

SENATE BILL No. 718

December 12, 2017, Introduced by Senators ANANICH, HOPGOOD, BIEDA and WARREN and referred to the Committee on Government Operations.

A bill to amend 1978 PA 390, entitled

"An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,"

by amending section 18 (MCL 408.488).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 18. (1) The department shall order an employer who
2 violates section 2, 3, 4, 5, 6, 7, or 8 to pay the following:

3 (a) Wages due to the employee.

4 (b) Fringe benefits due to or on the behalf of the employee ~~in~~
5 ~~accordance with the terms set forth in~~ **PURSUANT TO** the written

1 contract or written policy.

2 (c) A penalty at the rate of ~~10%~~ **100%** annually on the wages
3 and fringe benefits due **TO THE EMPLOYEE**, beginning at the time the
4 employer is notified that a complaint has been filed and ending
5 when payment is made.

6 (2) The department may order an employer who violates section
7 2, 3, 4, 5, 6, 7, or 8 to pay to the employee exemplary damages of
8 not more than ~~twice~~ **3 TIMES** the amount of the wages and fringe
9 benefits ~~which~~ **THAT** were due **TO THE EMPLOYEE**, if the violation is
10 flagrant or repeated.

11 (3) The department may order an employer who violates section
12 2, 3, 4, 5, 6, 7, or 8 to pay attorney costs, hearing costs, and
13 transcript costs.

14 (4) The department may assess a civil ~~penalty~~ **FINE** of not more
15 than ~~\$1,000.00~~ **\$10,000.00** against an employer who violates this
16 act. ~~, which~~ **THE** civil ~~penalty shall~~ **FINE MUST** be credited to the
17 general fund of this state.

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