

# MICHIGAN LAW

## PROHIBITS DISCRIMINATION

**IN EMPLOYMENT, EDUCATION, HOUSING, PUBLIC  
ACCOMMODATION, LAW ENFORCEMENT OR PUBLIC SERVICE**

### **BASED ON**

religion, race, color, national origin, sex,  
disability, age<sup>1</sup>, marital status<sup>1</sup>, height<sup>2</sup>, weight<sup>2</sup>,  
arrest record<sup>2</sup>, genetic information<sup>2</sup>, and  
familial status<sup>3</sup>

Persons with disabilities needing accommodations for employment  
must notify their employers in writing within 182 days.

*<sup>1</sup> Under the education article, age and marital status  
are prohibited considerations for admissions only*

*<sup>2</sup> in employment only*

*<sup>3</sup> in housing only*

If you think you have been  
**discriminated** against, you  
may file a **complaint** with  
the Michigan Department  
of Civil Rights.

**Call 1-800-482-3604**  
**Video Phone: 313-437-7035**  
**[www.michigan.gov/mdcr](http://www.michigan.gov/mdcr)**



Post in a conspicuous place.



# Michigan Department of Labor and Economic Opportunity

Wage and Hour Division  
PO Box 30476  
Lansing, MI 48909-7976



GRETCHEN WHITMER  
GOVERNOR

## REQUIRED POSTER GENERAL REQUIREMENTS - MINIMUM WAGE and OVERTIME

SUSAN CORBIN  
DIRECTOR

### Coverage

The Improved Workforce Opportunity Wage Act (IWOWA), Public Act 337 of 2018, as amended, covers employers who employ 2 or more employees 16 years of age and older.

### Minimum Hourly Wage Rate

Employees must be paid at least:

Effective Date	Minimum Hourly Wage Rate	Tipped Employee		85%** Rate
		Minimum Hourly Rate	Reported Average Hourly Tips	
January 1, 2021	\$9.65*	\$3.67	\$5.98	\$8.20
January 1, 2022	\$9.87*	\$3.75	\$6.12	\$8.39
January 1, 2023	\$10.10*	\$3.84	\$6.26	\$8.59

\*An increase in the minimum hourly wage rate as prescribed in subsection (1) does not take effect if the unemployment rate for this state, as determined by the Bureau of Labor Statistics, United States Department of Labor, is 8.5% or greater for the calendar year preceding the calendar year of the prescribed increase. An increase in the minimum hourly wage rate as prescribed in subsection (1) that does not take effect pursuant to this subsection takes effect in the first calendar year following a calendar year for which the unemployment rate for this state, as determined by the Bureau of Labor Statistics, United States Department of Labor, is less than 8.5%.

▶ \*\*Minors 16-17 years of age may be paid 85% of the minimum hourly wage rate.

### Training Wage

A training wage of \$4.25 per hour may be paid to employees 16 to 19 years of age for the first 90 calendar days of employment.

### Overtime

Employees covered by the IWOWA must be paid 1-1/2 times their regular rate of pay for hours worked over 40 in a workweek. The following are exempt from overtime requirements: employees exempt from the minimum wage provisions of the Fair Labor Standards Act of 1938, 29 USC 201 to 219 (except certain domestic service employees), professional, administrative, or executive employees; elected officials and political appointees; employees of amusement and recreational establishments operating less than 7 months of the year; agricultural employees, and any employee not subject to the minimum wage provisions of the act.

### Compensatory Time

If an employer meets certain conditions, employees may agree to receive compensatory time of 1-1/2 hours for each hour of overtime worked. The agreement must be voluntary, in writing, and obtained before the compensatory time is earned. All compensatory time earned must be paid to an employee. Accrued compensatory time may not exceed 240 hours. Employers must keep a record of compensatory time earned and paid. Contact the Wage and Hour Division for information on the conditions an employer must meet in order to offer compensatory time off in lieu of overtime compensation.

