

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4160

A bill to amend 1964 PA 154, entitled
"Minimum wage law of 1964,"
by amending the title and section 3 (MCL 408.383).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

TITLE

2

An act to fix minimum wages for employees within this state;

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to prohibit wage discrimination; **to prohibit certain local units**

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of government from imposing certain minimum wage requirements; to

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provide for the administration and enforcement of this act; and

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to prescribe penalties for the violation of this act.

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Sec. 3. (1) ~~No~~ An employer shall **not** pay ~~any~~ an

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employee at a rate ~~of~~ **that is** less than **the applicable rate**

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prescribed in this act.

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(2) A local unit of government shall not enact, maintain, or

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enforce by charter, ordinance, purchase agreement, contract,

House Bill No. 4160 as amended March 30, 2004

1 regulation, rule, or resolution, either directly or indirectly, a
2 minimum wage rate payable by private employers that is greater
3 than the applicable rate prescribed in this act. This subsection
4 does not prohibit a local unit of government from enacting,
5 maintaining, or enforcing through a collective bargaining
6 agreement or other means a minimum wage requirement governing
7 compensation paid by that local unit of government to employees
8 of that local unit of government. This subsection does not
9 prohibit a local unit of government from enacting, maintaining,
10 or enforcing by charter, ordinance, purchase agreement, contract,
11 regulation, rule, or resolution, either directly or indirectly, a
12 greater minimum wage rate than prescribed in this act, if that
13 rate applies to a procurement contract for goods or services that
14 the local unit of government awards to a private vendor. <<

15 >> As used in this subsection:

16 (a) "Contract" does not include a collective bargaining
17 agreement negotiated between a local unit of government and the
18 bargaining representative of the local unit of government's
19 employees, pursuant to 1947 PA 336, MCL 423.201 to 423.217.

20 (b) "Local unit of government" means a city, county,
21 township, village, school district, intermediate school district,
22 or any political subdivision of this state.

23 (3) Subsection (2) does not <<have any effect on>> any
24 prevailing wage required under 1965 PA 166, MCL 408.551 to
25 408.558.

<<(4) Subsection (2) does not prohibit a local unit of government
from enforcing an ordinance that is in effect on the effective date of
the amendatory act that added subsection (2) as to a contract that was
entered into by the local unit of government before the effective date of
the amendatory act that added subsection (2).>>