

PAYMENT OF WAGES AND FRINGE BENEFITS (EXCERPT)
Act 390 of 1978

***** 408.472.amened THIS AMENDED SECTION IS EFFECTIVE SEPTEMBER 2, 2018 *****

408.472.amended Payment of wages; time; regularly scheduled weekly or biweekly payday; monthly pay period; overtime earnings during month of December; frequency of wage payments.

Sec. 2. (1) Subject to subsections (2), (3), and (4), an employer shall pay the following to an employee:

(a) On or before the first day of each calendar month, the wages earned by the employee during the first 15 days of the preceding calendar month.

(b) On or before the fifteenth day of each calendar month, the wages earned by the employee during the preceding calendar month from the sixteenth day through the last day.

(2) An employer shall pay to an individual engaged in any phase of the hand harvesting of crops all wages earned in a week by the individual on or before the second day following the work week unless another method of payment is agreed upon by written contract.

(3) An employer who has established a regularly scheduled weekly or biweekly payday is in compliance with subsection (1) if both of the following conditions are met:

(a) Wages are paid to the employee on the established regularly recurring payday.

(b) The payday occurs on or before the fourteenth day following the end of the work period in which the wages are earned.

(4) An employer who has established a regularly scheduled monthly pay period is in compliance with subsection (1) if the employer pays to the employee, within 15 days after the end of a monthly pay period, all wages earned during the monthly pay period.

(5) For employees' overtime earnings earned during the month of December that would, in compliance with this section, be paid to the employees after the sixteenth of December, an employer is in compliance with this section if both of the following conditions are met:

(a) Employees receive all their wages, except overtime, for the month of December on or before the employees' regularly scheduled payday.

(b) All overtime wages earned during the month of December are paid on or before the next regularly scheduled payday following the payday in which the overtime would otherwise be paid.

(6) An employer may pay wages more often than required by this section.

History: 1978, Act 390, Imd. Eff. Aug. 1, 1978;—Am. 2018, Act 170, Eff. Sept. 2, 2018.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.