

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.353a Employee welfare plan, failure of employer to contribute as promised.

Sec. 353a.

Any employer who promises in writing to make payments to an employee welfare plan, vacation plan, health plan, dental plan, insurance plan, supplemental unemployment benefit plan, profit sharing plan, pension plan or any employee welfare plan, either by contract with an individual employee, by a collective bargaining agreement or by agreement with such employee plan, and who fails to make such payments within 3 weeks after they become due and payable, shall be guilty of a misdemeanor. This section shall not apply where the failure to make payments is prevented by act of God, proceedings in bankruptcy, orders or processes of any court of competent jurisdiction or circumstances over which the employer has no control. Conviction for violation of this section does not relieve the employer of liability for moneys under such agreement or contract.

History: Add. 1960, Act 15, Eff. Aug. 17, 1960 ;-- Am. 1966, Act 45, Eff. Mar. 10, 1967