

HOUSE BILL NO. 5623

March 20, 2024, Introduced by Reps. Coffia, Pohutsky, Rheingans, Byrnes, Dievendorf, Paiz, Young, Steckloff, Brixie, Hood, Arbit, Tsernoglou, Conlin, Price, MacDonell, Glanville, McKinney, Breen, Wilson, Hope, Grant, Weiss, Wegela, Andrews, Brabec, Scott, McFall, Rogers, Skaggs, Morgan, Hill, Farhat, Hoskins, Martus, Haadsma and Aiyash and referred to the Committee on Labor.

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 602 (MCL 37.2602), as amended by 1992 PA 258,
and by adding section 202b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 202b. (1) An employer that employs 50 or more individuals
2 at any time during a calendar year at a single work site in this
3 state shall inform employees of, and keep posted at the work site
4 in a conspicuous place where employees may conveniently read it, a

1 notice that includes all of the following information:

2 (a) A statement that it is illegal under federal law to pay
3 employees different wages for the same work because of an
4 employee's race, color, religion, sex, national origin, age,
5 genetic information, or disability.

6 (b) A statement that it is illegal under the law of this state
7 to pay employees different wages for the same work because of an
8 employee's religion, race, color, national origin, age, sex, sexual
9 orientation, gender identity or expression, height, weight, or
10 marital status.

11 (c) A statement that an employee who believes the employee's
12 employer has violated the law requiring equal pay may contact the
13 Michigan department of civil rights.

14 (d) The telephone number of the telephone line required under
15 section 602(g) and the address of the website required under
16 section 602(h).

17 (2) The notice under subsection (1) must be in a form approved
18 by the department. The department may include additional
19 information in the notice regarding the rights of employees under
20 the law of this state.

21 (3) An employer that violates this section may be ordered to
22 pay a civil fine of not more than \$100.00.

23 Sec. 602. The department shall do all of the following:

24 (a) Be responsible to the executive director, who ~~shall be~~ **is**
25 the principal executive officer of the department and ~~shall be~~ **is**
26 responsible for executing the policies of the commission.

27 (b) Appoint necessary employees and agents and fix their
28 compensation in accordance with civil service rules. The attorney
29 general shall appear for and represent the department or the

1 commission in a court having jurisdiction of a matter under this
2 act.

3 (c) Receive, initiate, investigate, conciliate, adjust,
4 dispose of, issue charges, and hold hearings on complaints alleging
5 a violation of this act, and approve or disapprove plans to correct
6 past discriminatory practices which have caused or resulted in a
7 denial of equal opportunity with respect to groups or persons
8 protected by this act. **When conducting an investigation under this**
9 **subdivision regarding an alleged violation of article 2, the**
10 **department shall follow procedures that ensure to the greatest**
11 **extent reasonably possible the anonymity of an individual who has**
12 **alleged a violation of article 2 or has assisted or participated in**
13 **the investigation of an alleged violation of article 2.**

14 (d) Require answers to interrogatories; ~~order~~ the submission
15 of books, papers, records, and other materials pertinent to a
16 complaint; ~~and~~ require the attendance of witnesses; ~~administer~~
17 oaths; ~~take~~ testimony; ~~and~~ compel, through court authorization,
18 compliance with its orders or an order of the commission.

19 (e) Cooperate or contract with persons and state, local, and
20 other agencies, both public and private, including agencies of the
21 federal government and of other states.

22 (f) Monitor the awarding and execution of contracts to ensure
23 compliance by a contractor or a subcontractor with a covenant
24 entered into or to be entered into ~~pursuant to~~ **under** section 209.

25 (g) **Maintain a telephone line, the sole purpose of which is to**
26 **receive reports of violations of this act, that allows for**
27 **anonymous reporting.**

28 (h) **Maintain a public website that includes all of the**
29 **following:**

1 (i) Information about rights under this act.

2 (ii) A link to an easy-to-use form for electronic reporting of
3 a violation of this act that allows for anonymous reporting.

4 (iii) The prominent display of the telephone number of the
5 telephone line required under subdivision (g).

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