### Equal Pay

An employer shall not discriminate on the basis of sex by paying employees a rate which is less than the rate paid to employees of the opposite sex for equal work on jobs requiring equal skill, effort, and responsibility performed under similar working conditions - except where payment is pursuant to a seniority system, merit system or system measuring earnings on the basis of quantity or quality of production or a differential other than sex.

### Enforcement

An employee may either file civil action for recovery of unpaid minimum wages or overtime, or they may file a complaint with the Department of Labor and Economic Opportunity. The department may investigate a complaint and file civil action to collect unpaid wages or overtime due the employee and all employees of an establishment. Recovery under this act can include unpaid minimum wages or overtime, plus an equal additional amount as liquidated damages, costs, and reasonable attorney fees. A civil fine of \$1,000 can be assessed to an employer who does not pay minimum wage or overtime.

LEO is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities.

[www.michigan.gov/wagehour](http://www.michigan.gov/wagehour) • Toll Free 1-855-4MI-WAGE (1-855-464-9243)

WHD 9904 (Revised • 12/2021)



# Michigan Department of Labor and Economic Opportunity

Wage and Hour Division

PO Box 30476

Lansing, MI 48909-7976

REQUIRED POSTER

## GENERAL REQUIREMENTS – PAID MEDICAL LEAVE ACT\*

GRETCHEN WHITMER  
GOVERNOR

SUSAN CORBIN  
DIRECTOR

### Coverage

The Paid Medical Leave Act, 2018 Public Act 338, as amended by 2018 Public Act 369, effective March 29, 2019, covers employers who employ 50 or more individuals. The act covers individuals engaged in service to an employer in the business of the employer and from whom an employer is required to withhold for federal income tax purposes. An eligible employee does not include executive, administrative, and professional overtime exempt employees, employees covered by a private collective bargaining agreement that is in effect, employees of the United States government, another state, or a political subdivision of another state, individuals whose primary work location is not in this state, individuals 16-19 years of age being paid the youth training wage in accordance with the Improved Workforce Opportunity Wage Act, temporary employees as described in the Michigan Employment Security Act, variable hour employees as defined by 26 CFR 54.4980H-1, employees covered by the Railway Labor Act and Railroad Unemployment Insurance Act, individuals employed by an employer for 25 weeks or fewer in a calendar year for a job scheduled for 25 weeks or fewer, individuals who worked, on average, fewer than 25 hours per week during the immediately preceding calendar year. (See section 2 of The Paid Medical Leave Act, 2018 Public Act 338.)

### Paid Medical Leave Accrual

Paid medical leave accrual begins on March 29, 2019, or upon commencement of the employee's employment, whichever is later. Paid medical leave is accrued at a rate of 1 hour for every 35 actual hours worked; however, an employer is not required to allow accrual of over 1 hour in a calendar week or more than 40 hours in a benefit year. A benefit year is any consecutive 12-month period used by an employer to calculate an eligible employee's benefits. Employees can carry over up to 40 hours of unused accrued paid medical leave from one benefit year to the next; however, employers are not required to allow employees to use more than 40 hours in a single benefit year. An employer may provide the total amount of paid medical leave all at once by providing at least 40 hours at the beginning of the benefit year or on the date that the individual becomes eligible during the benefit year on a prorated basis. If an employer adopts this practice, it does not have to permit employees to carry over unused leave to the next benefit year. (See section 3 of the Paid Medical Leave Act, 2018 Public Act 338).

### Paid Medical Leave Usage

An employee may use paid medical leave as it is accrued except an employer may require an employee to wait until the 90<sup>th</sup> calendar day after commencing employment before using accrued paid medical leave. Paid medical leave must be used in 1-hour increments unless the employer has a different increment policy set forth in writing in an employee handbook or other employee benefit document. Employees must follow the employer's usual and customary notice, procedural, and documentation requirements for requesting leave. The employee must be allowed at least 3 days to provide documentation. Employees may take paid medical leave for any of the following:

