

HOUSE BILL NO. 5130

June 24, 2021, Introduced by Rep. Mueller 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 8 (MCL 408.478).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. (1) ~~An~~ **Except as otherwise provided in this**

1 **subsection, an** employer, agent or representative of an employer, or
2 other person having authority from the employer to hire, employ, or
3 direct the services of other persons in the employment of the
4 employer shall not demand or receive, directly or indirectly from
5 an employee, a fee, gift, tip, gratuity, or other remuneration or
6 consideration, as a condition of employment or continuation of
7 employment. This subsection does not apply to ~~fees~~ **either of the**
8 **following:**

9 (a) **Fees** collected by an employment agency licensed under the
10 laws of this state.

11 (b) Subject to subsection (3), the following remuneration or
12 consideration collected by a law enforcement agency under a signed
13 loan forgiveness agreement entered into on or after the effective
14 date of the amendatory act that added this subdivision:

15 (i) If the employee voluntarily leaves employment with the law
16 enforcement agency not more than 1 year after the date the
17 employee's law enforcement training academy ended, 100% of the cost
18 of the law enforcement training academy.

19 (ii) If the employee voluntarily leaves employment with the law
20 enforcement agency more than 1 year but less than 2 years after the
21 date the employee's law enforcement training academy ended, 75% of
22 the cost of the law enforcement training academy.

23 (iii) If the employee voluntarily leaves employment with the law
24 enforcement agency 2 years or more but less than 3 years after the
25 date the employee's law enforcement training academy ended, 50% of
26 the cost of the law enforcement training academy.

27 (iv) If the employee voluntarily leaves employment with the law
28 enforcement agency 3 years or more but less than 4 years after the
29 date the employee's law enforcement training academy ended, 25% of

1 the cost of the law enforcement training academy.

2 (v) If the employee voluntarily leaves employment with the law
3 enforcement agency 4 years or more but less than 5 years after the
4 date the employee's law enforcement training academy ended, 10% of
5 the cost of the law enforcement training academy.

6 (2) Except for a contribution required or expressly permitted
7 by law or by a collective bargaining agreement, an employer shall
8 not require an employee or a person seeking employment to
9 contribute directly or indirectly to a charitable, social, or
10 beneficial purpose as a condition of employment or continuation of
11 employment.

12 (3) A loan forgiveness agreement under subsection (1) (b) must
13 contain the following terms:

14 (a) That the employer will pay the cost of a law enforcement
15 training academy required for that employee to obtain a license
16 under the Michigan commission on law enforcement standards act,
17 1965 PA 203, MCL 28.601 to 28.615.

18 (b) The conditions under which the payment under subdivision
19 (a) will be provided and under which repayment to the employer by
20 the employee or another person may be required.

21 (4) As used in this section:

22 (a) "Law enforcement agency" means that term as defined in
23 section 2 of the Michigan commission on law enforcement standards
24 act, 1965 PA 203, MCL 28.602.

25 (b) "Law enforcement training academy" means that term as
26 defined in section 2 of the Michigan commission on law enforcement
27 standards act, 1965 PA 203, MCL 28.602.