



1961 Diamond Springs Road  
Virginia Beach, VA 23455  
Phone (757) 460-6308  
Fax (757) 460-0317

## MICHIGAN EMPLOYEES

MANCON Employees,

Included in this packet is the following information:

1. Discrimination Notice
2. Unemployment Compensation Notice
3. Safety and Health Notice (English and Spanish)
4. Minimum Wage
5. General Wage
6. Wage Deviation
7. Child Labor (English and Spanish)
8. Right to Know
9. Whistleblowers Protection

If you have any questions, please contact your supervisor.

Thanks,  
Human Resources

# 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\*, marital status\*, height\*\*, weight\*\*, arrest record\*\*,  
genetic information\*\*, and familial status\*\*\***

Persons with disabilities needing accommodations for employment must notify  
their employers in writing, within 182 days after the need is known.

**PERSONS DENIED EQUAL OPPORTUNITY BASED ON THESE  
CONDITIONS MAY FILE A COMPLAINT WITH THE:**

**MICHIGAN DEPARTMENT OF CIVIL RIGHTS  
1-800-482-3604**

**TTY users please call 1-877-878-8464**

**[www.michigan.gov/mdcr](http://www.michigan.gov/mdcr)**

\* under the education article age and marital status  
are prohibited considerations for admissions only

\*\* in employment only

\*\*\* in housing only

Must be posted in a conspicuous place

# **La Ley en Michigan**

**PROHIBE**

## **LA DISCRIMINACIÓN**

**EN EL TRABAJO, EDUCACION, VIVIENDAS,  
ACOMODO PUBLICO, SERVICIO PUBLICO O  
EN LA APLICACION DE LA LEY**

**Por motivos de religión, raza, color de la piel, origen nacional,  
edad\*, sexo, estado civil\*, estatura\*\*, peso\*\*,  
récord penal de delitos menores\*\*, estado familiar\*\*\*,  
ó por impedimentos fisico ó mental**

**En el empleo, las personas impedidas tienen el deber de notificar, por escrito, la  
necesidad de acomodo fisico dentro de 182 dias del conocimiento de dicha necesidad.**

**LAS PERSONAS A QUIENES SE LES NIEGUE LA IGUALDAD DE OPORTUNIDADES  
BASADAS EN DICHAS CONDICIONES, PUEDEN PRESENTAR SUS QUEJAS A:**

**DEPARTAMENTO DE DERECHOS CIVILES DE MICHIGAN  
EN EL ESTADO DE MICHIGAN PUEDEN LLAMAR**

**1-800-482-3604**

**SI TIENEN UNIDAD TELEFÓNICA DE TDD LLAMEN AL**

**1-877-878-8464**

**ó al Internet – [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr)**

**\* solo aplica a la admisión o entrada a  
una escuela, colegio ó programa escolar**

**\*\* empleo solamente    \*\*\* en viviendas solamente**

## ***Notice To All Employees:***

# ***Information about Unemployment Benefits***

This employer is covered by the . . .

## **MICHIGAN EMPLOYMENT SECURITY ACT**

Unemployment benefits are payable to qualified and eligible workers of this employer through Michigan's Unemployment Insurance Agency (UIA).

### **How to file an unemployment claim:**

If you become unemployed, you can file your new unemployment claim or reopen an established claim by:

***Internet*** - file online at UIA's website:

***www.michigan.gov/uia***

***Telephone*** - call UIA's toll free claims line:

***1-866-500-0017***

***New Payment Options:*** *When you file for unemployment benefits, you will choose how you want to receive your benefit payments. You can select a **debit card** or **direct deposit** into your checking or savings account. For more information about these payment options, visit UIA's website at [www.michigan.gov/uia](http://www.michigan.gov/uia).*

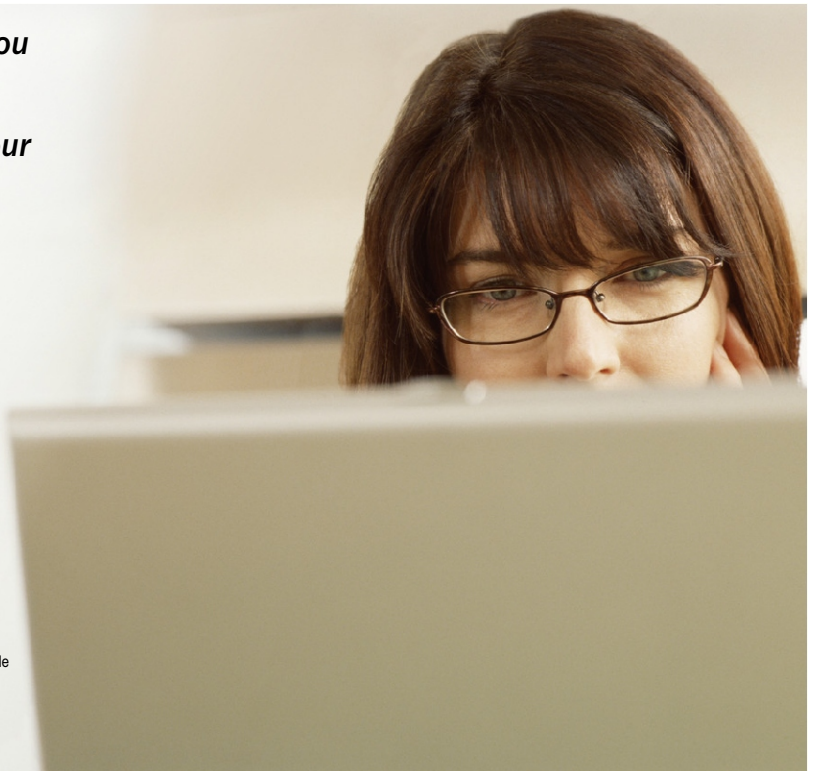


**STATE OF MICHIGAN  
UNEMPLOYMENT  
INSURANCE AGENCY**

DELEG is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

State of Michigan, Department of Energy, Labor & Economic Growth, Unemployment Insurance Agency; Authority: Michigan Administrative Code, Section R 421.105

