Your Rights and Responsibilities Under Michigan Law

MFB, INC.

Act 154 of the Public Acts of 1964 — Including Overtime and Equal Pay Provisions

Michigan Minimum Wage Law

AN ACT to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1971, Act 62, Eff. Mar. 30, 1972.

The People of the State of Michigan enact:

408.381 Minimum wage law of 1964; short title.
Sec. 1. This act shall be known and may be cited as the "minimum wage law of 1964".
History: 1964, Act 154, Eff. Aug. 28, 1964. Transfer of powers: See § 16.480.

408.382 Definitions.
Sec. 2. As used in this act:
(a) "Commissioner" means the director of the department of consumer and industry services.
(b) "Employee" means an individual not less than 16 years of age employed by an employer on the premises of the employer or at a fixed site designated by the employer, and includes a minor employed under section 15(1) of the youth employment standards act, 1978 PA 90, MCL 409.115.
(c) "Employer" means a person, firm, or corporation, including the 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 shall be subject to this act during the remainder of that calendar year.
(d) "Employ" means to engage, suffer, or permit to work.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1966, Act 269, Imd. Eff. July 12, 1966;—Am. 1974, Act 304, Eff. Apr. 1, 1975;—Am. 1978, Act 135, Eff. Mar. 30, 1979;—Am. 1979, Act 45, Imd. Eff. July 2, 1979;—Am. 1980, Act 97, Imd. Eff. Apr. 17, 1980;—Am. 1997, Act 2, Imd. Eff. Mar. 12, 1997.

408.383 Applicability of act.
Sec. 3. No employer shall pay any employee at a rate of less than prescribed in this act.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1966, Act 269, Eff. Mar. 1, 1967.

408.384 Minimum hourly wage rate.
Sec. 4. Subject to the exceptions specified in this act, the minimum hourly wage rate shall be:
(a) Beginning September 1, 1997, $5.15.;
(b) Beginning October 1, 2006, $6.95.
(c) Beginning July 1, 2007, $7.15.;
(d) Beginning July 1, 2008, $7.40.
(2) Notwithstanding subsection (1), if a ballot proposal that establishes a minimum wage is approved by the majority of electors voting on the question at the general election on November 7, 2006, the minimum wage shall be as established in the ballot proposal.
History: 1969, Act 154, Eff. Aug. 28, 1964; ¾ Am. 1997, Act 1, Imd. Eff. Mar. 12, 1997; Am. 1997, Act2, Imd. Eff. Mar. 12, 1997; ¾ Am. 2006, Act 81, Lmd. Eff. Mar. 28, 2006.

