

# 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.