UIA 1710  
(Rev. 2-09)



# 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 MIOSHA Act and a state plan approved in September, 1973, by the U.S. Department of Labor, the Michigan Department of Labor & Economic Growth 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 & Economic Growth within 8 hours of any fatality, or the hospitalization of 3 or more employees suffering injury or illness from the same incident. Notification may be accomplished by calling 1-800-858-0397.
5. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.
6. Afford an employee an opportunity with or without compensation to attend all meetings between the Department of Labor & Economic Growth 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 & Economic Growth. 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 & Economic Growth within 30 days of the alleged discrimination.

The U.S. Department of Labor is monitoring the operation of the Michigan occupational safety and health program 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 & Economic Growth 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

7. 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.
8. Provide personal protective equipment, at the employer's expense, when it is specifically required by a MIOSHA standard to be provided at the employer's expense.
9. 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.
10. 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.

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.

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 & Economic Growth 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 programs. 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 & Economic Growth  
Michigan Occupational Safety & Health Administration  
7150 Harris Drive, Box 30643  
Lansing, Michigan 48909-8143

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your need known to this agency.

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

Printed under authority of the Michigan Occupational Safety and Health Act, PA 154 of 1974, as amended. Paid with SET fund and federal OSHA funds.



MIOSHA Complaint Hotline ..... 1-800-866-4674  
Fatality Hotline ..... 1-800-858-0397  
Consultation and Training Assistance ..... 1-517-322-1809

Additional information is available on  
our website at [www.michigan.gov/miosha](http://www.michigan.gov/miosha)



MIOSHA/CET 2010 (1/05)

# PROTECCIÓN DE SEGURIDAD Y SALUD EN EL TRABAJO DEL ESTADO DE MICHIGAN

LA LEY DE SEGURIDAD Y SALUD EN EL TRABAJO DEL ESTADO DE MICHIGAN, 1974 P.A. 154, SEGÚN REFORMADA, EXIGE LA PUBLICACIÓN DE ESTE DOCUMENTO EN UN SITIO CENTRAL Y VISIBLE. EL NO HACERLO PUEDE DAR COMO RESULTADO UNA SANCIÓN.

La Ley de Seguridad ya Salud en el Trabajo del Estado de Michigan (MIOSHA por sus siglas en inglés) -Ley No. 154 de las Leyes Públicas de 1974, según reformada ofrece protección de seguridad y salud para los empleados de Michigan a través del mantenimiento de condiciones de trabajo sanas y seguras. Bajo MIOSHA y el plan estatal aprobado en septiembre de 1974 por el Departamento de Trabajo de EE.UU., el Departamento del Trabajo y el Crecimiento Económico de Michigan es responsable de administrar la Ley. Los representantes del departamento realizan inspecciones e investigaciones en el lugar de trabajo para asegurar la conformidad con la Ley y con las normas de seguridad y salud.

El contenido de este póster describe muchas disposiciones importantes de la Ley. Estas disposiciones corresponden igualmente a los empleadores y a los empleados en la industria del sector público y privado.

**REQUISITOS PARA EL EMPLEADOR:** MIOSHA dispone que todo empleador:

1. Suministre a cada empleado un empleo y un lugar de empleo libre de peligros reconocidos que causen o puedan causar la muerte o lesiones físicas graves al empleado.
2. Cumpla con las reglas y normas promulgadas, así como con las órdenes emitidas de acuerdo a la Ley.
3. Publique éste y otros avisos, y haga uso de medidas adecuadas para mantener a sus empleados informados sobre su protección y obligaciones conforme a la Ley, incluyendo las disposiciones de las reglas y normas correspondientes.
4. Notifique al Departamento de Servicios a la Industria y al Consumidor de Michigan, dentro de las próximas ocho horas, sobre cualquier fatalidad, o la hospitalización de 3 o más empleados que hayan sufrido una lesión o enfermedad del mismo incidente. La notificación puede realizarse llamando al 1-800-858-0397.
5. Ponga a disposición de los empleados, para su inspección y copia todos los expedientes médicos y datos de salud en posesión del empleador referentes a ese empleado.
6. Proporcione al empleado la oportunidad, con sin compensación, de asistir a todas las reuniones entre el Departamento de Servicios a la Industria y al Consumidor y el empleador referentes a cualquier apelación de una citación por el empleador.

**QUEJAS:** Los empleados y los representantes de los empleados que piensen que existe una condición mediante el aviso por escrito al Departamento del Trabajo y el Crecimiento Económico. Si existe una condición que pueda presentar un peligro inmediato, se deberá notificar al Departamento de la manera más oportuna sin considerar un aviso por escrito. Los nombres de los querellantes se mantendrán confidenciales y no se revalarán si el empleado así lo solicita. Los empleados también tienen el derecho de informar al representante del departamento sobre condiciones inseguras o no sana durante la realización de una inspección o investigación.