408.384a Compensation for overtime; exceptions; rules; unpaid minimum wages; appropriation; compensatory time in lieu of monetary overtime compensation.
Sec. 4a. (1) Except as otherwise provided in this section, an employee shall receive compensation at not less than 1-1/2 times the regular rate at which the employee is employed for employment in a workweek in excess of 40 hours.
(2) The state or a political subdivision, agency, or instrumentality of the state does not violate subsection (1) with respect to the employment of an employee in fire protection activities or an employee in law enforcement activities, including security personnel in correctional institutions, if any of the following applies:
(a) In a work period of 28 consecutive days, the employee receives for tours of duty, which in the aggregate exceed 216 hours, compensation for those hours in excess of 216 at a rate not less than 1-1/2 times the regular rate at which the employee is employed. The employee's regular rate shall be not less than the statutory minimum hourly rate.
(b) For an employee to whom a work period of at least 7 but less than 28 days applies, in the employee's work period the employee receives for tours of duty, which in the aggregate exceed a number of hours which bears the sam[illegible] to the number of consecutive days in the employee's wor[illegible]6 bears to 28 days, compensation for those excess h[illegible] not less than 1-1/2 times the regular rate at which [illegible] is employed. The employee's regular rate shall be [illegible] the statutory minimum hourly rate.
(c) If an employee engaged in fi[illegible] activities would receive overtime payments under this [illegible] result of that employee's trading of time with anothe[illegible] pursuant to a voluntary trading time arrangement, [illegible] shall be paid to employees who participate in the t[illegible] as if the time trade had not occurred. As used in this [illegible] trading time arrangement" means a practice under wh[illegible] of a fire department voluntarily substitute for one ano[illegible] employee to attend to personal matters, which practi[illegible] for the convenience of the employer nor because of the [illegible] operations.
(3) The state or a political subdivision, agency, or instrum[illegible] tality of the state engaged in the operation of a hospital or an establishment that is an institution primarily engaged in the care of the sick, the aged, or the mentally ill or defective who reside on the premises does not violate subsection (1) if both of the following conditions are met:
(a) Pursuant to a written agreement or written employment policy arrived at between the employer and the employee before performance of the work, a work period of 14 consecutive days is accepted instead of the workweek of 7 consecutive days for purposes of overtime computation.
(b) For the employee's employment in excess of 8 hours in a workday and in excess of 80 hours in the 14-day period, the employee receives compensation at a rate of 1-1/2 times the regular rate, which rate shall be not less than the statutory minimum hourly rate at which the employee is employed.
(4) Subsections (1), (2), and (3) do not apply to any of the following:
(a) An employee employed in a bona fide executive, administrative, or professional capacity, including an employee employed in the capacity of academic administrative personnel or teacher in an elementary or secondary school. However, an employee of a retail or service establishment is not excluded from the definition of employee employed in a bona fide executive or administrative capacity because of the number of hours in the employee's workweek which the employee devotes to activities not directly or closely related to the performance of executive or administrative activities, if less than 40% of the employee's hours in the workweek are devoted to those activities.
(b) An individual who holds a public elective office.
(c) A political appointee of a person holding public elective office or a political appointee of a public body, if the political appointee described in this subdivision is not covered by a civil service system.
(d) An employee employed by an establishment which is an amusement or recreational establishment, if the establishment does not operate for more than 7 months in a calendar year.
(e) An employee employed in agriculture, including farming in all its branches, which among other things includes: the cultivation and tillage of the soil; dairying; the production, cultivation, growing, and harvesting of agricultural or horticultural commodities; the raising of livestock, bees, fur-bearing animals, or poultry; and a practice, including forestry or lumbering operations, performed by a farmer or on a farm as an incident to or in conjunction with farming operations, including preparation for market, delivery to storage, or delivery to market or to a carrier for transportation to market or the processing or preserving of perishable farm products.
(f) An employee who is not subject to the minimum hourly wage provisions of this act.
(5) The director of the department of consumer and industry services shall promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to define the terms used in subsection (4).
(6) For purposes of administration and enforcement, an amount owing to an employee that is withheld in violation of this section is unpaid minimum wages under this act.
(7) The legislature shall annually appropriate from the general fund to each political subdivision affected by subsection (2) an amount equal to the difference in direct labor costs before and after January 4, 1979 which arises from any change in existing law resulting from the enactment of subsection (2) and incurred by each such political subdivision.
(8) In lieu of monetary overtime compensation, an employee subject to this act may receive compensatory time off at a rate of not less than 1-1/2 hours for each hour of employment for which overtime compensation is required under this act, subject to all of the following:
(a) The employer allows employees a total of at least 10 days of leave per year without loss of pay and provides the compensatory time to the employee only pursuant to either of the following:
(i) Applicable provisions of a collective bargaining agreement, memorandum of understanding, or any other written agreement between the employer and representative of the employee.
(ii) If employees are not represented by a collective bargaining agent or other representative designated by the employee, a plan adopted by the employer and provided in writing to its employees that provides employees with a voluntary option to receive compensatory time off for overtime work when there is an express, voluntary written request to the employer by an individual employee for compensatory time off in lieu of overtime pay before the performance of any overtime assignment.
(b) The employee has not earned compensatory time in excess of the applicable limit prescribed by subdivision (d).
(c) The employee is not required as a condition of employment to accept or request compensatory time. An employer shall not directly or indirectly intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce an employee for the purpose of interfering with the employee's rights under this section to request or not request compensatory time off in lieu of payment of overtime compensation for overtime hours, or requiring an employee to use compensatory time. In assigning overtime hours, an employer shall not discriminate among employees based upon an employee's choice to request or not request compensatory time off in lieu of overtime compensation. An employer who violates this subsection is subject to a civil fine of not more than $1,000.00.
(d) An employee may not accrue more than a total of 240 hours of compensatory time. An employer shall do both of the following:
(i) Maintain in an employee's pay record a statement of compensatory time earned by that employee in the pay period that the pay record identifies.
(ii) Provide an employee with a record of compensatory time earned by or paid to the employee in a statement of earnings for the period in which the compensatory time is earned or paid.
(e) Upon the request of an employee who has earned compensatory time, the employer shall, within 30 days following the request, provide moneta[illegible] that compensatory time at a rate not l[illegible] the employee at the time th[illegible]
(f) An e[illegible] thorized u[illegible] shall, upon the [illegible] involunt[illegible] of employment or upon ex[illegible] subsecti[illegible] used compensatory time at a rate [illegible] pensati[illegible] the regular rate earned by the emp[illegible] the tim[illegible] performed the overtime work. A termina[illegible] employ[illegible] eligibility to receive monetary compensa[illegible] tion for [illegible] satory time shall not be used by either of the follow[illegible]
(i) The [illegible] pose an employee's application for unemployme[illegible] under the Michigan employment security act, 19[illegible] 1, MCL 421.1 to 421.75.
(ii) The sta[illegible] ployment compensation or diminish an employee's [illegible] unemployment compensation benefits under the M[illegible] ment security act, 1936 (Ex Sess) PA 1, MCL 421.1 [illegible]
(g) An employee sha[illegible] to use any compensatory time accrued under this su[illegible] reason unless use of the compensatory time for th[illegible] ed will unduly disrupt the operations of the employer.
(h) Unless prohibited by a c[illegible] ining agreement, an employer may terminate a co[illegible] e plan upon not less than 60 days' notice to employ[illegible]
(i) As used in this subsection: [illegible] compensation" means the compensation require[illegible] 4a.
(ii) "Compensatory time" a[illegible] ry time off" mean hours during which a[illegible] working and for which employee is co[illegible] ance with this subsection[illegible] nsation.
[illegible] an assignment of hours fo[illegible] required under this act.
History: A[illegible]—Am. 1975, Act 16, Imd. Eff. Mar. 31, 1975;—Am. 1978, [illegible] Jan. 4, 1979;—Am. 1997, Act 2, Imd. Eff. Mar. 12, 1997.

408.384b Training hourly wage; displacement pro[illegible] violation; fine.
Sec. 4b. (1) An employer may pay a[illegible] than 20 years of age a training [illegible] 90 days of that employee[illegible] autho- rized under this section is in[illegible] hourly wage otherwise prescribed by this act.
(2) An employer shall not displace an employee to hire an individual at the hourly wage authorized under subsection (1). As used in this subsection, "displace" includes termination of employment or any reduction of hours, wages, or employment benefits.
(3) A person who violates subsection (2) is subject to a civil fine of not more than $1,000.00.
History: Add. 1997, Act 1, Imd. Eff. Mar. 12, 1997.

408.385 Wage deviation board; appointment, qualifications, and terms of members; chairperson; commissioner as secretary; quorum; vote on recommendation or report; conducting business at public meeting; notice of meeting; availability of certain writings to public; compensation and expenses.
Sec. 5. (1) The governor shall appoint, with the advice and consent of the senate, a wage deviation board composed of 3 representatives of the employers, 3 representatives of the employees, and 3 persons representing the public. One of the 3 persons representing the public shall be designated as chairperson. Members shall serve for terms of 3 years, except that of the members first appointed, 1 from each group shall be appointed for 1 year, 1 for 2 years, and 1 for 3 years. The commissioner shall be secretary of the wage deviation board.
(2) A majority of the members of the board constitutes a quorum and the recommendation or report of the board requires a vote of not less than a majority of its members. The business which the wage deviation board may perform shall be conducted at a public meeting of the board held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.
(3) A writing prepared, owned, used, in the possession of, or retained by the wage deviation board in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.
(4) The per diem compensation of the board and the schedule for reimbursement of expenses shall be established annually by the legislature.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1965, Act 255, Imd. Eff. July 21, 1965;—Am. 1966, Act 191, Eff. Mar. 10, 1967;—Am. 1975, Act 85, Imd. Eff. May 20, 1975;—Am. 1977, Act 169, Imd. Eff. Nov. 17, 1977.

