

# HOUSE BILL NO. 5344

September 29, 2021, Introduced by Reps. Brabec, Manoogian, Weiss, Cavanagh, Neeley, Young, Pohutsky, Stone, Rogers, Kuppa, Steckloff, Hope, Hood, Haadsma, Sowerby, Koleszar, Brixie, Aiyash, Morse, Breen, Tyrone Carter, Puri, Ellison, O'Neal, Cherry, Sneller, Thanedar, Scott, Lasinski and Anthony and referred to the Committee on Workforce, Trades, and Talent.

A bill to require employers to disclose family leave policies to employees and potential employees; to provide for the powers and duties of certain state and local governmental officers and entities; and to prohibit failing to disclose family leave policies and prescribe civil sanctions.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act may be cited as the "family leave policy  
2 disclosure act".

3           Sec. 3. As used in this act:

1 (a) "Employee" means an individual employed by an employer.

2 (b) "Employer" means a person that has 1 or more employees or  
3 that accepts applications for employment. Employer includes an  
4 agent of an employer.

5 (c) "Family leave policy" means an employer's policy regarding  
6 paid or unpaid maternity, paternity, or medical leave offered to  
7 its employees.

8 (d) "Person" means an individual or a partnership,  
9 corporation, limited liability company, association, governmental  
10 entity, or other legal entity.

11 (e) "Potential employee" means an individual who has applied  
12 for employment with an employer.

13 Sec. 5. (1) An employer shall disclose its family leave policy  
14 to a potential employee before the employer conveys an offer of  
15 employment to that potential employee.

16 (2) If an employee did not receive a disclosure as described  
17 under subsection (1) before the effective date of this act, the  
18 employer shall disclose its family leave policy to that employee  
19 not more than 90 days after the effective date of this act.

20 (3) A disclosure required under this section must meet all of  
21 the following requirements:

22 (a) Be conveyed in writing or electronically.

23 (b) Include at least all of the following information  
24 regarding the employer's family leave policy:

25 (i) The amount of family leave available before the birth or  
26 adoption of a child.

27 (ii) The amount of family leave available after the birth or  
28 adoption of a child.

29 (iii) The procedures an employee must follow to request family

1 leave.

2       Sec. 7. This act does not limit the rights or remedies  
3 otherwise available to an employee or potential employee under any  
4 other law.

5       Sec. 9. An employer that violates this act is subject to a  
6 civil fine of not more than \$1,000.00. The prosecutor of the county  
7 in which the violation occurred or the attorney general may bring  
8 an action to collect the fine.