La Ley estipula que los empleados no pueden ser despedidos no discriminados de ninguna manera por presentar una queja o ejercer alguno de sus derechos que dicta la Ley. Un empleado que piensa que se le está discriminando puede presentar una queja al Departamento del Trabajo y el Crecimiento Económico de Michigan en los siguientes treinta días de la presunta discriminación.

El Departamento de Trabajo de EE.UU, supervisa la operación del programa de seguridad y salud en el trabajo de Michigan para asegurar la administración efectiva de la ley estatal. Cualquier persona puede presentar una queja por escrito referente a la administración del estado de la ley estatal directamente a la Regional Office of OSHA, 230 South Dearborn, Chicago. Illinois 60604.

**CITACIONES:** Si con la inspección del Departamento del Trabajo y el Crecimiento Económico se cree que se ha violado un requisito de la Ley, se emitirá al empleado una citación alegando dicha violación. La citación debe publicarse prominentemente en el lugar o cerca del lugar de la violación citada durante tres días o hasta que se corrija la violación, cualquiera que ocurra al último.

La Ley proporciona penas de primera instancia de un máximo de \$7,000 dólares por una violación. Las penas de un máximo de \$7,000 dólares al día se pueden enjuiciar por no corregir una violación dentro de un período de supresión propuesto. A cualquier empleador que viole la Ley deliberada o repetidamente se le podrán iniciar penas hasta de \$70,000 dólares por cada violación. Los empleadores pueden apelar la presunta citación, las penas propuestas o los períodos de supresión al Departamento y al Consejo de Cumplimiento y Apelaciones de Salud y Seguridad. Los

7. Dé a un representante de empleados la oportunidad de acompañar al departamento durante la inspección o investigación de un lugar de empleo y prohibir la pérdida de salario o beneficios complementarios, o discriminar contra el representante de los empleados por el tiempo dedicado a participar en la inspección, investigación o conferencias de apertura y cierre.
8. Proporcione equipo de protección personal, a cargo del empleador, cuando una norma de MIOsha requiera específicamente que se suministre a cargo del empleador.
9. No permita a un empleado, siempre y cuando no sea un empleado cuya presencia sea necesaria para evitar, corregir o eliminar un peligro inminente, operar el equipo o realizar un proceso que el Departamento haya marcado y que sea el objeto de una orden emitida por el Departamento identificando que existe un peligro inminente.
10. Notifique lo más pronto posible a un empleado que se expuso o está expuesto a materiales tóxicos o agentes físicos dañinos en concentraciones o niveles que sobrepasan los prescritos por una norma de MIOsha.

**REQUISITOS PARA EL EMPLEADO:** MIOsha dispone que todo empleado:

1. Cumpla con las reglas y normas promulgadas, y con las órdenes emitidas referentes a la Ley.
2. No quite, retire, destruya o se lleve a otro lugar un resguardo de seguridad suministrado o provisto para el uso en un lugar de empleo, ni interferir de ninguna manera con el uso del mismo por otra persona.

**INSPECCIONES / INVESTIGACIONES:** Las inspecciones e investigaciones las realiza personal capacitado. La Ley dispone que se dé la oportunidad a un representante del empleador y a un representante de los empleados de acompañar al representante del departamento para el propósito de auxiliar en la inspección o investigación.

Si un representante de empleados no participa, el representante del departamento consultará con un número de empleados sobre asuntos de seguridad o salud en el lugar de empleo.

empleados pueden apelar la supresión al Consejo de Cumplimiento y Apelaciones de Salud Y Seguridad de una manera similar. Los empleados también pueden apelar al Consejo de Cumplimiento y Apelaciones de Salud y Seguridad cualquier decisión emitida por el Departamento en respuesta a una apelación del empleador.

#### **ACTIVIDAD VOLUNTARIA Y ASISTENCIA CON EL CUMPLIMIENTO:**

La ley fomenta a los empleadores y empleados redirir voluntariamente los peligros del lugar de trabajo.

El Departamento del Trabajo y el Crecimiento Económico de Michigan ofrece asistencia limitada de consulta en el lugar de trabajo a los empleadores para ayudarlos a lograr el cumplimiento de las normas de seguridad y salud en el trabajo. Se tienen disponibles especialistas en capacitación y ellos pueden brindar consejo en lo referente a la corrección de condiciones peligrosas y al desarrollo de programas de seguridad y salud. El personal del departamento está disponible para condicionar seminarios y capacitación relativos a la seguridad y salud en el trabajo tanto para el empleador como para grupos de empleados. Las solicitudes del servicio se deben dirigir al departamento a la dirección citada más adelante.

El Departamento de Trabajo de EE.UU. continuará haciendo cumplir las normas federales que gobiernan las operaciones marítimas portuarias, construcción, descompostura y reparación de buques. Estos asuntos no los abarca el Plan para Seguridad y salud en el Trabajo del Estado de Michigan.