408.386 Rules.
Sec. 6. The commissioner may promulgate rules necessary for administration of this act pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1970, Act 36, Imd. Eff. June 24, 1970;—Am. 1974, Act 304, Eff. Apr. 1, 1975.

408.387 Rates for apprentices, learners, and persons with physical or mental disabilities; establishment.
Sec. 7. On petition of a party in interest or on his or her own motion, the director of the department of consumer and industry services shall establish a suitable scale of rates for apprentices, learners, and persons with physical or mental disabilities who are clearly unable to meet normal production standards. The rates established under this section may be less than the regular minimum wage rate for workers who are experienced and who are not disabled.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1966, Act 269, Eff. Mar. 1, 1967;—Am. 1997, Act 1, Imd. Eff. Mar. 12, 1997.

408.387a Employees receiving gratuities; minimum hourly wage; "gratuities" defined.
Sec. 7a. (1) The minimum hourly wage rate of an employee shall be $2.65 per hour if all of the following occur:
(a) The employee receives gratuities in the course of his or her employment.
(b) The gratuities described in subdivision (a) equal or exceed the difference between $2.65 per hour and the minimum hourly wage established under section 4.
(c) The gratuities are proven gratuities as indicated by the employee's declaration for federal insurance contribution act purposes.
(d) The employee was informed by the employer of the provisions of this section.
(2) As used in this section, "gratuities" means tips or voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered to that guest, patron, or customer and that the employee reports to the employer for purposes of the federal insurance contribution act, chapter 21 of subtitle C of the internal revenue code of 1986, 26 U.S.C. 3101 to 3128.
History: Add. 1974, Act 304, Eff. Apr. 1, 1975;—Am. 1997, Act 1, Imd. Eff. Mar. 12, 1997.

408.388 Wage deviation board; data from employer, hearings.
Sec. 8. The wage deviation board may request data of any employer, subject to the provisions of this act, as to the wages paid and hours worked by his employees and may hold such hearings as it deems necessary in obtaining this information.
History: 1964, Act 154, Eff. Aug. 28, 1964.

408.389 Wage deviation board; report, filing.
Sec. 9. The wage deviation board shall submit its report to the commissioner who shall file it in his office as a public record together with the regulations established by the board.
History: 1964, Act 154, Eff. Aug. 28, 1964.

408.390 Wage deviation board; reconsideration of deviated wage rate.
Sec. 10. At any time after a deviated wage rate has been in effect for 6 months or more, the wage deviation board may reconsider the rate.
History: 1964, Act 154, Eff. Aug. 28, 1964.

[illegible]91 Statement of wages, hours, and deductions; inspec[illegible] posting of regulations and orders.
[illegible] Every employer, subject to the provisions of this act [illegible] gulation or order issued thereunder, shall furnish the [illegible] statement of the hours worked by the employee and [illegible] paid to him listing deductions made each pay period [illegible] oyer shall furnish the commissioner upon demand [illegible] ment of the same. Such records shall be open to [illegible] y the commissioner, his deputy or any authorized [illegible] e department at any reasonable time. Every employer subject [illegible] the provisions of this act or of any regulation or order issued under its provisions shall keep a copy of them posted in a conspicuous place in the area where employees are employed. The commissioner shall furnish copies of this act and the regulations and orders to employers without charge.
History: 1964, Act 154, Eff. Aug. 28, 1964.

408.392 Administration and enforcement of act; investigating and ascertaining wages; revealing facts or information.
Sec. 12. The commissioner shall administer and enforce [illegible] act; and at the request of the wage deviation board m[illegible] and ascertain the wages of employees of an e[illegible] this act. The commissioner and the c[illegible] shall not reveal facts or infor[illegible] official duties, except [illegible] upon take official a[illegible] garding the a[illegible] an e[illegible]
[illegible] 1977, Act 169, Imd. Eff. Nov[illegible]

[illegible] act by employer; civil action[illegible]
[illegible] any employer violates this act, the [illegible] y the violation, at any time within 3 years [illegible] g a civil action for the recovery of the [illegible] unt paid and the amount that, bu[illegible] on, w[illegible] paid the employee under this [illegible] al addi[illegible] liquidated damages tog[illegible] and such re[illegible] s fees as may be all[illegible] urt.
(b) File[illegible] commissione[illegible] vestigate the claim.
(2) If the com[illegible] mines[illegible] able cause to believe that the em[illegible] the commissioner is subsequently u[illegible] mpliance by the employer within a reaso[illegible] e commissioner shall bring a civil action unde[illegible] and remedies as provided in subsection (1)(a). T[illegible] er may investigate and file a civil action under sub[illegible] on behalf of all employees of that employer wh[illegible] situated at the same work site and who have not b[illegible] action under subsection (1)(a). A contract or a[illegible] n the employer and the employee or any acce[illegible] er wage by the employee is not a bar to the action[illegible]
(3) In addition to[illegible] for civil remedies described in this section, an em[illegible] s to pay the minimum hourly wage in violation of[illegible] violates a provision of section 4a governing an emp[illegible] ensatory time, is subject [illegible] civil fine of not more tha[illegible] 0.00.
History: 1964, Act 154, Eff. Aug. 28[illegible]—Am. 1966, Act 269, Imd. Ef[illegible] 1966;—Am. 1997, Act 1, Imd. Eff. Mar. 12, 1997.

408.394 Applicability of act; scope.
Sec. 14. This act does not apply to an e[illegible] ject to the minimum wage provisions of the [illegible] act of 1938, chapter 676, 52 Stat. 1060, 29 U.S.C[illegible] and 217 to 219, unless application of those federal mini[illegible] wage provisions would result in a lower minimum wage than provided in this act. Additionally, this act does not apply to persons employed in summer camps for not more than 4 months, to employees with disabilities who are covered by a blanket deviation certificate or other special certificate issued under section 14(c) of the fair labor standards act of 1938, chapter 676, 52 Stat. 1068, 29 U.S.C. 214, or to agricultural fruit growers, pickle growers and tomato growers, or other agricultural employers who traditionally contract for harvesting on a piecework basis, as to those employees of such employers used for such harvesting until the board shall have acquired sufficient data to determine an adequate basis for the establishment of a scale of piecework and shall determine such a scale equivalent to the prevailing minimum wage for such employment, which determination shall occur no later than May 1, 1967. Such piece rate scale shall be equivalent to the minimum hourly wage in that when the payment by unit of production is applied to a worker of average ability and diligence in harvesting a particular commodity he or she shall receive an amount not less than the hourly minimum wage.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1965, Act 296, Imd. Eff. July 22, 1965;—Am. 1966, Act 269, Imd. Eff. July 12, 1966;—Am. 1969, Act 160, Imd. Eff. Aug. 5, 1969;—Am. 1998, Act 37, Imd. Eff. Mar. 18, 1998.

