

SUBSTITUTE FOR
HOUSE BILL NO. 4766

(As amended November 30, 2000)

A bill to amend 1964 PA 154, entitled
"Minimum wage law of 1964,"
by amending the title and section 3 (MCL 408.383).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to fix minimum wages for employees within this state;
3 to prohibit wage discrimination; TO PROHIBIT CERTAIN LOCAL UNITS
4 OF GOVERNMENT FROM IMPOSING CERTAIN MINIMUM WAGE REQUIREMENTS; to
5 provide for the administration and enforcement of this act; and
6 to prescribe penalties for the violation of this act.

7 Sec. 3. (1) ~~No~~ AN employer shall NOT pay ~~any~~ AN
8 employee at a rate ~~of~~ THAT IS less than THE APPLICABLE RATE
9 prescribed in this act.

10 (2) [EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3),] A LOCAL
UNIT OF GOVERNMENT SHALL NOT ENACT, MAINTAIN, OR
11 ENFORCE BY CHARTER, ORDINANCE, REGULATION, RULE, [OR] RESOLUTION, [

- 1] EITHER DIRECTLY OR INDIRECTLY, A MINIMUM WAGE
- 2 REQUIREMENT THAT IS GREATER THAN THE APPLICABLE RATE. [THIS
SUBSECTION SHALL NOT PROHIBIT A LOCAL UNIT OF GOVERNMENT FROM
ENACTING, MAINTAINING, OR ENFORCING THROUGH A COLLECTIVE BARGAINING
AGREEMENT OR OTHER MEANS A MINIMUM WAGE REQUIREMENT GOVERNING
COMPENSATION PAID BY THAT LOCAL UNIT OF GOVERNMENT TO EMPLOYEES OF
THAT LOCAL UNIT OF GOVERNMENT.] AS USED IN
- 3 THIS SUBSECTION, "LOCAL UNIT OF GOVERNMENT" MEANS A CITY, COUNTY,
4 TOWNSHIP, VILLAGE, SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT,
5 OR ANY POLITICAL SUBDIVISION OF THIS STATE.

[(3) SUBSECTION (2) SHALL NOT LIMIT A LOCAL PREVAILING WAGE
REQUIREMENT OR THE PREVAILING WAGE REQUIREMENTS SET FORTH IN 1965 PA
166, MCL 408.551 TO 408.558. AS USED IN THIS SUBSECTION:

(A) "CONSTRUCTION MECHANIC" MEANS A SKILLED OR UNSKILLED
MECHANIC, LABORER, WORKER, HELPER, ASSISTANT, OR APPRENTICE WORKING
ON A PROJECT FUNDED IN WHOLE OR IN PART BY A LOCAL UNIT OF
GOVERNMENT. CONSTRUCTION MECHANIC DOES NOT INCLUDE EXECUTIVE,
ADMINISTRATIVE, PROFESSIONAL, OFFICE, OR CUSTODIAL EMPLOYEES.

(B) "LOCAL PREVAILING WAGE REQUIREMENT" MEANS AN ORDINANCE,
RULE, RESOLUTION, OR REGULATION ADOPTED BY A LOCAL UNIT OF
GOVERNMENT OR AN EXPRESS PROVISION IN A CONTRACT EXECUTED BETWEEN A
LOCAL UNIT OF GOVERNMENT AND A CONTRACTOR FOR A PROJECT THAT
REQUIRES OR INVOLVES THE EMPLOYMENT OF 1 OR MORE CONSTRUCTION
MECHANICS, OTHER THAN THOSE SUBJECT TO THE JURISDICTION OF THE STATE
CIVIL SERVICE COMMISSION, WHICH ORDINANCE, RULE, RESOLUTION,
REGULATION, OR CONTRACT PROVISION STATES THAT THE RATES OF WAGES AND
FRINGE BENEFITS TO BE PAID TO EACH CLASS OF CONSTRUCTION MECHANIC BY
A CONTRACTOR AND ALL SUBCONTRACTORS, SHALL BE NOT LESS THAN THE WAGE
AND FRINGE BENEFIT RATES PREVAILING IN THE LOCALITY IN WHICH THE
WORK IS TO BE PERFORMED.]