#### **MÁS INFORMACIÓN:**

Departamento del Trabajo y el Crecimiento Económico  
MIOsha  
State Secondary Complex  
7150 Harris Drive • Box 30643  
Lansing, Michigan 48909-8143



Línea de queja de MIOsha.....1-800-866-4676  
Línea de Fatalidades.....1-800-858-0397  
Línea de Ayuda de Consulta y Instrucción.....1-571-322-1809

Información adicional está disponible en nuestro sitio web en  
[www.michigan.gov/miosha](http://www.michigan.gov/miosha)



**ESTE ES UN DOCUMENTO IMPORTANTE — NO LO CUBRE!**

MIOsha/CET 2010-S (1/07)

Impreso bajo autoridad de la Ley de Seguridad y Salud en el Trabajo de Michigan, PA 154 de 1974, según reformada.  
Pagado con fondos de CET y fondos federales de la OSHA.



JENNIFER M. GRANHOLM  
GOVERNOR

# Michigan Department of Energy, Labor & Economic Growth

## REQUIRED POSTER GENERAL REQUIREMENTS The Michigan Minimum Wage Law Of 1964 1964 PA 154 MCL 408.381 et. seq.



ANDREW S. LEVIN  
ACTING DIRECTOR

### Coverage

The Michigan Minimum Wage Law 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	Section 4 Minimum Hourly Wage Rate	85% of Minimum Hourly Wage Rate
July 24, 2009	\$7.40	\$7.25*

\*The state 85% rate of \$6.29 is valid between July 1, 2008 and July 23, 2008, effective July 24, 2009 the federal minimum wage rate increased to \$7.25.

- ▶ Minors 16-17 years of age may be paid 85% of the minimum hourly wage rate.
- ▶ Tipped employees may be paid an hourly wage rate of \$2.65 an hour provided they receive tips which combined with the hourly wage, equals or exceeds the minimum hourly wage rate listed above and provide a signed tip statement.

### Training Wage

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

### Overtime

Non-exempt employees covered by the Michigan Minimum Wage Law 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 & 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 Energy, Labor & Economic Growth. 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.

**For more information or to file a complaint, contact:**  
**Wage & Hour Division at 517-322-1825**  
**or write P.O. Box 30476, Lansing, Michigan 48909-7976**  
**[www.michigan.gov/wagehour](http://www.michigan.gov/wagehour)**

**MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES  
BUREAU OF SAFETY AND REGULATION  
GENERAL RULES**

**Wage and Hour Division  
7150 Harris Drive, Box 30476  
Lansing, MI 48909-7976  
(517) 322-1825**

(By authority conferred on the director of consumer & industry services by section 6 of Act No. 154 of the Public Acts of 1964, as amended, being §§408.386, 16.107, 16.109, and 16.477 of the Michigan Compiled Laws)

**R 408.701 Definitions.**

Rule 1. As used in these rules:

- (a) "Act" means Act No. 154 of the Public Acts of 1964, as amended, being §408.381 et seq. of the Michigan Compiled Laws.
- (b) "Commission" means all earnings of an employee, in addition to the hourly rate of pay, which the employee has been led to expect on a regular basis as a result of an employment contract, agreement, or promise.
- (c) "Gratuity" means a tip or voluntary monetary contribution which is received by an employee from a guest, patron, or customer for services rendered to that guest, patron, or customer and which is reported by the employee to the employer for federal insurance contribution act (social security) purposes.
- (d) "Political appointee" means either of the following:
  - (i) A person who is directly appointed by, and who serves at the pleasure of, a person who holds public elective office or a public body.
  - (ii) A person who is subject to approval for appointment by, and who serves at the pleasure of, a person who holds public elective office or a public body.
- (e) "Public body" means any state or local legislative or executive body, including a board, commission, committee, subcommittee, authority, or council, which is empowered by the state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or to perform a governmental or proprietary function.
- (f) Omitted
- (g) "Workweek," as applied to an employee, means a fixed and regular recurring period of 168 hours or 7 consecutive 24-hour periods. It need not coincide with the calendar week, but may begin on any day and at any hour of the day. For purposes of computing overtime pay, a single workweek may be established for 1 employee or different workweeks may be established for different employees or groups of employees.

**R 408.702 Records.**

Rule 2. (1) An employer shall keep employment records for each employee showing all of the following:

- (a) Name
- (b) Home address
- (c) Date of birth
- (d) Occupation in which employed
- (e) Total daily hours worked, computed to the nearest unit of 15 minutes
- (f) Total hours worked in each pay period
- (g) Total hours worked in each work period when the work period does not coincide with the pay period.

- (h) Total hourly, daily, or weekly basic wage
- (i) Total wages paid each pay period
- (j) Itemization of all deductions made each pay period
- (k) Separate itemization of all credits for meals, tips, and lodging against the minimum wage taken each pay period if any
- (2) Omitted
- (3) If a credit is taken for gratuities received by an employee, the employment records shall contain for each pay period in which the credit was taken a statement of the amount of gratuities received by the employee. The statement shall be signed by the employee and dated on or before the date the paycheck was received.
- (4) If gratuity credits are taken after gratuities are pooled and redistributed, the employment records shall contain consent statements signed by the employees who receive the gratuities directly from the customer. The consent statement should be to the effect that the employee consents to the pooling and redistribution arrangement. It should also indicate the specific amount received by the employee as the result of the pooling arrangement.
- (5) (6) (7) Omitted
- (8) Records required under this rule shall be preserved by the employer for 3 years after the date thereof.