408.395 Discrimination against employee serving on or testifying to deviation board; penalty.
Sec. 15. Any employer who discharges or in any other manner discriminates against any employee because the employee has served or is about to serve on the wage deviation board or has testified or is about to testify before the board, or because the employer believes that the employee may serve on the board or may testify before the board or in any investigation under the provisions of this act, and any person who violates any provision of this act or of any regulation or order issued under this act, is guilty of a misdemeanor.
History: 1964, Act 154, Eff. Aug. 28, 1964.

408.396 Discharge of employees within ten weeks; misdemeanor.
Sec. 16. Any employer who consistently discharges employees within 10 weeks of their employment and replaces the discharged employees without work stoppage is presumed to have discharged them to evade payment of the wage rates established in this act and shall be guilty of a misdemeanor.
History: 1964, Act 154, Eff. Aug. 28, 1964;—Am. 1966, Act 269, Eff. Mar. 1, 1967.

408.397 Discrimination based on sex.
Sec. 17. (1) An employer having employees subject to the provisions of this act shall not discriminate between employees within an establishment on the basis of sex by paying wages to employees in the establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in the establishment for equal work on jobs, the performance of which requires equal skill, effort and responsibility and which are performed under similar working conditions, except where the payment is made pursuant to (a) a seniority system; (b) a merit system; (c) a system which measures earnings by quantity or quality of production; (d) a differential based on a factor other than sex.
(2) An employer who is paying a wage differential in violation of this section shall not reduce the wage rate of an employee in order to comply with the provisions of this section.
(3) For purposes of administration and enforcement, any amounts owing to an employee which have been withheld in violation of this section shall be deemed to be unpaid minimum wages under this act.
History: Add. 1971, Act 62, Eff. Mar. 30, 1972.

408.398 Massage establishment; violation by employer as misdemeanor; penalty.
Sec. 18. An employer operating a massage establishment as defined in section 2 of Act No. 251 of the Public Acts of 1974, as amended, being section 388.1852 of the Michigan Compiled Laws, who violates this act is guilty of a misdemeanor, punishable by imprisonment for not more than 1 year, or a fine of not more than $1,000.00, or both.
History: Add. 1980, Act 97, Imd. Eff. Apr. 17, 1980.

MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN OCCUPATIONAL SAFETY & HEALTH DIVISION

MCL 409.110 Minor under 16 years; days and hours of employment.
Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

MCL 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.
Sec. 11. (1). Except as provided in subsection (3), a minor 16 years of age or older shall not be employed in an occupation subject to this act for more than any of the following periods:
(a) Six days in 1 week.
(b) A period longer than a weekly average of 8 hours per day or 48 hours in 1 week.
(c) Ten hours in 1 day.
(d) For a minor 16 years of age or older who is a student in school, a combined school and work week of 48 hours during the period school is in session.
(2) Except as provided in subsection (3), a minor 16 years of [illegible] or older shall not be employed between 10:30 p.m. and 6 a.m. [illegible] er, except as provided in subsection (3), a minor 16 years [illegible] e or older who is a student in school may be employed until [illegible] 30 p.m. on any of the following days:
(a) On Fridays and Saturdays.
(b) During school vacation periods.
(c) During periods when the minor is not regularly enrolled in school.
(3) A minor 16 years of age or older may be employed in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:
(a) If a minor is a student in school, the period greater than the periods described in subsections (1) and (2[illegible] urs when school is not in session.
(b) The minor is employed for not [illegible] s in 1 day.
(c) The minor is employed f[illegible] any week. However, the minor sh[illegible] consent to work more than 48 hou[illegible] of the minor.
(d) The mino[illegible] twe[illegible] 5:30 a.m.
(e) The ag[illegible] g emp[illegible] ns on file a written ack[illegible] mino[illegible] uardian consenti[illegible] mployme[illegible] under this subse[illegible]
[illegible] his section:
[illegible] ral processing[illegible] leaning, sorting or [illegible] uits or vegetable[illegible]
[illegible] arming operations [illegible] e production of seed" [illegible] arming activities an[illegible] lved in the production [illegible] d, including plant det[illegible] n-pollination, roguing, or hoeing, and any other si[illegible] activity required for commercial seed production[illegible]
History: Am. 1977 PA 499, Jan [illegible] 995, Act 251, Eff. Mar. 28, 1996, Imd. Eff. Jan. 8, 2001.

MCL 409.112 Meal [illegible] riod.
Sec. 12. A mi[illegible] e employed for more than 5 hours continuou[illegible] interval of at least 30 minutes for meal and rest p[illegible] rval of less than 30 minutes [illegible] be considered [illegible] continuous period of w[illegible]

MCL 409.11[illegible] on of minors w[illegible] cupation i[illegible] sh transac[illegible] at fixed l[illegible]
Sec[illegible] permitted under this act[illegible] ubject to this act shall not b[illegible] hat involves a cash transaction sub[illegible] r 8 p.m., whichever is earlier, at a fixed lo[illegible] an employer or other employee 18 years of age or olde[illegible] present at the fixed location during those hours.
History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

IMPORTANT: Administrative Rule, R408.6207 REQ[illegible] A MINOR SUBJECT TO ACT 90 BE SUPERVISED B[illegible] EMPLOYER OR ANOTHER EMPLOYEE 18 YEA[illegible] OLDER

To be posted in a conspicuous place.