- Physical or mental illness, injury, or health condition of the employee or his or her family member
- Medical diagnosis, care, or treatment of the employee or employee's family member
- Preventative care of the employee or his or her family member
- Closure of the employee's primary workplace by order of a public official due to a public health emergency
- The care of his or her child whose school or place of care has been closed by order of a public official due to a public health emergency
- The employee's or his or her family member's exposure to a communicable disease that would jeopardize the health of others as determined by health authorities or a health care provider

For domestic violence and sexual assault situations, employees may use paid medical leave for any of the following:

- Medical care or psychological or other counseling
- Receiving services from a victim services organization
- Relocation and obtaining legal services
- Participation in civil or criminal proceedings related to or resulting from the domestic violence or sexual assault

### Employee Rights

An employee may file a complaint with the Department of Labor and Economic Opportunity (LEO) within 6 months of the alleged violation. LEO shall investigate a complaint and attempt mediation, where appropriate.

### Penalties

If informal resolution is unsuccessful and a violation found, payment of paid medical leave improperly withheld will be requested and penalties may be imposed. An employer who fails to provide paid medical leave is subject to an administrative fine of not more than \$1,000.00. An employer who willingly violates the posting requirement is subject to an administrative fine of not more than \$100.00 for each separate violation.

\*For precise language of the statute, see Public Act 338 of 2018, as amended

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[www.michigan.gov/wagehour](http://www.michigan.gov/wagehour) • Toll Free 1-855-4MI-WAGE (1-855-464-9243)

WHD 9911 (Revised • 8/2021)

# MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED, REQUIRES POSTING OF THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCATION. FAILURE TO DO SO MAY RESULT IN A PENALTY.

The Michigan Occupational Safety and Health Act (MIOSH Act), Act No. 154 of the Public Acts of 1974, as amended, provides job safety and health protection for Michigan employees through the maintenance of safe and healthful working conditions. Under the MIOSH Act and a state plan approved in September 1973 by the U.S. Department of Labor, the Michigan Department of Labor and Economic Opportunity is responsible for administering the Act. Department representatives conduct job site inspections and investigations to ensure compliance with the Act and with safety and health standards.

The contents of this poster describe many important provisions of the Act. These provisions apply equally to employers and employees in either private industry or the public sector.

**EMPLOYER REQUIREMENTS:** MIOSHA requires that each employer:

1. Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee.
2. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
3. Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
4. Notify the Michigan Department of Labor and Economic Opportunity within 8 hours of any work-related fatality. Notification may be accomplished by calling 1-800-858-0397.
5. Notify the Michigan Department of Labor and Economic Opportunity within 24 hours of all work-related inpatient hospitalizations, amputations and losses of an eye. Notification may be accomplished by calling 844-464-6742 (4MIOSHA).
6. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.
7. Afford an employee an opportunity with or without compensation to attend all meetings between the Department of Labor and Economic Opportunity and the employer relative to any appeal of a citation by the employer.

**COMPLAINTS:** Employees and employee representatives who believe that an unsafe or unhealthful condition exists in their workplace have the right to request an inspection by giving written notice to the Department of Labor and Economic Opportunity. If a condition exists which may present an immediate danger, the Department should be notified in the most expedient manner without regard to a written notice. The names of complainants will be kept confidential and not revealed upon the request of the employee. Employees also have the right to bring unsafe or unhealthful conditions to the attention of the department representative during the conduct of an inspection or investigation.

The Act provides that employees may not be discharged or in any manner discriminated against for filing a complaint or exercising any of their rights under the Act. An employee who believes he or she has been discriminated against may file a complaint with the Michigan Department of Labor and Economic Opportunity within 30 days of the alleged discrimination.

The U.S. Department of Labor is monitoring the operation of the Michigan Occupational Safety and Health Administration (MIOSHA) to assure the effective administration of the state act. Any person may make a written complaint regarding the state administration of the state act directly to the Regional Office of OSHA, 230 South Dearborn, Chicago, Illinois 60604.

**CITATIONS:** If upon inspection or investigation the Department of Labor and Economic Opportunity believes that a requirement of the Act has been violated, a citation alleging such violation and setting a time period for correction will be issued to the employer. The citation must be prominently posted at or near the place of the alleged violation for three days or until the violation is corrected, whichever is later.

