

HOUSE BILL NO. 6099

May 11, 2022, Introduced by Reps. Hood, Haadsma, Stone, Brixie, Rogers, Young, Manoogian, Sowerby, Weiss, Cherry, Morse, Koleszar, Sabo, Hope, Kuppa, Thanedar, O'Neal, Coleman, Liberati, Steckloff, Garza, Tyrone Carter, Cynthia Johnson, Brenda Carter, Cavanagh, Pohutsky, Aiyash, Neeley, Sneller, Breen and Rabhi and referred to the Committee on Workforce, Trades, and Talent.

A bill to require certain employers to pay a prevailing wage to employees who work on a renewable energy project; to prohibit retaliation; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Employee" means an individual who receives compensation
3 for performing services for an employer under an express or implied
4 contract of hire.

5 (b) "Employer" means a person that permits 1 or more

1 individuals to work, that accepts applications for employment, or
2 is an agent of an employer.

3 (c) "Locality" means the county, city, village, or township in
4 which the physical work on a renewable energy project is to be
5 performed.

6 (d) "Person" means an individual or a partnership,
7 corporation, limited liability company, association, governmental
8 entity, or other legal entity.

9 (e) "Prevailing wage" means the minimum rate of wages paid to
10 similarly employed employees who work on renewable energy projects
11 of a similar character in the locality.

12 (f) "Renewable energy" means electricity or steam generated
13 using a renewable energy system.

14 (g) "Renewable energy project" means any work or undertaking
15 in the development or retrofit of a facility that has the principal
16 purpose to install a renewable energy system or increase energy
17 efficiency at the facility.

18 (h) "Renewable energy resource" means a resource that
19 naturally replenishes over a human, not a geological, time frame
20 and that is ultimately derived from solar power, water power, or
21 wind power. Renewable energy resource does not include petroleum,
22 nuclear fuel, natural gas, or coal. A renewable energy resource
23 comes from the sun or from thermal inertia of the earth and
24 minimizes the output of toxic material in the conversion of the
25 energy and includes, but is not limited to, all of the following:

26 (i) Biomass.

27 (ii) Solar and solar thermal energy.

28 (iii) Wind energy.

29 (iv) Geothermal energy.

1 (v) Methane gas captured from a landfill.

2 (i) "Renewable energy system" means a fixture, product,
3 device, or interacting group of fixtures, products, or devices that
4 use 1 or more renewable energy resources to generate renewable
5 energy.

6 Sec. 3. An employer shall pay an employee a prevailing wage if
7 the employee works on a renewable energy project.

8 Sec. 5. An employer shall not require an employee to waive any
9 right under this act. An agreement by an employee to waive any
10 right under this act is invalid and unenforceable.

11 Sec. 7. An employer shall not retaliate or discriminate
12 against a person because the person has done or was about to do
13 either of the following:

14 (a) Testify, assist, or participate in an investigation,
15 proceeding, or action concerning a violation of this act.

16 (b) Oppose a violation of this act.

17 Sec. 9. A person who is aggrieved by a violation of this act
18 may bring a civil action to obtain damages or injunctive relief, or
19 both.

20 Sec. 11. This act applies to a collective bargaining agreement
21 or employment agreement entered into, renewed, or extended on or
22 after the effective date of this act.