**R 408.703 Omitted**

**R 408.704 Credit for gratuities received.**

Rule 4. (1) For the purpose of allowing credit for gratuities received by employees, the amount of gratuities received by an employee shall be either of the following:

- (a) All gratuities received directly from guests, patrons, or customers, if the employee has not consented to participate in a tip pooling arrangement.
- (b) All gratuities received after redistribution in accordance with a voluntary tip pooling arrangement between or among employees who customarily and regularly receive tips. The employment records shall contain consent statements signed by all participating employees authorizing the tip pooling arrangement. The consent statement shall be to the effect that the employee consents to the pooling and redistribution arrangement. It should also indicate the specific amount received by the employee as the result of the pooling arrangement.
- (2) All gratuities received in accordance with a voluntary tip pooling arrangement shall be redistributed to those employees participating in the tip pool.
- (3) Omitted

**R 408.705 Omitted**

**R 408.706 Complaint; filing date, time limitation.**

Rule 6. (1) A complaint shall be considered filed with the department as of the date it is received by the department.  
(2) A claim must be filed with the department within 3 years from the date the wages were due and owing to the employee.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF SAFETY AND REGULATION

WAGE HOUR DIVISION

WAGE DEVIATION

(By authority conferred on the director of labor by section 6 of Act No. 154 of the Public Acts of 1964, as amended, being S408.386 of the Michigan Compiled Laws)

R 408.771 Scope.

Rule 1. (1) These rules require that handicapped workers who are being paid sub-minimum wages shall receive wage rates commensurate with their productive capacity.

(2) These rules require that employers of handicapped workers who are being paid sub-minimum wages shall maintain records which substantiate the fact that the handicapped workers are being paid wage rates commensurate with their productive capacity.

(3) These rules establish procedures for an employer of handicapped workers to apply for wage deviation certificates under section 7 of the act.

(4) These rules establish administrative proceedings to grant wage deviation certificates under the act.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.772 Definitions.

Rule 2. As used in these rules:

(a) "Act" means Act No. 154 of the Public Acts of 1964, as amended, being S408.381 et seq. of the Michigan Compiled Laws.

(b) "Board" means wage deviation board.

(c) "Commensurate wage" means the wage which is proportionate to the prevailing industry wage rate.

(d) "Department" means the department of labor.

(e) "Deviated wage rate" means an hourly wage or piece rate which is below the minimum wage rate prescribed in section 4 of the act, is based upon a handicapped worker's productive capacity, and is commensurate with the prevailing industry wage rate.

(f) "Director" means the director of the department or his or her authorized representative.

(g) "Handicapped worker" means an individual whose earning or productive capacity is limited by a physical or mental impairment.

(h) "Locality" means the county, city, village, or township in which the work is performed.

(i) "Prevailing industry wage rate" means the overall average wage rate paid to nonhandicapped workers in industry in the locality for essentially the same type of work.

(j) "Private sector employment" means remunerative employment within a setting other than a rehabilitation facility.

(k) "Rehabilitation facility" means a charitable or non-profit organization or institution or program including the state and its political subdivisions, agencies, and instrumentalities for the purpose of carrying out a recognized program of habilitation or rehabilitation for handicapped individuals and for providing such individuals with remunerative employment or other occupational habilitation or rehabilitation activity of an educational or therapeutic nature.

(l) "Wage deviation certificate" means a written document issued by the

director to either a rehabilitation facility or a private sector employer which authorizes the payment of a deviated wage rate to a group of handicapped workers employed by a rehabilitation facility or to an individual handicapped worker employed by a private sector employer.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.773 Commensurate wage.

Rule 3. (1) A handicapped worker covered by a wage deviation certificate shall be paid a commensurate wage.

(2) A handicapped worker covered by a wage deviation certificate shall not be paid less than 1 1/2 times his or her commensurate wage rate for all work in excess of the maximum hours as required by section 4a of the act.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.774 Prevailing industry wage rate; determination; documentation.

Rule 4. (1) To determine the prevailing industry wage rate for a specific type of work, a rehabilitation facility shall utilize 1 of the following sources:

(a) The state employment service.

(b) Private sector employers in the locality performing similar work.

(c) Recent wages, or wages adjusted for wage increases, which were previously determined by the rehabilitation facility for previous work of a similar nature.

(2) Where the specific type of work is not performed in the private sector in the locality in which the rehabilitation facility is located, the prevailing industry wage rate shall be at least the minimum hourly rate established by the act.

(3) Where a variety of industry wage rates are paid for the work in question, the prevailing wage shall be the overall average wage paid.

(4) A rehabilitation facility shall document efforts to obtain prevailing wage information, and maintain such written documentation for not less than 3 years.

(5) A rehabilitation facility shall review and update prevailing wage information to reflect any changes not less than every 6 months.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.775 Time study for piece rate; conduct; purpose; retention of records; review.

Rule 5. (1) Where a prevailing industry piece rate cannot be established in accordance with R 408.774, a rehabilitation facility shall conduct a time study to determine the piece rate to be paid to a handicapped worker. The following steps shall constitute an acceptable time study method for piece rates:

(a) Establish the steps of each type of work to be performed by the handicapped worker.

(b) Have the type of work performed by a nonhandicapped worker for a 50-minute period.

(c) Determine the hourly productivity of the nonhandicapped worker by computing the sum of pieces produced during the 50-minute period.

(d) Determine the piece rate to be paid to the handicapped worker by dividing the prevailing industry hourly wage rate by the hourly productivity of the nonhandicapped worker.

(2) If methods other than those in subrule (1) of this rule are used, the rehabilitation facility shall demonstrate that such methods accurately establish the commensurate wage to be paid to the handicapped worker.

