MICHIGAN
Employment Laws

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POSTER COMPLIANCE DATE 03/2017

Department of Licensing and Regulatory Affairs

Minimum Wage and Overtime

Michigan Department of Licensing and Regulatory Affairs
Wage and Hour Division
PO Box 30476
Lansing , MI 48909-7976

LARA
LICENSING AND REGULATORY AFFAIRS
CUSTOMER DRIVEN. BUSINESS MINDED.

RICK SNYDER
GOVERNOR

SHELLY EDGERTON
DIRECTOR

REQUIRED POSTER
GENERAL REQUIREMENTS - MINIMUM WAGE and OVERTIME

Coverage
The Workforce Opportunity Wage Act, Public Act 138 of 2014, covers employers who employ 2 or more employees 16 years of age and older.

Minimum Hourly Wage Rate
Employees must be paid at least:

Effective Date	Minimum Hourly Wage Rate	Tipped Employee Minimum Hourly Rate	85% Rate
January 1, 2017	$8.90	$3.38	$7.57
January 1, 2018	$9.25	$3.52	$7.86

- Minors 16-17 years of age may be paid 85% of the minimum hourly wage rate.
- Beginning September 1, 2014, tipped employees may be paid a minimum hourly wage rate of 38% of the minimum hourly wage rate, provided tips are received, as documented through a signed, dated tip statement, which combined with the hourly wage paid, equals or exceeds the minimum hourly wage rate.

Training Wage
A training wage of $4.25 per hour may be paid to employees 16 to 19 years of age for the first 90 days of employment.

Overtime
Employees covered by the Workforce Opportunity Wage Act must be paid 1-1/2 times their regular rate of pay for hours worked over 40 in a workweek. The following are exempt from overtime requirements: employees exempt from the minimum wage provisions of the Fair Labor Standards Act of 1938, 29 USC 201 to 219 (except certain domestic service employees), professional, administrative, or executive employees; elected officials and political appointees; employees of amusement and recreational establishments operating less than 7 months of the year; agricultural employees, and any employee not subject to the minimum wage provisions of the act.

Compensatory Time
If an employer meets certain conditions, employees may agree to receive compensatory time of 1-1/2 hours for each hour of overtime worked. The agreement must be voluntary, in writing, and obtained before the compensatory time is earned. All compensatory time earned must be paid to an employee. Accrued compensatory time may not exceed 240 hours. Employers must keep a record of compensatory time earned and paid. Contact the Wage and Hour Program for information on the conditions an employer must meet in order to offer compensatory time off in lieu of overtime compensation.

Equal Pay
An employer shall not discriminate on the basis of sex by paying employees a rate which is less than the rate paid to employees of the opposite sex for equal work on jobs requiring equal skill, effort, and responsibility performed under similar working conditions - except where payment is pursuant to a seniority system, merit system or system measuring earnings on the basis of quantity or quality of production or a differential other than sex.

Enforcement
An employee may either file civil action for recovery of unpaid minimum wages or overtime, or they may file a complaint with the Department of Licensing and Regulatory Affairs. The department may investigate a complaint and file civil action to collect unpaid wages or overtime due the employee and all employees of an establishment. Recovery under this act can include unpaid minimum wages or overtime, plus an equal additional amount as liquidated damages, costs, and reasonable attorney fees. A civil fine of $1,000 can be assessed to an employer who does not pay minimum wage or overtime.

LARA is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities.
www.michigan.gov/wagehour • Toll Free 1-855-4MI-WAGE (1-855-464-9243)
WHD 9904

REV. 09/2016

NOTICE: *This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.*

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Department of Education

Informational Sheet: Youth Employment Standards

RICK SNYDER
GOVERNOR

Office of Career and Technical Education
P.O. Box 30712, Lansing, MI 48909

Michigan Department of Education
(517) 335-6041
www.michigan.gov/mde

Informational Sheet:
Youth Employment Standards Act 90 of 1978, as amended

POSTING REQUIREMENT

MCL 409.110 Minor under 16 years; days and hours of employment.
Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

