WORKING AT POINT AWAY FROM HOME LOCALITY

Act 106 of 1903

AN ACT to prescribe the duties and liabilities of employers and employes arising from the offer and acceptance of inducements for the performance of labor or service for hire at some point away from the home locality.

History: 1903, Act 106, Eff. Sept. 17, 1903

The People of the State of Michigan enact:

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408.581 Work away from home locality; contract, terms; minors under sixteen; misrepresentation, penalty.

Sec. 1.

Any person, company or corporation, or any agent or officer thereof who shall induce another person, by promise of wages or other valuable consideration, to agree to work for the person, company or corporation in whose behalf the offer of inducements is made, at a point away from his or her home locality, shall specify in writing the terms and conditions under which the said work is to be performed, the rate of wages and how, when and where said wages are agreed to be paid, and may furnish of copy of such statement of agreement to the person so induced by the promises therein to agree to work for the person, company or corporation offering said inducements: Provided, That it shall be unlawful for any person to make a tender of inducement to go away from the home locality to work, to any child under 16 years of age unless the written consent of the parents of such child has been first obtained, as well as the consent of the truant officer or county agent of the board of corrections and charities for the locality where said child belongs; and in case such consent is obtained and the child goes abroad under the influence of the inducements so offered, such child under 16 years of age shall be safely returned to its home at any time when its parents shall request, in writing, such return. Any person or any agent or officer of any corporation who shall, in offering inducements to any person to work for hire at any place apart from his or her home locality, misrepresent any of the conditions of such employment as mentioned above, shall be liable to pay to the person injured by such misrepresentation, the full amount of the damage sustained and shall be further liable to the penalties provided in section 3 of this act.

History: 1903, Act 106, Eff. Sept. 17, 1903 ;-- CL 1915, 5580 ;-- CL 1929, 8609 ;-- CL 1948, 408.581
Compiler's Notes: In the first sentence of this section, “furnish of copy” evidently should read “furnish a copy”.The board of corrections and charities, referred to in this section, was abolished and its powers and duties transferred to the department of social welfare by MCL 400.19. The department of social welfare was subsequently transferred to the department of social services by MCL 16.552.

408.582 Fraudulent acceptance of benefits; misdemeanor; prima facie evidence.

Sec. 2.

Every person, who, with intent to defraud, shall accept or receive transportation provided by or at the instance or expense of his employer, from any point in this state to or in the direction of the place where he has contracted to perform labor for, or render services to such

employer, or who shall knowingly, and with intent to defraud, accept or receive the benefit of any other pecuniary advancements made by or at the instance and cost of his employer, under an agreement on the part of such person to perform labor or render services in repayment of the cost of such transportation or of such other benefits, shall be deemed and adjudged guilty of a misdemeanor if he shall neglect or refuse to render services or perform labor of an equal value to the full amount paid for such transportation or other benefits, or shall neglect or refuse to pay such employer in money the amount paid therefor. The value of the services to be rendered, or labor to be performed shall be determined by the price agreed to be paid therefor by such employer under his contract with the employe. The failure or refusal of any such employe to perform such labor or to render such services in accordance with his contract, or to pay in money the amount paid for such transportation or other benefits, shall be prima facie evidence of his intent to defraud.

History: 1903, Act 106, Eff. Sept. 17, 1903 ;-- CL 1915, 5581 ;-- CL 1929, 8610 ;-- CL 1948, 408.582

408.582a Individual as ice hockey player for junior ice hockey team; act inapplicable to individual 16 years of age or older but less than 21 years of age.

Sec. 2a.

This act does not apply to an individual who is 16 years of age or older but less than 21 years of age in his or her capacity as an ice hockey player for a junior ice hockey team that is a member of a regional, national, or international junior ice hockey league.

History: Add. 2017, Act 245, Eff. Mar. 21, 2018

408.583 Violation of act; penalty.

Sec. 3.

Every person found guilty of violating the provisions of this act shall be punished by a fine not exceeding 25 dollars or by imprisonment of not less than 10 nor more than 60 days.

History: 1903, Act 106, Eff. Sept. 17, 1903 ;-- CL 1915, 5582 ;-- CL 1929, 8611 ;-- CL 1948, 408.583

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