The Act provides for first instance penalties of up to \$7,000 for a violation. Penalties of up to \$7,000 per day may be assessed for failure to correct a violation within a proposed abatement period. Any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$70,000 for each such violation. Employers may appeal the alleged citation, the proposed penalties or the abatement periods to the Department and to the Board of Health and Safety Compliance and Appeals. Employees may appeal the abatement period in a similar manner. Employees also may appeal to the Board of Health and Safety Compliance and Appeals any decision issued by the Department in response to an employer appeal.

8. Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of wages or fringe benefits or discriminate against the representative of employees for time spent participating in the inspection, investigation, or opening and closing conferences.
9. Provide personal protective equipment, at the employer's expense, when it is specifically required by a MIOSHA standard.
10. Not permit an employee, other than an employee whose presence is necessary to avoid, correct or remove an imminent danger, to operate equipment or engage in a process which has been tagged by the Department and which is the subject of an order issued by the Department identifying that an imminent danger exists.
11. To promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by a MIOSHA standard.

**EMPLOYEE REQUIREMENTS:** MIOSHA requires that each employee:

1. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
2. Not remove, displace, destroy, or carry off a safeguard furnished or provided for use in a place of employment, or interfere in any way with the use thereof by any other person.

**INSPECTIONS/INVESTIGATIONS:** Inspections and investigations are conducted by trained personnel. The Act requires that an employer representative and a representative of employees be given an opportunity to accompany the department representative for the purpose of aiding in the inspection or investigation.

If a representative of employees does not participate, the department representative will consult with a number of employees concerning matters of safety or health in the place of employment.

Criminal penalties also are provided for in the Act. A person who knowingly makes a false statement or report pursuant to the Act upon conviction is punishable by a fine of up to \$10,000 or may be imprisoned for not more than 6 months or both. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of up to \$10,000 or by imprisonment for not more than one year or both. A second conviction doubles the maximum monetary penalty and is punishable by imprisonment for up to three years.

**VOLUNTARY ACTIVITY AND COMPLIANCE ASSISTANCE::** The act encourages employers and employees to reduce workplace hazards voluntarily.

The Michigan Department of Labor and Economic Opportunity offers limited on-site consultation assistance to employers to assist them in achieving compliance with occupational safety and health standards. Training specialists are available and can give advice on the correction of hazardous conditions and on the development of safety and health systems. Department staff are available to conduct seminars and training relative to occupational safety and health for both employer and employee groups. Requests for service should be addressed to the department at the address shown below.

The U.S. Department of Labor will continue to enforce federal standards governing maritime operations of long shoring, shipbuilding, ship breaking and ship repairing. These issues are not covered by the Michigan Plan for Occupational Safety and Health

**MORE INFORMATION:**

Department of Labor and Economic Opportunity  
 Michigan Occupational Safety and Health Administration  
 530 W. Allegan Street, P.O. Box 30643  
 Lansing, Michigan 48909-8143  
[www.michigan.gov/miosha](http://www.michigan.gov/miosha)

## THIS IS AN IMPORTANT DOCUMENT - DO NOT COVER!



MIOSHA Complaint Hotline .....	1-800-866-4674
Fatality Hotline .....	1-800-858-0397
MIOSHA Injuries/Illnesses Reporting .....	1-844-464-6742
Consultation and Training Assistance .....	1-517-284-7720

The Department of Labor and Economic Opportunity is a equal opportunity employers/program.





GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY  
UNEMPLOYMENT INSURANCE AGENCY

SUSAN R. CORBIN  
DIRECTOR

## UNEMPLOYMENT COMPENSATION NOTICE TO EMPLOYEE

**THIS FORM IS NOT A WAIVER REQUEST OR APPROVAL OF A WAIVER REQUEST.**

### Information Needed to File a Claim:

- Your Social Security card.
- Your state issued driver's license or ID card number or your Michigan's Automated Response Voice Interactive Network (MARVIN) PIN (if you have one).
- The names and addresses of employers you have worked for during the past 18 months and your quarterly gross earnings.
- The first and last date of employment with each employer.
- Your most recent employer's Federal Employer ID number (FEIN) and Employer Account Number (EAN). Depending on your situation, knowing the account number may speed up the processing of your claim.
- If you are not a U.S. Citizen or national, you will need your Alien Registration card and the expiration date of your work authorization.