Michigan Department of Consumer and Industry Services — Bureau of Safety and Regulation

General Rules

(By authority conferred on the director of the department of consumer and industry services by section 6 of 1964 PA 154, MCL 408.386)

PART 1. GENERAL PROVISIONS

R 408.701 Definitions.
Rule 1. As used in these rules:
(a) "Act" means Act No. 154 of the Public Acts of 1964, as amended, being §408.381 et seq. of the Michigan Compiled Laws.
(b) "Administrative Capacity" means an employee who is compensated on a salary basis at not less than $250.00 per week and whose primary duty is non-manual work directly related to the administration of an educational institution.
(c) "Commission" means all earnings of an employee, in addition to the hourly rate of pay, which the employee has been led to expect on a regular basis as a result of an employment contract, agreement, or promise.
(d) "Compensatory Time" means paid time off earned at 1½ times the regular hours worked in excess of 40 hours in a week and paid at some future time.
(e) "Executive Capacity" means an employee to whom all of the following provisions apply:
(i) Compensation is on a salary basis at not less than $250.00 per week.
(ii) The employee's primary duty is management.
(iii) The employee supervises 2 or more employees.
(f) "Fee" means a fixed amount for a service provided or job completed regardless of time required for completion.
(g) "Paid Time Off" means compensation for time off paid to the employee for vacation, personal time, or sick time.
(h) "Professional Employee" means an employee who is compensated on a salary basis at no less than $250.00 per week and whose primary duty is any of the following:
(i) Work in a field of science or learning that requires knowledge acquired by a prolonged course of specialized instruction.
(ii) Work in a recognized field of artistic endeavor that depends upon the talent of the employee.
(iii) Work in an educational institution as a teacher, tutor, instructor, or lecturer.
(i) "Salary" means payment of a fixed amount not subject to reduction because of variations in the quantity or quality of work performed.
(j) "Workweek," as applied to an employee, means a fixed and regular recurring period of 168 hours or 7 consecutive 24-hour periods. Workweek need not coincide with the calendar week, but may begin on any day and at any hour of the day. For purposes of computing overtime pay, a single workweek may be established for 1 employee or different workweeks may be established for different employees or groups of employees.
History: 1954 ACS 48, Eff. Nov. 14, 1966; 1954 ACS 66, Eff. July 1, 1971; 1979 AC; 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.702 Records.
Rule 2. (1) An employer shall keep employment records for each employee showing all of the following:
(a) Name.
(b) Home address.
(c) Date of birth.
(d) Occupation in which employed.
(e) Total daily hours worked, showing the starting and ending times each day, computed to the nearest tenth of an hour, or other finer measure.
(f) Total hours worked in each pay period.
(g) Total hours worked in each work period when the work period does not coincide with the pay period.
(h) Total hourly, daily, or weekly basic wage.
(i) Total wages paid each pay period.
(j) Itemization of all deductions made each pay period.
(k) Itemization of tips received in each pay period.
(2) An employer shall keep records for employees paid on a piecework basis to indicate pieces produced.
(3) If a credit is taken for gratuities received by an employee, then the employment records shall contain for each pay period in which the credit was taken a written statement of the amount of gratuities received by the employee. The statement shall be signed by the employee and dated before the date the paycheck was received.
(4) Records required under this rule shall be preserved by the employer for not less than 3 years.
History: 1954 ACS 48, Eff. Nov. 14, 1966; 1954 ACS 50, Eff. May 15, 1967; 1954 ACS 66, Eff. July 1, 1971; 1979 AC; 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.703 Rescinded.
History: 1954 ACS 48, Eff. Nov. 14, 1966; 1954 ACS 50, Eff. May 15, 1967; 1954 ACS 66, Eff. July 1, 1971; 1954 ACS 86, Eff. Jan. 3, 1976; 1979 AC; 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.704 Rescinded.
History: 1954 ACS 48, Eff. Nov. 14, 1966; 1954 ACS 50, Eff. May 15, 1967; 1954 ACS 66, Eff. July 1, 1971; 1979 AC; 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.705 Rescinded.
History: 1954 ACS 50, Eff. May 15, 1967; 1979 AC; 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.706 Complaint; filing date; time limitation.
Rule 6. (1) A complaint shall be considered filed with the department as of the date it is received by the department.
(2) A claim must be filed with the department within 3 years of the date of the alleged violation.
History: 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

PART 2. OVERTIME COMPENSATION

R 408.721 Determining workweek for overtime compensation.
Rule 21. (1) An employer shall establish an employee's workweek and shall indicate the beginning time and day of the workweek in the employment record for the employee.
(2) Once the beginning time of an employee's workweek is established, it remains fixed and may be changed only if the change is intended to be permanent and is not designed to evade the overtime requirements of the act.
(3) Each workweek stands alone. Averaging of hours over 2 or more weeks is prohibited, regardless of whether the employee works on a standard or swing shift schedule and regardless of whether the employee is paid on an hourly, daily, weekly, biweekly, monthly, piecework, commission or other basis, except as otherwise provided by law.
History: 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.722 Work period.
Rule 22. (1) An employer shall establish an employee's work period and shall indicate the beginning and ending time and date of the work period in the employment record for the employee.
(2) The work period need not coincide with the pay period.
(3) The beginning and ending date of a work period shall not be changed, regardless of the number of hours worked within the period, unless the change is intended to be permanent and is not designed to evade the overtime requirements of the act.
(4) An employer may have different work periods for different employees.
History: 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.723 Computing regular rate of pay for overtime compensation.
Rule 23. (1) If an employee is paid on an hourly rate plus commission or salary plus commission, then the salary and commission shall be considered as gross earnings for the workweek, and the regular rate is obtained by dividing the sum by the number of hours for which the salary was paid.
(2) If an employee is paid on a piece-rate basis, then the regular rate of pay is computed by adding together the total earnings of the workweek from piece rates and all other earnings and any sums paid for other hours worked. This sum total is divided by the number of hours worked in that week to yield the pieceworker's regular rate for that week.
History: 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.724 Rescinded.
History: 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.725 Rescinded.
History: 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.726 Rescinded.
History: 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.727 Rescinded.
History: 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.728 Amusement and recreational establishments exempt from overtime provisions.
Rule 28. (1) An employer's business shall be considered an amusement or recreational establishment if it complies with all of the following provisions:
(a) It is open for the general public at a fixed site.
(b) It is open primarily to provide leisure activities for those who attend.
(c) It does not operate for more than 7 months in a calendar year.
(2) A grocery store, restaurant, motel, curio, souvenir shop, or any other retail and service establishment is not considered an amusement or recreational establishment unless it is so related to an amusement or recreational establishment that it could not, in a reasonable manner, offer its services to the general public independently, and is not open to the general public beyond the months the amusement or recreational establishment to which it is related is open.
(3) The exempt status of an amusement or recreational establishment and a grocery store, restaurant, motel, curio, souvenir shop, or other retail and service establishment operated under the same ownership shall be determined separately for each establishment.
(4) If an amusement or recreational establishment operates at widely separated fixed locations, the exempt status of each fixed location shall be determined separately.
History: 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.729 Employees of an amusement or recreational establishment.
Rule 29. (1) Employees of a central office or warehouse or office which services an amusement or recreational establishment shall not be considered employed by the amusement or recreational establishment.
(2) An employee whose duties are divided between working for an amusement or recreational establishment and a nonexempt business owned by the same employer shall not be exempt from the overtime provisions of the act for any workweek in which work performed at the nonexempt business exceeds 20% of the hours worked.
History: 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.730 Employment in agriculture.
Rule 30. (1) An employee shall not be considered employed in agriculture for any workweek in which nonagricultural work exceeds 20% of the hours worked in the workweek.
(2) An employee of an establishment which produces agricultural commodities and sells such commodities to the general public shall not be considered employed in agriculture, regardless of his or her duties, if more than 50% of the gross income of the establishment results from sales to the general public.
History: 1979 ACS 8, Eff. Dec. 2, 1981; 2000 MR 1, Eff. Feb. 1, 2000.

