

# HOUSE BILL No. 4720

June 16, 2015, Introduced by Reps. Faris, Plawecki, Guerra and Chang and referred to the Committee on Government Operations.

A bill to amend 2014 PA 138, entitled "Workforce opportunity wage act," by amending section 4d (MCL 408.414d).

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

1       Sec. 4d. (1) ~~Before September 1, 2014, the minimum hourly wage~~  
2 ~~rate is \$2.65 per hour and, beginning September 1, 2014, the~~ **THE**  
3 ~~minimum hourly wage rate is 38% of the minimum hourly wage rate~~  
4 ~~established in section 4~~ **FOR AN EMPLOYEE IS AS PROVIDED IN**  
5 **SUBSECTION (2)** if all of the following ~~occur~~ **CONDITIONS ARE**  
6 **SATISFIED:**

7           (a) The employee receives gratuities in the course of his or  
8 her employment.

9           (b) If the gratuities described in subdivision (a) plus the  
10 minimum hourly wage rate under ~~this~~ subsection (2) do not equal or  
11 exceed the minimum hourly wage otherwise established under section

1 4, the employer pays any shortfall to the employee.

2 (c) The gratuities are proven gratuities as indicated by the  
3 employee's declaration for purposes of the federal insurance  
4 contributions act, 26 USC 3101 to 3128.

5 (d) The employee was informed by the employer of the  
6 provisions of this section.

7 **(2) IF THE CONDITIONS IN SUBSECTION (1) ARE SATISFIED, THE**  
8 **MINIMUM HOURLY WAGE RATE FOR THE EMPLOYEE IS THE FOLLOWING**  
9 **PERCENTAGE OF THE MINIMUM HOURLY WAGE RATE SPECIFIED IN SECTION 4:**

10 (A) BEGINNING SEPTEMBER 1, 2014, 38%.

11 (B) BEGINNING JANUARY 1, 2016, 59%.

12 (C) BEGINNING JANUARY 1, 2017, 80%.

13 (3) ~~(2)~~As used in this section, "gratuities" means tips or  
14 voluntary monetary contributions received by an employee from a  
15 guest, patron, or customer for services rendered to that guest,  
16 patron, or customer and that the employee reports to the employer  
17 for purposes of the federal insurance contributions act, 26 USC  
18 3101 to 3128.

19 **(4) THIS SECTION DOES NOT APPLY AFTER DECEMBER 31, 2017.**