MCL 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.
Sec. 11. (1). Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods:
(a) Six days in 1 week.
(b) An average of 8 hours per day in 1 week.
(c) Ten hours in 1 day.
(d) Subject to subdivision (e), 48 hours in 1 week.
(e) If the minor is a student in school and school is in session, 24 hours in 1 week.
(2) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:
(a) On Fridays and Saturdays.
(b) During school vacation periods.
(c) During periods when the minor is not regularly enrolled in school.
(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:
If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.
(a) The minor is employed for not more than 11 hours in 1 day.
(b) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.
(c) The minor is not employed between 2 a.m. and 5:30 a.m.
(d) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.
(4) As used in this section:
(a) "Agricultural processing" means the cleaning, sorting or packaging of fruits or vegetables.
(b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.
History: Am. 1978, Act 90, Eff. June 1, 1978 ;-- Am. 1995, Act 251, Eff. Mar. 28, 1996 ;-- Am. 1996, Act 499, Imd. Eff. Jan. 9, 1997 ;-- Am. 2000, Act 418, Imd. Eff. Jan. 8, 2001 ;-- Am. 2011, Act 197, Imd. Eff. Oct. 18, 2011

MCL 409.112 Meal and rest period.
Sec. 12. A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

MCL 409.112a Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at fixed location.
Sec. 12a. A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.
History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

IMPORTANT: *Administrative Rule, R408.6207* ***REQUIRES*** *A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE* ***18 YEARS OF AGE OR OLDER***

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091

REV. 10/18/2011

Department of Licensing and Regulatory Affairs (LARA)

Safety Data Sheets (SDS) Location

This Workplace Covered by the Michigan Right To Know Law

Employers must make available for employees in a readily accessible manner, Safety Data Sheets (SDS) for those hazardous chemicals in their workplace.

Employees cannot be discharged or discriminated against for exercising their rights including the request for information on hazardous chemicals.

Employees must be notified and given direction (by employer posting) for locating Safety Data Sheets and the receipt of new or revised SDS(s).

When the employer has not provided a SDS, employees may request assistance in obtaining SDS from the:

Michigan Department of Licensing and Regulatory Affairs
Michigan Occupational Safety & Health Administration
General Industry Safety & Health Division
(517) 284-7750
Construction Safety & Health Division & Asbestos Licensing
(517) 284-7680
www.michigan.gov/miosha
MIOSHA/CET #2105

MIOSHA
Michigan Occupational Safety and Health Administration
LARA
Licensing and Regulatory Affairs
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SDS(s) For This Workplace Are Located At

_____
Location(s)

_____
Location(s)

_____
Person(s) responsible for SDS(s)

_____
Phone

LARA is an equal opportunity employer/program.

REV. 08/2016

Department of Licensing and Regulatory Affairs (LARA)

New or Revised SDS

As Required by the Michigan Right To Know Law

TO BE POSTED THROUGHOUT THE WORKPLACE NEXT TO THE SAFETY DATA SHEETS (SDS) LOCATION POSTERS

New or Revised SDS

New or Revised	Receipt Date	Posting Date	Location of New or Revised SDS

LARA Licensing and Regulatory Affairs *Customer Driven. Business Minded.*
MIOSHA Michigan Occupational Safety and Health Administration
For further information visit our website at: www.michigan.gov/miosha
Michigan Department of Licensing and Regulatory Affairs, Michigan Occupational Safety & Health Administration, Consultation Education & Training Division
(517) 284-7720
MIOSHA/CET #2106

LARA is an equal opportunity employer/program.

REV. 08/2015

Talent Investment Agency, Unemployment Insurance Agency

Notice To All Employees: Information about Unemployment Benefits

This employer is covered by the ...

MICHIGAN EMPLOYMENT SECURITY ACT

Unemployment benefits are payable to qualified and eligible workers of this employer through Michigan's Unemployment Insurance Agency (UIA).

How to file an unemployment claim:

If you become unemployed, you can file your new unemployment claim or reopen an established claim:

Online *through the Michigan Web Account Manager (MiWAM):* www.michigan.gov/uia

By Phone *- call UIA's toll free claims line:* 1-866-500-0017

Payment Options: *When you file for unemployment benefits, you will choose how you want to receive your benefit payments. You can select a* ***debit card or direct deposit*** *into your checking or savings account. For more information about these payment options, visit UIA's website at www.michigan.gov/uia.*

STATE OF MICHIGAN • TALENT INVESTMENT AGENCY
UNEMPLOYMENT INSURANCE AGENCY

TIA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
State of Michigan, Talent Investment Agency, Unemployment Insurance Agency; Authority: Michigan Administrative Code, Section R 421.105. UIA 1710

REV. 05/2015

Occupational Safety and Health Administration (MIOSHA)

Whistleblower Protection

Attention Employees

The Michigan Whistleblowers' Protection Act (469 P .A. 1980) creates certain protections and obligations for employees and employers under Michigan law.