R 408.731, R 408.732 Rescinded.
History: 1954 ACS 84, Eff. Sept. 9, 1975; 1979 AC; rescinded 1979 ACS 8, Eff. Dec. 2, 1981.

R 408.733 Rescinded.
History: 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.734 Rescinded.
History: 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

R 408.735 Rescinded.
History: 1979 ACS 8, Eff. Dec. 2, 1981; rescinded 2000 MR 1, Eff. Feb. 1, 2000.

Wage and Hour Division
7150 Harris Drive, Box 30476
Lansing, MI 48909-7976
(517) 322-1825

To be posted in a conspicuous place.

The Michigan Minimum Wage Law Of 1964

Minimum Hourly Wage Rate: Employees must be paid at least

Effective Date	Section 4 Minimum Hourly Wage Rate	85% of Minimum Hourly Wage Rate
September 1, 1997	$5.15	Not Applicable
October 1, 2006	$6.95	$5.91
July 1, 2007	$7.15	$6.08
July 1, 2008	$7.40	$6.29

Coverage
The Michigan Minimum Wage Law covers employers who employ 2 or more employees 16 years of age and older.
Minors 16-17 years of age may be paid 85% of the minimum hourly wage rate. Tipped employees may be paid an hourly wage rate of $2.65 an hour provided they receive tips and provide a signed tip statement which combined with the hourly wage, equals or exceeds the minimum hourly wage rate listed above.

Training Wage
A training wage of $4.25 an hour may be paid to employees 16 to 19 years of age for the first 90 days of employment.

Overtime
Non-exempt employees covered by the Michigan Minimum Wage Law must be paid 1-1/2 times their regular rate of pay for hours worked over 40 in a workweek. The following are exempt from overtime requirements: employees exempt from the minimum wage provisions of the Fair Labor Standards Act of 1938, 29 USC 201 to 219 (except certain domestic service employees), professional, administrative, or executive employees; elected officials and political appointees; employees of amusement and recreational establishments operating less than 7 months of the year; agricultural employees, and any employee not subject to the minimum wage provisions of the act.

Compensatory Time
If an employer meets certain conditions, employees may agree to receive compensatory time of 1-1/2 hours for each hour of overtime worked. The agreement must be voluntary, in writing, and obtained before the compensatory time is earned. All compensatory time earned must be paid to an employee. Accrued compensatory time may not exceed 240 hours. Employers must keep a record of compensatory time earned and paid. Contact the Wage & Hour Division for information on the conditions an employer must meet in order to offer compensatory time off in lieu of overtime compensation.

Equal Pay
An employer shall not discriminate on the basis of sex by paying employees a rate which is less than the rate paid to employees of the opposite sex for equal work on jobs requiring equal skill, effort, and responsibility performed under similar working conditions - except where payment is pursuant to a seniority system, merit system or system measuring earnings on the basis of quantity or quality of production or a differential other than sex.

Enforcement
An employee may either file civil action for recovery of unpaid minimum wages or overtime, or they may file a complaint with the Department of Labor & Economic Growth. The department may investigate a complaint and file civil action to collect unpaid wages or overtimedue the employee and all employees of an establishment. Recovery under this act can include unpaid minimum wages or overtime, plus an equal additional amount as liquidated damages, costs, and reasonable attorney fees. A civil fine of $1,000 can be assessed to an employer who does not pay minimum wage or overtime.

For more information or to file a complaint, contact:
Wage & Hour Division at 517-335-0400 or write
P.O. Box 30476, Lansing, Michigan 48909-7976
www.michigan.gov/wagehour

Rev 03/07

Department of Labor & Economic Growth — Wage and Hour Division

Legal Requirements Governing Employment of Minors

Under the Youth Employment Standards Act, Act 90, of the Public Acts of 1978

MCLA 409.110 Minor under 16 years; days and hours of employment.
Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

MCLA 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.
Sec. 11. (1). Except as provided in subsection (3), a minor 16 years of age or older shall not be employed in an occupation subject to this act for more than any of the following periods:
(a) Six days in 1 week.
(b) A period longer than a weekly average of 8 hours per day or 48 hours in 1 week.
(c) Ten hours in 1 day.
(d) For a minor 16 years of age or older who is a student in school, a combined school and work week of 48 hours during the period school is in session.
(2) Except as provided in subsection (3), a minor 16 years of age or older shall not be employed between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a minor 16 years of age or older who is a student in school may be employed until 11:30 p.m. on any of the following days:
(a) On Fridays and Saturdays.
(b) During school vacation periods.
(c) During periods when the minor is not regularly enrolled in school. (3) A minor 16 years of age or older may be employed in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:
(a) If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.
(b) The minor is employed for not more than 11 hours in 1 day.
(c) The minor is employed for not more than 62 hours in any week. However, the minor shall not be required by an employer to work more than 48 hours during any week without the consent of the minor.
(d) The minor is not employed between 2 a.m. and 5:30 a.m.
(e) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.
(4) As used in this section:
(a) "Agricultural processing" means the cleaning, sorting or packaging of fruits or vegetables.
(b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.
History: Am. 1977 PA 499, Jan 9, 1997, Imd. Eff., 1995, Act 251, Eff. Mar. 28, 1996, Imd. Eff. Jan. 8, 2001.