(3) A rehabilitation facility shall retain records of time studies used to determine piece rates for 3 years.

(4) Piece rates shall be reviewed and updated not less than every 6 months to reflect changes in prevailing industry wage rates.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.776 Time studies for hourly rates; conduct; retention of records; review.

Rule 6. (1) A rehabilitation facility shall conduct a time study to determine the deviated wage rate to be paid to the handicapped worker. The following steps shall constitute an acceptable time study method:

(a) Establish the prevailing industry wage rate for the work to be performed in accordance with R 408.774.

(b) Establish the steps of each type of work to be performed.

(c) Have the type of work performed by a nonhandicapped worker for a 50-minute period.

(d) Determine the hourly productivity of the nonhandicapped worker by computing the sum of tasks performed during the 50-minute period.

(e) Have the type of work performed by the handicapped worker for a 50-minute period.

(f) Determine the hourly productivity of the handicapped worker by computing the sum of tasks performed during the 50-minute period.

(g) Determine the percentage of the handicapped worker's productive capacity as compared to the hourly productivity established for the nonhandicapped worker.

(h) Determine the hourly rate to be paid to the handicapped worker by multiplying the percentage of the handicapped worker's productive capacity by the established prevailing industry wage rate.

(2) If methods other than those in subrule (1) of this rule are used, the rehabilitation facility shall demonstrate that such methods accurately establish the commensurate wage to be paid to the handicapped worker.

(3) A rehabilitation facility shall retain records of time studies used to determine hourly wages for 3 years.

(4) The handicapped worker's productivity shall be measured no less than every 6 months and the hourly rate shall be adjusted to ensure that the commensurate wage is paid to the handicapped worker.

(5) Hourly wage rates shall be reviewed and updated not less than every 6 months to reflect changes in prevailing industry wages.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.777 Wage deviation certificate; application; specifications; duration; issuance and denial; amendment.

Rule 7. (1) An application for a wage deviation certificate shall be filed by a rehabilitation facility or by a private sector employer seeking to pay a deviated wage rate to handicapped workers not covered under section 14(c) of the fair labor standards act of 1938, as amended, 29 U.S.C. 214. A unit of rehabilitation facility having an identifiable program which operates at a different location under separate supervision shall file applications separately.

(2) A certificate shall specify the terms and conditions under which it is granted.

(3) A certificate shall take effect on the date issued and shall be effective for 12 months. Handicapped workers may be paid a deviated wage rate only during the effective period of the certificate.

(4) If a certificate is issued by the director, a copy shall be sent to the rehabilitation facility or private sector employer. If denied, the applicant shall be notified in writing of the denial and the reasons for the denial and of the appeal rights provided for in R 408.784 and R 408.785.

(5) The terms of a certificate may be amended upon written request from a rehabilitation facility or private sector employer and subsequent approval by the director.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.778 Certification of applications for private sector employment.

Rule 8. (1) An application submitted by a private sector employer not covered by the definition of a rehabilitation facility shall be certified by either the Michigan rehabilitation service in the department of

education or the commission for the blind in the department of labor, or both.

(2) Certification by the commission for the blind is required when the worker covered under the certificate is legally blind, as determined pursuant to section 1(a) of Act No. 260 of the Public Acts of 1978, being S393.351(a) of the Michigan Compiled Laws. All other applicants shall be certified by the Michigan rehabilitation service.

(3) Certification shall involve a determination that the productive capacity of the handicapped worker to be covered by the certificate is genuinely impaired by a physical or mental disability and that the handicapped worker is to be paid a commensurate wage.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.779 Criteria for issuance of certificate.

Rule 9. The following criteria as established by the board shall be considered by the director prior to the issuance of a wage deviation certificate:

(a) An applicant's previous and current compliance with the act.

(b) Whether the handicapped workers covered by the certificate are being paid a commensurate wage.

(c) Whether the applicant can document, for each worker covered by the certificate, that the individual's productive capacity is impaired and that the impairment is caused by a physical or mental disability.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.780 Renewal certificate.

Rule 10. (1) A renewal certificate may be issued by the director to a rehabilitation facility or private sector employer whose current certificate is near expiration provided an application for renewal has been properly filed not less than 60 calendar days prior to the expiration date of the current certificate.

(2) The current certificate shall remain in effect until the application for the renewal has been granted or denied.

(3) The renewal certificate shall take effect on the expiration date of the current certificate and shall remain in effect for 12 months.

(4) Issuance of a renewal certificate shall be contingent upon a finding that the applicant meets the requirements of the act.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.781 Temporary certificate.

Rule 11. A temporary certificate may be issued by the director to a rehabilitation facility or private sector employer applying for a certificate. Issuance of a temporary certificate shall be contingent upon a finding by the director that the applicant has provided satisfactory evidence that a commensurate wage will be paid to the handicapped workers covered by the certificate, and that the requirements of the act will be met. A temporary certificate shall be effective for no more than 6 months' duration.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.782 Records.

Rule 12. (1) A rehabilitation facility granted a certificate shall maintain, and have available for inspection by the director, records including the following:

(a) Documentation substantiating each handicapped worker's disability.

(b) Total hours worked each pay period.

(c) Total wages paid each pay period.

(d) For employees paid on a piece work basis, the piece rate paid and the total number of units produced at such piece rate for each pay period.

(e) Time studies and calculations made to determine each handicapped

worker's productive capacity and the piece rate or hourly rate to be paid each handicapped worker.

