

HOUSE BILL NO. 5983

September 26, 2024, Introduced by Reps. Wegela, Tsernoglou, Price, Wilson, MacDonell, Rheingans, Byrnes, Dievendorf and Farhat and referred to the Committee on Labor.

A bill to require employers to provide suitable seats for employees under certain circumstances; to provide for the powers and duties of certain state governmental officers and entities; to provide for the promulgation of rules; and to provide civil sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. As used in this act:
2 (a) "Department" means the department of labor and economic
3 opportunity.

1 (b) "Employee" means an individual employed by an employer.

2 (c) "Employer" means a person that employs 1 or more
3 employees.

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

7 (e) "Suitable seat" means any of the following that has
8 support for an individual's back:

9 (i) A chair.

10 (ii) A stool.

11 (iii) A bench.

12 (iv) Any other similar object on which an individual can sit.

13 Sec. 3. (1) Subject to subsection (2), an employer shall
14 provide to an employee who is performing work for the employer at a
15 location that is owned, leased, or operated by or under the control
16 of the employer a suitable seat if it is reasonable for the
17 employee to use a suitable seat while performing the work.

18 (2) If it is not reasonable for an employee to use a suitable
19 seat while performing the work, the employer shall provide a
20 suitable seat in close proximity to the employee's working area. An
21 employer shall not prohibit an employee from using a suitable seat
22 described in this subsection unless the employee is actively
23 performing the work.

24 Sec. 5. An employer that violates this act is subject to a
25 civil fine of \$250.00 times the number of employees aggrieved by
26 the violation per 2-week period that the employer remains in
27 violation. The prosecutor of the county in which the violation
28 occurred or the attorney general may bring an action to collect the
29 fine. A fine collected under this section must be deposited in the

1 general fund.

2 Sec. 7. The department may promulgate rules to implement this
3 act under the administrative procedures act of 1969, 1969 PA 306,
4 MCL 24.201 to 24.328.

5 Sec. 9. If a collective bargaining agreement or other
6 employment agreement meets both of the following conditions, this
7 act applies to the parties to the agreement beginning on the date
8 the agreement expires or is terminated, amended, extended, or
9 renewed:

10 (a) The agreement is in effect on the effective date of this
11 act.

12 (b) The agreement conflicts with this act.