MCLA 409.112 Meal and rest period.
Sec. 12. A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

MCLA 409.112 Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at fixed location.
Sec. 12a. A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.
History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

IMPORTANT: R408.6207 REQUIRES A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER

Department of Labor & Economic Growth
Wage & Hour Division
7150 Harris Drive, Box 30476
Lansing, Michigan 48909
Telephone: 517-322-1825

Form No. WH-M-46 (3/3/04)

Attention Employees

Michigan Whistleblowers' Protection Act

The Michigan Whistleblowers' Protection Act (469 P.A. 1980) creates certain protections and obligations for employees and employers under Michigan law.

Protections
It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, local or privileges of employment because you or a person acting on your behalf reports or is about or report a violation or a suspected violation of federal, state or local laws, rules or regulations to a public body.
It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you take part in a public hearing, investigation, inquiry or court action.

Obligations
The Act does not diminish or impair either your rights or the rights of your employer under any collective bargaining agreement.
The Act does not require your employer to compensate you for your participation in a public hearing, investigation, inquiry or court action.
The Act does not protect you from disciplinary action if you make a report to a public body that you know is false.

Enforcement
If you believe that your employer has violated this Act yo may bring civil action in circuit court within 90 days of the alleged violation of the Act.

Penalties
Persons found in violation of this Act may be subject to a civil fine of up to $500.00.
If your employer has violated this Act the court can order your reinstatement the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. The court may also award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees to the complainant if the court believes such a award is appropriate.

Michigan

Safety and Health Protection on the Job

[illegible] al Safety and [illegible], 1[illegible] 54, as amended, requir[illegible] of this document in a ce[illegible] onspicuous location. Fail[illegible] may result in a penalty.

[illegible] igan Occupational Safety and [illegible] OSHA)-Act No. 154 of the Publi[illegible], as amended-provides job saf[illegible] protection for Michigan empl[illegible] maintenance of safe and h[illegible] g conditions. Under MIOSHA a[illegible] approved in September, 1973 by [illegible] ment of Labor, the Michigan D[illegible] abor & Economic Growth is r[illegible] ministering the Act. Departm[illegible] duct jobsite inspections[illegible] compliance with t[illegible] safety an[illegible] dards.
[illegible] contents of this poster des[illegible] rtant provisions of the Act. These[illegible] apply equally to employers and employee[illegible] private industry or the public sector.

Employer Requirements
MIOSHA requires that each employer:
1. Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee;
2. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
3. Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
4. Notify the Michigan Department of Labor & Growth within 8 hours of any fatality, or the hospitalization of 3 or more employees suffering injury or illness from the same incident. Notification may be accomplished by calling 1-800-858-0397.
5. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.
6. Afford an employee an opportunity with or without compensation to attend all meetings between the Department of Labor and Growth and the employer relative to any appeal of a citation by the employer.
7. Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of [illegible] or fringe benefits or discriminate against the [illegible] ative of employees for time spent partici[illegible] inspection, investigation, or opening and[illegible] ferences.
8. Prov[illegible] protective equipment, at the employer[illegible] hen it is specifically required by a MIO[illegible] d to be provided at the employer's expense.
9. Not permit an e[illegible] ther than an employee whose presenc[illegible] ry to avoid, correct or remove an immi[illegible] to operate equipment or engage i[illegible] ich has been tagged by the Departm[illegible] is the subject of an order issu[illegible] ent identifying that an [illegible]
[illegible] mptly notify an employee wh[illegible] or is being exposed to toxic materials o[illegible] physical agents in concentrations o[illegible] exceed those prescribed by a MIO[illegible]

Employee Requir[illegible]
MIOSHA r[illegible] employee:
1. C[illegible] mulgated rules and standa[illegible] rs issued pursuant to the Act:
[illegible] move, displace, destroy, or carry off a [illegible] furnished or provided for use in a place [illegible] ent, or interfere in any way with the us[illegible] ny other person.

Inspe[illegible]/ Investig[illegible]
Inspections and [illegible] are conducted by trained personnel. Th[illegible] that an employer representative and a [illegible] ve of employees be given an opportunity [illegible] accompany the department representative for the purpose of aiding in the inspection or investigation.
If a representative of employees does not p[illegible] ticipate, the department representative will cons[illegible] with a number of employees concerning matters of safety or health in the place of employment.

Complaints
Employees and employee representatives who believe that an unsafe or unhealthful condition exists in their workplace have the right to request an inspection by giving written notice to the Department of Labor and Growth. If a condition exists which may present an immediate danger, the Department should be notified in the most expedient manner without regard to a written notice. The names of complainants will be kept confidential and not revealed upon the request of the employee. Employees also have the right to bring unsafe or unhealthful conditions to the attention of the department representative during the conduct of an inspection or investigation.
The Act provides that employees may not be discharged or in any manner discriminated against for filing a complaint or exercising any of their rights under the Act. An employee who believes he or she has been discriminated against may file a complaint with the Michigan Department of Labor [illegible] Growth within 30 days of the alleged discrimi[illegible]
The U.S. Department of Labor is monitoring the operation of the Michigan occupational safety and health program to assure the effective administration of the state act. Any person may make a written complaint regarding the state administration of the state act directly to the Regional Office of OSHA, 230 South Dearborn, Chicago, Illinois 60604.

