

HOUSE BILL NO. 5624

March 20, 2024, Introduced by Reps. Conlin, Pohutsky, Rheingans, Byrnes, Dievendorf, Paiz, Young, Steckloff, Brixie, Hood, Arbit, Tsernoglou, Price, MacDonell, Glanville, McKinney, Breen, Wilson, Hope, Grant, Weiss, Wegela, Andrews, Coffia, Scott, McFall, Rogers, Skaggs, Brabec, Morgan, Hill, Farhat, Haadsma, Martus and Aiyash and referred to the Committee on Labor.

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,"

(MCL 408.471 to 408.490) by adding section 13b; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13b. (1) Except as otherwise provided in subsection (2),
2 an employer shall not pay wages to an employee at a rate that is
3 different than the rate the employer pays wages to another employee
4 for equal work on jobs, the performance of which requires equal
5 skill, effort, and responsibility and that is performed under
6 similar working conditions, because of a protected attribute or
7 characteristic of the employee.

8 (2) An employer does not violate subsection (1) if the
9 employer pays wages at a rate in accordance with 1 or more of the
10 following:

11 (a) A seniority system.

12 (b) A merit system.

13 (c) A system that measures earnings by quantity or quality of
14 production.

15 (d) A factor other than a protected attribute or
16 characteristic.

17 (3) An employer that violates subsection (1) shall not reduce
18 the rate at which it pays wages to an employee to comply with
19 subsection (1).

20 (4) As used in this section, "protected attribute or
21 characteristic" means the religion, race, color, national origin,
22 age, sex, sexual orientation, gender identity or expression,
23 height, weight, marital status, or any other attribute or
24 characteristic of an individual that is protected under the Elliot-
25 Larsen civil rights act, 1976 PA 453, MCL 37.2101 to 37.2804.

26 Enacting section 1. Section 13 of the improved workforce
27 opportunity wage act, 2018 PA 337, MCL 408.943, is repealed.