

# HOUSE BILL No. 5072

November 10, 2015, Introduced by Rep. Jenkins and referred to the Committee on Commerce and Trade.

A bill to amend 2014 PA 138, entitled "Workforce opportunity wage act," by amending section 2 (MCL 408.412).

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

1       Sec. 2. As used in this act:

2       (a) "Commissioner" means the director of the department of  
3       licensing and regulatory affairs.

4       (b) "Employ" means to engage, suffer, or permit to work.

5       (c) "Employee" means an individual not less than 16 years of  
6       age employed by an employer on the premises of the employer or at a  
7       fixed site designated by the employer, and includes a minor  
8       employed subject to section 15(1) of the youth employment standards  
9       act, 1978 PA 90, MCL 409.115.

1 (d) "Employer" means a person, firm, or corporation, including  
2 ~~the~~**THIS** state and its political subdivisions, agencies, and  
3 instrumentalities, and a person acting in the interest of the  
4 employer, who employs 2 or more employees at any 1 time within a  
5 calendar year. An employer is subject to this act during the  
6 remainder of that calendar year. **EXCEPT AS SPECIFICALLY PROVIDED IN**  
7 **THE FRANCHISE AGREEMENT, AS BETWEEN A FRANCHISEE AND FRANCHISOR,**  
8 **THE FRANCHISEE IS CONSIDERED THE SOLE EMPLOYER OF WORKERS FOR WHOM**  
9 **THE FRANCHISEE PROVIDES A BENEFIT PLAN OR PAYS WAGES.**

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