### Bi- Weekly Certification:

Unless the requirement has been waived, you must certify your eligibility every two weeks to receive benefits. The preferred method of certifying is online. Phone certification is also available.

- **Online:** Visit [www.michigan.gov/uia](http://www.michigan.gov/uia) and sign into MiLogin to access your Michigan Web Account Manager (MiWAM) account. Your online account is accessible seven days a week, 24 hours a day.
- **By Phone:** Call MARVIN at 1-866-638-3993, Monday through Friday, 8:00 a.m. to 4:30 p.m.

### Work Search Activities:

You must be able, available, and seeking work to be eligible for benefits. Document and report at least one work search activity during your bi-weekly certification for benefits. The preferred method for reporting work search activities is through MiWAM. You may also report work search activities by phone through MARVIN. UIA will not release benefits until it processes the work search activities that you submit.

If you have questions, visit [www.michigan.gov/uia](http://www.michigan.gov/uia) for tools and resources. You can also access your MiWAM account to chat with an agent during regular business hours. Visit our website for hours of operation. TTY service is available at 1-866-366-0004.

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## To Be Completed by the Employer

Complete the following information in the spaces below. Each employee, when separated from your employment should receive a completed copy of this form or an equivalent written notice. A \$10.00 penalty for non-compliance may be imposed on the employer by UIA.

Your **10-digit** UIA Employer Account Number (EAN): \_\_\_\_\_

Your **9-digit** Federal Employer Identification Number (FEIN): \_\_\_\_\_

**Employer's Name with Doing Business As (DBA) Name** and complete mailing address where wage and separation information is available.

\_\_\_\_\_  
Employer's Name

\_\_\_\_\_  
DBA

\_\_\_\_\_  
Employer's Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Name of Contact Person

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Reason for Separation

Employers, direct any questions to the Office of Employer Ombudsman (OEO) through your MiWAM account at [www.michigan.gov/uia](http://www.michigan.gov/uia) or call 1-855-484-2636. TTY service is available at 1-866-366-0004.

UIA is an equal opportunity employer/program.

# ATTENTION EMPLOYEES

**The Michigan Whistleblowers' Protection Act (469 P .A. 1980) creates certain protections and obligations for employees and employers under Michigan law.**

## **PROTECTIONS:**

It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you or a person acting on your behalf reports or is about to report a violation or a suspected violation of federal, state or local laws, rules or regulations to a public body.

It is illegal for employers in Michigan to discharge, threaten or otherwise discriminate against you regarding your compensation, terms, conditions, location or privileges of employment because you take part in a public hearing, investigation, inquiry or court action.

## **OBLIGATIONS:**

The Act does not diminish or impair either your rights or the rights of your employer under any collective bargaining agreement.

The Act does not require your employer to compensate you for your participation in a public hearing, investigation, inquiry or court action.

The Act does not protect you from disciplinary action if you make a report to a public body that you know is false.

## **ENFORCEMENT:**

If you believe that your employer has violated this Act you may bring civil action in circuit court within 90 days of the alleged violation of the Act.

## **PENALTIES:**

Persons found in violation of this Act may be subject to a civil fine of up to \$500.00.

If your employer has violated this Act the court can order your reinstatement, the payment of back wages, full reinstatement of fringe benefits and seniority rights, actual damages, or any combination of these remedies. The court may also award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees to the complainant if the court believes such an award is appropriate.

This poster is provided as a courtesy of the Michigan Occupational Safety and Health Administration (MIOSHA). Visit our website at [www.michigan.gov/miosha](http://www.michigan.gov/miosha).