

# HOUSE BILL No. 5599

February 26, 2004, Introduced by Reps. Hoogendyk, Shaffer, Stahl, DeRossett, Drolet, Kooiman, Huizenga, Brandenburg, Garfield, Vander Veen, Pastor, Bradstreet, LaJoy and Sheen and referred to the Committee on Employment Relations, Training and Safety.

A bill to amend 1978 PA 390, entitled

"An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,"

by amending section 6 (MCL 408.476).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 6. ~~-(1) The payment of wages shall be paid-~~ **An**  
2 **employer or agent of an employer may pay wages to an employee by**  
3 **any of the following methods:**

- 4       **(a) Payment** in United States currency. ~~-or-~~
- 5       **(b) Payment** by a negotiable check or draft payable on
- 6 presentation at a ~~bank-~~ **financial institution** or **other**
- 7 established place of business without discount in United States
- 8 currency.

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1       ~~(2) An employer or agent of an employer shall not deposit an~~  
2 ~~employee's wages in a bank, credit union or savings and loan~~  
3 ~~association without the full, free and written consent of the~~  
4 ~~employee or prospective employee, obtained without intimidation,~~  
5 ~~coercion or fear of discharge or reprisal for refusal to permit~~  
6 ~~the deposit.~~

7       (c) Direct deposit or electronic transfer to 1 of the  
8 following:

9       (i) The employee's account at a financial institution that  
10 allows direct deposit or electronic transfer of wages to that  
11 type of account. As used in this subdivision, "account" and  
12 "financial institution" mean those terms as defined in 12 CFR  
13 205.2.

14       (ii) If an employee does not maintain an account described in  
15 subparagraph (i), to an account maintained by the employer in the  
16 name of and owned by the employee that is accessible to the  
17 employee by access device, as that term is defined in 12 CFR  
18 205.2.