. **EXCEPT AS SPECIFICALLY PROVIDED IN THE FRANCHISE AGREEMENT, AS BETWEEN A FRANCHISEE AND FRANCHISOR, THE FRANCHISEE IS CONSIDERED THE SOLE EMPLOYER OF WORKERS FOR WHOM THE FRANCHISEE PROVIDES A BENEFIT PLAN OR PAYS WAGES.**

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.