PROTECTIONS:
It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you or a person acting on your behalf reports or is about or report a violation or a suspected violation of federal, state or local laws, rules or regulations to a public body.

It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you take part in a public hearing, investigation, inquiry or court action.

OBLIGATIONS:
The Act does not diminish or impair either your rights or the rights of your employer under any collective bargaining agreement.

The Act does not require your employer to compensate you for your participation in a public hearing, investigation, inquiry or court action.

The Act does not protect you from disciplinary action if you make a report to a public body that you know is false.

ENFORCEMENT:
If you believe that your employer has violated this Act you may bring civil action in circuit court within 90 days of the alleged violation of the Act.

PENALTIES:
Persons found in violation of this Act may be subject to a civil fine of up to $500.00.

If your employer has violated this Act the court can order your reinstatement, the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. The court may also award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees to the complainant if the court believes such an award is appropriate.

Visit the Michigan Occupational Safety and Health Administration (MIOSHA) website at www.michigan.gov/miosha.

Department of Licensing and Regulatory Affairs (LARA)

Safety and Health Protection on the Job

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED,
REQUIRES POSTING OF THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCATION.
FAILURE TO DO SO MAY RESULT IN A PENALTY.

The Michigan Occupational Safety and Health Act (MIOSH Act), Act No. 154 of the Public Acts of 1974, as amended, provides job safety and health protection for Michigan employees through the maintenance of safe and healthful working conditions. Under the MIOSH Act and a state plan approved in September 1973 by the U.S. Department of Labor, the Michigan Department of Licensing and Regulatory Affairs is responsible for administering the Act. Department representatives conduct job site inspections and investigations to ensure compliance with the Act and with safety and health standards.

The contents of this poster describe many important provisions of the Act. These provisions apply equally to employers and employees in either private industry or the public sector.

EMPLOYER REQUIREMENTS: MIOSHA requires that each employer:

1. Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee.
2. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
3. Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
4. Notify the Michigan Department of Licensing and Regulatory Affairs within 8 hours of any work-related fatality. Notification may be accomplished by calling 1-800-858-0397.
5. Notify the Michigan Department of Licensing and Regulatory Affairs within 24 hours of all work-related inpatient hospitalizations, amputations and losses of an eye. Notification may be accomplished by calling 1-844-464-6742 (4MIOSHA).
6. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.
7. Afford an employee an opportunity with or without compensation to attend all meetings between the Department of Licensing and Regulatory Affairs and the employer relative to any appeal of a citation by the employer.
8. Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of wages or fringe benefits or discriminate against the representative of employees for time spent participating in the inspection, investigation, or opening and closing conferences.
9. Provide personal protective equipment, at the employer's expense, when it is specifically required by a MIOSHA standard.
10. Not permit an employee, other than an employee whose presence is necessary to avoid, correct or remove an imminent danger, to operate equipment or engage in a process which has been tagged by the Department and which is the subject of an order issued by the Department identifying that an imminent danger exists.
11. To promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by a MIOSHA standard.

EMPLOYEE REQUIREMENTS: MIOSHA requires that each employee:

1. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
2. Not remove, displace, destroy, or carry off a safeguard furnished or provided for use in a place of employment, or interfere in any way with the use thereof by any other person.

INSPECTIONS/INVESTIGATIONS: Inspections and investigations are conducted by trained personnel. The Act requires that an employer representative and a representative of employees be given an opportunity to accompany the department representative for the purpose of aiding in the inspection or investigation.

If a representative of employees does not participate, the department representative will consult with a number of employees concerning matters of safety or health in the place of employment.

COMPLAINTS: Employees and employee representatives who believe that an unsafe or unhealthful condition exists in their workplace have the right to request an inspection by giving written notice to the Department of Licensing and Regulatory Affairs. If a condition exists which may present an immediate danger, the Department should be notified in the most expedient manner without regard to a written notice. The names of complainants will be kept confidential and not revealed upon the request of the employee. Employees also have the right to bring unsafe or unhealthful conditions to the attention of the department representative during the conduct of an inspection or investigation.