(f) Sources used to establish the prevailing industry wage rate.

(2) A private sector employer granted a certificate shall maintain and have available for inspection by the director records to include the following:

(a) Documentation substantiating each handicapped worker's disability.

(b) Total hours worked each pay period.

(c) Total wages paid each pay period.

(d) Certification by Michigan rehabilitation services or the commission for the blind that the productive capacity of the handicapped worker is genuinely impaired by a physical or mental disability and that the handicapped worker is to be paid a commensurate wage.

(3) These records shall be maintained for not less than 3 years.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.783 Cancellation of certificate.

Rule 13. (1) If it appears that a provision of the act has been violated, the director shall issue a written notice stating the facts or conduct that constitute the alleged violation.

(2) This written notice shall provide the rehabilitation facility or private sector employer with an informal opportunity to demonstrate compliance with the act. Compliance shall be demonstrated within 30 calendar days after the date of the written notice.

(3) If the rehabilitation facility or private sector employer does not demonstrate compliance, the director shall issue a notice of hearing advising of the commencement of proceedings against the rehabilitation facility or private sector employer to determine whether its certificate should be cancelled. The director shall conduct a hearing pursuant to chapter 4 of Act No. 306 of the Public Acts of 1969, as amended, being SS24.271 to 24.287 of the Michigan Compiled Laws.

(4) Upon conclusion of the hearing if it is found that a provision of the act has been violated, the director may cancel the certificate.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.784 Appeal of decision denying certificate; hearing.

Rule 14. If a decision to deny a certificate is appealed by written objection of a rehabilitation facility or private sector employer to the department within 30 calendar days after receipt of the notice pertaining to such denial, the director shall conduct a hearing pursuant to chapter 4 of Act No. 306 of the Public Acts of 1969, as amended, being SS24.271 to 24.287 of the Michigan Compiled Laws.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.785 Appeal to circuit court; finality of resolution.

Rule 15. (1) A rehabilitation facility or private sector employer aggrieved by the decision of the director following a hearing under R 408.783 and R 408.784 may, within 60 days after date of mailing of the decision, appeal to the circuit court by filing a petition for review pursuant to the provisions of chapter 6 of Act No. 306 of the Public Acts of 1969, as amended, being SS24.301 to 24.306 of the Michigan Compiled Laws.

(2) If the decision of the director to cancel or deny a certificate in accordance with R 408.783 and R 408.784 is not appealed to circuit court within 60 days after the date of mailing, it shall be final.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.786 Inspections.

Rule 16. (1) The director may enter upon the premises of a rehabilitation facility or private sector employer during normal business

hours to conduct inspections to determine whether the rehabilitation facility or private sector employer is in compliance with the act.

(2) Inspection reports shall be utilized in evaluating the issuance of renewal certificates.

History: 1979 ACS 15, Eff. June 24, 1983.

R 408.787 Rescission.

Rule 17. R 408.751 to R 408.767 of the Michigan Administrative Code, appearing on pages 3178 to 3181 of the 1979 Michigan Administrative Code, are rescinded.

History: 1979 ACS 15, Eff. June 24, 1983.



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### Informational Sheet: Youth Employment Standards

## POSTING REQUIREMENT

### MCL 409.110 Minor under 16 years; days and hours of employment.

Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

### MCL 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.

Sec. 11. (1). Except as provided in subsection (3), a minor 16 years of age or older shall not be employed in an occupation subject to this act for more than any of the following periods:

- (a) Six days in 1 week.
- (b) A period longer than a weekly average of 8 hours per day or 48 hours in 1 week.
- (c) Ten hours in 1 day.
- (d) For a minor 16 years of age or older who is a student in school, a combined school and work week of 48 hours during the period school is in session.

(2) Except as provided in subsection (3), a minor 16 years of age or older shall not be employed between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a minor 16 years of age or older who is a student in school may be employed until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

(3) A minor 16 years of age or older may be employed in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:

- (a) If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.
- (b) The minor is employed for not more than 11 hours in 1 day.
- (c) The minor is employed for not more than 62 hours in any week. However, the minor shall not be required by an employer to work more than 48 hours during any week without the consent of the minor.
- (d) The minor is not employed between 2 a.m. and 5:30 a.m.
- (e) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.

(4) As used in this section:

- (a) "Agricultural processing" means the cleaning, sorting or packaging of fruits or vegetables.
- (b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

History: Am. 1977 PA 499, Jan 9, 1997, Imd. Eff., 1995, Act 251, Eff. Mar. 28, 1996, Imd. Eff. Jan. 8, 2001.

### MCL 409.112 Meal and rest period.

Sec. 12. A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

### MCL 409.112a Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at fixed location.

Sec. 12a. A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

**IMPORTANT: Administrative Rule, R408.6207 REQUIRES A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER**



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### CARTEL REQUERIDO

#### MCL 409.110 Un joven menor de 16 años; los días y horas de empleo.

Sec. 10. No se permite emplear a un joven menor de 16 años en un trabajo sujeto a esta ley por más de 6 días en una semana, ni durante un plazo que excede un promedio semanal de 8 horas por un día o 48 horas en una sola semana, ni más de 10 horas en un día. No se permite emplear a un joven menor de 16 años entre las horas de 9 p.m. y 7 a.m. No se permite emplear a un menor de edad que es un estudiante en la escuela por más de un total de 48 horas semanales, cual total está compuesto de las horas escolares y laborales mientras la escuela está en sesión.