Citations
If upon inspection or investigation the Department of Labor and Growth believes that a requirement of the Act has been violated, a [illegible] alleging such violation and setting a tim[illegible] for correction will be issued to the em[illegible] citation must be prominently pos[illegible] place of the alleged violation [illegible] until the violation is corrected, [illegible]
The Act provides [illegible] penalties of up to $7,000 [illegible] enalties of up to $7,000 pe[illegible] for failure to correct a[illegible] abatement period[illegible] who w[illegible] peatedly vi[illegible] be assessed[illegible] up to [illegible] such violation. E[illegible] alleged citation, the propos[illegible] abatement periods to the Departme[illegible] oard of Health and Safety Compliance a[illegible] Employees may appeal the abatement per[illegible] ilar manner. Employees also may appeal [illegible] of Health and Safety Compliance and Ap[illegible] sision issued by the Department in respo[illegible] loyer appeal.

Criminal penalties also are provided for in the Act. A person who knowingly makes a false statement or report pursuant to the Act upon conviction is punishable by a fine of up to $10,000 or may be imprisoned for not more than 6 months or both. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of up to $10,000 or by imprisonment for not more than one year or both. A second conviction doubles the maximum monetary penalty and is punishable by imprisonment for up to three years.

Voluntary Activity and Compliance Assistance
The act encourages employers and employees to reduce workplace hazards voluntarily.
The Michigan Department of Labor and Growth offers limited on-site consultation assistance to employers to assist them in achieving compliance with occupational safety and health standards. Training specialists are available and can give advice on the correction of hazardous conditions and on the development of safety and health programs. Department staff are available to conduct seminars and training relative to occupational safety and health for both employer and employee groups. Requests for service should be addressed to the department at the address shown below.
The U.S. Department of Labor will continue to enforce federal standards governing maritime operations of longshoring, shipbuilding, shipbreaking and ship repairing. These issues are not covered by the Michigan Plan for Occupational Safety and Health.

[illegible] e Information
[illegible] of Labor & Economic Growth
Mi[illegible] ational Safety & Health Administration
Cons[illegible] ation & Training Division
7150 H[illegible]
PO Box 30[illegible]
Lansing, MI 4[illegible]

THIS IS AN IMP[illegible] OCUMENT – DO NOT COVER[illegible]

MIOSHA/CET 2010 (3/04) Pri[illegible] hority of the Michigan Occupational Safety[illegible] lth Act, PA 154 of 1974, as amended. Paid with [illegible] T fund and federal OSHA funds
MIOSHA Complaint Hotline..................1-800-866-4674
[illegible] tality Hotline..................1-800-858-0397
[illegible] ultation & Training Assistance.....1-517-322-1809
[illegible] al information is available on our website at [illegible] gan.gov/miosha

MIOSHA — Michigan Occupational Safety and Health Administration
DLEG — Michigan Department of Labor & Economic Growth

NOTICE TO ALL EM[illegible] LOYEES

This employer is covered [illegible] he
MICHIGAN EMPLOYMENT SECU[illegible] Y ACT

Unemployment Benefits are payable to qualified workers of this employer through Michigan's Unemployment Insurance Agency.

If you become unemployed, you can file your new unemployment claim or reopen an established claim by:
- **Internet -** file online through our Web site: **www.michigan.fov/uia**
- **Telephone -** call our toll free claims line: **1-866-500-0017**

STATE OF MICHIGAN
UNEMPLOYMENT INSURANCE AGENCY
UIA 1710 (Rev. 2-04)

DLEG is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. For more EO information, call DLEG's EO office at 313-456-2461. TTY services are available at 1-866-366-0004. Visit our Web site at www.michigan.gov/uia.

Editor's Note: Certain agricultural employers are not covered by unemployment insurance or may be a designated seasonal employer. Ask your agricultural employer to determine the status of unemployment insurance coverage for your current employment.

This Workplace Covered by the Michigan Right To Know Law

Employers must make available for employees in a readily accessible manner, Material Safety Data Sheets (MSDS) for those hazardous chemicals in their workplace.
Employees cannot be discharged or discriminated against for exercising their rights including the request for information on hazardous chemicals.
Employees must be notified and given direction (by employer posting) for locating Material Safety Data Sheets and the receipt of new or revised MSDS(s).
*Employees may also request MSDS from the Michigan Department of Labor & Economic Growth, Michigan Occupational Safety & Regulation Administration, Occupational Health Division, 7150 Harris Dr., PO Box 30649, Lansing, Michigan 48909-8419. Telephone: (517) 322-1608.

MIOSHA/CET #2105 (Rev. 1-04)

MSDS(s) For This Workplace Are Located At:

Location(s) ______________________

Location(s) ______________________

Person(s) responsible for MSDS(s)

____

Phone ______________________

As Required by the Michigan Right To Know Law
To be posted throughout the workplace next to MSDS location posters
Paid in part with federal OSHA funds.
MIOSHA/CET #2106 (Rev. 1-04)

MIOSHA — Michigan Occupational Safety and Health Administration
DLEG — Michigan Department of Labor & Economic Growth

Michigan Department of Labor & Economic Growth
Michigan Occupational Safety & Health Division
Consultation Education & Training Division
7150 Harris Drive, P.O. Box 30643
Lansing, Michigan 48909-8143
(517) 322-1809

New or Revised MSDS

New or Revised Title	Receipt Date	Posting Date	Location of New or Revised MSDS

Michigan Law

Prohibits Discrimination

Michigan Law Prohibits Discrimination in employment, education, housing, public accommodation, law enforcement or public service based on religion, race, color, national origin, sex, disability, age*, marital status*, height**, weight**, arrest record**, and familial status***.
Persons with disabilities needing accommodations for employment must notify their employers in writing, within 182 days after the need is known.
Persons denied equal opportunity based on these conditions may file a complaint with the:
Michigan Department of Civil Rights
1-800-482-3604
TTY users please call 1-877-878-8464
www.michigan.gov/mdcr

Michigan Department of Civil Rights
CR-487-E (Rev. 8/04) Must be posted in a conspicuous place. Printed by Authority of P.A. 453 of 1976, as amended.

**under the education article age and marital status are prohibited considerations for admissions only   **in employment only   ***in housing only*

Regulatory **C**ompliance **A**ssistance **P**rogram
Regulatory **M**anagement **S**ervices

MFB, INC.
Labor, Safety, Environmental Regulatory Services and Materials

To order, call 800-292-2680, ext. 2311
Fax 517-323-6556
P.O. Box 30960
Lansing, MI 48909-8460