

HOUSE BILL NO. 4406

April 12, 2023, Introduced by Reps. Farhat, Breen, Hood, Brabec, Morse, Price, Weiss, Brenda Carter, Tsernoglou, Hope, Andrews, Edwards, Haadsma and Scott 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,"

by amending section 13a (MCL 408.483a), as added by 1982 PA 524.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13a. ~~(1)~~—An employer shall not do any of the following:

2 (a) Require as a condition of employment nondisclosure by an
3 employee of ~~his or her~~ **the employee's** wages.

4 (b) Require an employee to sign a waiver or other document
5 ~~which that~~ purports to deny an employee the right to disclose ~~his~~
6 ~~or her~~ **the employee's** wages.

7 (c) Discharge, formally discipline, or otherwise discriminate
8 against for job advancement an employee who discloses ~~his or her~~
9 **the employee's** wages.

10 (d) Not later than 30 days after an employee's request, fail
11 to provide the employee with wage information for similarly
12 situated employees covering a period of not more than 3 years
13 before the date of the request. The employer may redact the names
14 of similarly situated employees, but shall provide information
15 about the sex and seniority of similarly situated employees for
16 whom wage information is provided. As used in this subdivision:

17 (i) "Similarly situated employees" means employees who are
18 within the same job classification as the employee requesting the
19 information or whose duties are comparable in skill, effort,
20 responsibility, working conditions, and training to those of the
21 requesting employee.

22 (ii) "Wage information" includes salary and hourly wage
23 information as well as information about bonus pay, overtime pay,
24 and other forms of compensation provided by the employer.

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.