

SENATE BILL NO. 233

March 20, 2019, Introduced by Senator ALEXANDER and referred to the Committee on Government Operations.

A bill to amend 2018 PA 337, entitled "Improved workforce opportunity wage act," by amending section 4d (MCL 408.934d), as amended by 2018 PA 368, and by adding section 4f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 4d. (1) The minimum hourly wage rate of an employee is
2 38% of the minimum hourly wage rate established ~~in~~**under** section 4
3 **or 4f, as applicable**, if all of the following occur:
4 (a) The employee receives gratuities in the course of his or

1 her employment.

2 (b) If the gratuities described in subdivision (a) plus the
3 minimum hourly wage rate under this subsection do not equal or
4 exceed the minimum hourly wage rate otherwise established under
5 section 4 **or 4f, as applicable**, the employer pays any shortfall to
6 the employee.

7 (c) The gratuities are proven gratuities as indicated by the
8 employee's declaration for purposes of the federal insurance
9 contribution act, 26 USC 3101 to 3128.

10 (d) The employee was informed by the employer of the
11 provisions of this section.

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

18 **Sec. 4f. The minimum hourly wage rate is \$16.00 for an**
19 **individual who meets both of the following requirements:**

20 (a) **The individual has an aggregate of 5 or more years of work**
21 **experience that is relevant to the individual's employment.**

22 (b) **The individual was awarded a high school diploma or a high**
23 **school equivalency certificate as defined in section 4 of the state**
24 **school aid act of 1979, 1979 PA 94, MCL 388.1604.**