The Act provides that employees may not be discharged or in any manner discriminated against for filing a complaint or exercising any of their rights under the Act. An employee who believes he or she has been discriminated against may file a complaint with the Michigan Department of Licensing and Regulatory Affairs within 30 days of the alleged discrimination.

The U.S. Department of Labor is monitoring the operation of the Michigan Occupational Safety and Health Administration (MIOSHA) to assure the effective administration of the state act. Any person may make a written complaint regarding the state administration of the state act directly to the Regional Office of OSHA, 230 South Dearborn, Chicago, Illinois 60604.

CITATIONS: If upon inspection or investigation the Department of Licensing and Regulatory Affairs believes that a requirement of the Act has been violated, a citation alleging such violation and setting a time period for correction will be issued to the employer. The citation must be prominently posted at or near the place of the alleged violation for three days or until the violation is corrected, whichever is later.

The Act provides for first instance penalties of up to $7,000 for a violation. Penalties of up to $7,000 per day may be assessed for failure to correct a violation within a proposed abatement period. Any employer who willfully or repeatedly violates the Act may be assessed penalties of up to $70,000 for each such violation. Employers may appeal the alleged citation, the proposed penalties or the abatement periods to the Department and to the Board of Health and Safety Compliance and Appeals. Employees may appeal the abatement period in a similar manner. Employees also may appeal to the Board of Health and Safety Compliance and Appeals any decision issued by the Department in response to an employer appeal.

Criminal penalties also are provided for in the Act. A person who knowingly makes a false statement or report pursuant to the Act upon conviction is punishable by a fine of up to $10,000 or may be imprisoned for not more than 6 months or both. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of up to $10,000 or by imprisonment for not more than one year or both. A second conviction doubles the maximum monetary penalty and is punishable by imprisonment for up to three years.

VOLUNTARY ACTIVITY & COMPLIANCE ASSISTANCE: The act encourages employers and employees to reduce workplace hazards voluntarily.

The Michigan Department of Licensing and Regulatory Affairs offers limited on-site consultation assistance to employers to assist them in achieving compliance with occupational safety and health standards. Training specialists are available and can give advice on the correction of hazardous conditions and on the development of safety and health systems. Department staff are available to conduct seminars and training relative to occupational safety and health for both employer and employee groups. Requests for service should be addressed to the department at the address shown below.

The U.S. Department of Labor will continue to enforce federal standards governing maritime operations of long shoring, shipbuilding, ship breaking and ship repairing. These issues are not covered by the Michigan Plan for Occupational Safety and Health.

MORE INFORMATION:

Department of Licensing and Regulatory Affairs
Michigan Occupational Safety & Health Administration
530 W. Allegan Street, Box 30643
Lansing, Michigan 48909-8143
www.michigan.gov/miosha

THIS IS AN IMPORTANT DOCUMENT - DO NOT COVER!

MIOSHA Complaint Hotline.....1-800-866-4674
Fatality Hotline.....1-800-858-0397
MIOSHA Injuries/Illnesses Reporting 1-844-464-6742
Consultation and Training Assistance 1-517-284-7720

MIOSHA
Michigan Occupational Safety and Health Administration
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Customer Driven. Business Minded.

The Department of Licensing and Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your need known to this agency.
MIOSHA/CET 2010

REV. 09/2015

Department of Civil Rights

Michigan Law Prohibits Discrimination

MICHIGAN LAW
PROHIBITS DISCRIMINATION
IN EMPLOYMENT, EDUCATION, HOUSING, PUBLIC ACCOMMODATION, LAW ENFORCEMENT OR PUBLIC SERVICE

BASED ON

religion, race, color, national origin, sex, disability, age[1], marital status[1], height[2], weight[2], arrest record[2], genetic information[2], and familial status[3]

Persons with disabilities needing accommodations for employment must notify their employers in writing within 182 days.

[1] *Under the education article, age and marital status are prohibited considerations for admissions only*
[2] *in employment only*
[3] *in housing only*

If you think you have been discriminated against, you may file a complaint with the Michigan Department of Civil Rights.

Call 1-800-482-3604
Video Phone: 313-437-7035
www.michigan.gov/mdcr

MDCR
MICHIGAN DEPARTMENT OF CIVIL RIGHTS

Post in a conspicuous place.

REV 02/2017

J. J. Keller & Associates, Inc.® Since 1953

To update your employment law posters contact J. J. Keller & Associates, Inc. JJKeller.com/employmentlaw 800-327-6868

This poster is in compliance with state posting requirements.

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