#### MCL 409.111 Los jóvenes de 16 años o mayor; los días y horas de empleo; empleo en los procesamiento agrícolas.

Sec. 11. (1). Con excepción hecha de lo dispuesto en la subdivisión (3), no se permite emplear a un menor de 16 años o mayor en un trabajo sujeto a esta ley por más que cualquiera de los períodos siguientes:

- (a) Seis días en una (1) semana.
- (b) Un período más largo de un promedio semanal de 8 horas por día o 48 horas en una semana.
- (c) Diez horas en 1 día.
- (d) Por un joven de 16 años o mayor que es un estudiante en la escuela, un máximo de 48 horas semanales, cual total está compuesto de las horas escolares y laborales mientras la escuela está en sesión.

(2) Con excepción hecha de lo dispuesto en la subdivisión (3), no se permite emplear a un menor de 16 años o mayor entre las horas de 10:30 p.m. y 6 a.m. Sin embargo, excepción hecha de lo dispuesto en la subdivisión (3), se puede ocupar a un menor de 16 años o mayor que es un estudiante en la escuela hasta las 11:30 p.m. en cualquiera de los días siguientes:

- (a) Los Viernes y los Sábados.
- (b) Durante períodos de las vacaciones de la escuela.
- (c) Durante períodos cuando el menor no está matriculado regularmente en la escuela.

(3) Se puede ocupar a un menor de 16 años o mayor en operaciones de agricultura que consisten en la producción de la semilla o en el procesamiento agrícola por un período que excede los períodos descritos en las subdivisiones (1) y (2) si es que existen todas las condiciones a continuación:

- (a) Si un menor es un estudiante en la escuela, el período que excede los períodos descritos en las subdivisiones (1) y (2) ocurre cuando la escuela no está en sesión.
- (b) Se emplea al menor por no más de 11 horas en un día.
- (c) Si el menor no trabaja más de 62 horas en cualquier semana. Sin embargo, el empleador no puede obligar al menor de edad a trabajar más de 48 horas en cualquier semana sin el consentimiento del menor.
- (d) El menor no trabaja entre las 2 a.m. y las 5:30 a.m.
- (e) El empleador de la procesadora agrícola mantiene en sus archivos un reconocimiento escrito del padre o guardián del menor dando consentimiento al período de empleo autorizado en esta subdivisión.

(4) Utilizado en esta sección:

- (a) "La procesadora agrícola" se refiere a la limpieza, o el clasificar o empacar de frutas o verduras.
- (b) "Las operaciones agrícolas que implican la producción de semillas" significa las actividades e investigaciones agrícolas relacionadas con la producción de semillas, inclusive el corte de las espigas, la polinización a mano, "roguing" (o sea, la eliminación de las plantas o frutos inferiores), limpieza con azadón y cualquier otra actividad semejante a la agricultura requerida para la producción comercial de semilla.

Historia: Am. 1977 PA 499, Jan 9, 1997, Imd. Eff., 1995, Act 251, Eff. Mar. 28, 1996, Imd. Eff. Jan 8, 2001.

#### MCL 409.112 Períodos de comida y descanso.

Sec. 12. No se permite emplear a un menor de edad por más de 5 horas continuas sin una interrupción de por lo menos 30 minutos para comer y descansar. Un descanso de menos de 30 minutos no será considerado suficiente descanso para interrumpir un período continuo del trabajo.

#### MCL 409.112a La prohibición de trabajo para los menores de edad trabajando solos en una ocupación que incluye transacciones de dinero en efectivo después del anochecer o 8 p.m. en una localización fija.

Sec. 12a. A un menor que normalmente sería permitido bajo esta ley ser empleado en una ocupación sujeta a esta ley se le prohíbe el empleo en una ocupación que implique una transacción de dinero en efectivo sujeta a esta ley después del anochecer o las 8 p.m., cualquiera suceda primero, en un sitio fijo a menos que el patrón u otro empleado de 18 años o mayor esté presente en el sitio fijo durante esas horas.

Historia: Add. 1980, Act 436, Eff. Mar. 31, 1981.

**IMPORTANTE: Regla Administrativa, R408.6207 REQUIERE QUE UN MENOR DE EDAD SUJETO A LA LEY 90 SEA SUPERVISADO POR EL PATRÓN O POR OTRO EMPLEADO DE 18 AÑOS O MAYOR.**

# **This Workplace Covered by the Michigan Right To Know Law**



Employers must make available for employees in a readily accessible manner, Material Safety Data Sheets (MSDS)\* for those hazardous chemicals in their workplace.

Employees cannot be discharged or discriminated against for exercising their rights including the request for information on hazardous chemicals.

Employees must be notified and given direction (by employer posting) for locating Material Safety Data Sheets and the receipt of new or revised MSDS(S).

\* When the employer has not provided a MSDS, employees may request assistance in obtaining MSDS from the:

Michigan Department of Labor & Economic Growth  
Michigan Occupational Safety & Health Administration  
General Industry Safety & Health Division  
(517) 322-1831  
Construction Safety & Health Division  
(517) 322-1856  
[www.michigan.gov/miosha](http://www.michigan.gov/miosha)

MIOSHA/CET #2105 (Rev. 01/08)



## **MSDS(s) For This Workplace Are Located At**

Site Supervisor

Location(s)

Location(s)

Site Supervisor

Person(s) responsible for MSDS(S)

Phone

# 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, local 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.