

Other Michigan Labor Laws

In addition to the Payment of Wages and Fringe Benefits Act, the Wage and Hour Division also administers:

Michigan Minimum Wage Law (MWL)

PA 337 of 2018, the Improved Workforce Opportunity Wage Act, as amended, establishes the minimum wage including subminimum wage rates for certain employees, overtime pay, and recordkeeping and equal pay standards.

Paid Medical Leave Act (PMLA)

PA 338 of 2018, as amended, establishes the paid medical leave requirements, accrual amounts, allowed usage, and recordkeeping standards for certain eligible employees.

Youth Employment Standards Act (YESA)

PA 90 of 1978, as amended, provides regulations when employing minors in the State of Michigan.

Human Trafficking

PA 62 of 2016, requires the posting of certain notices relating to human trafficking by certain entities.

Department of Labor and Economic Opportunity

This brochure is intended for general information only. It does not include all the provisions of Act 390, Public Act of 1978.

For the laws administered by the Wage and Hour Division contact:

Wage and Hour Division

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OVERVIEW OF THE PAYMENT OF WAGES AND FRINGE BENEFITS ACT



MICHIGAN DEPARTMENT OF
LABOR & ECONOMIC
OPPORTUNITY

WAGE & HOUR

15 PAY DAY

23

The Payment of Wages and Fringe Benefits Act Provides That Employees:

- Receive wages earned on a regular basis: weekly, biweekly, semimonthly, or monthly. Hand harvesters must be paid at least once per week unless otherwise specified in a written contract.
- Receive compensation for fringe benefits earned according to a written contract or written policy such as payment for: a holiday, time off for sickness or injury, time off for vacation or personal reasons, bonuses, or authorized expenses incurred during employment.
- Receive wages earned on the regular scheduled payday for the period in which the employee quits or is discharged. Hand harvesters must be paid within one day of discharge or must be paid within three days of quitting.
- Receive wages without deductions, except deductions required by law, collective bargaining agreement, or the signed, written authorization of the employee.
- Receive a retainable pay statement at the time of payment of wages indicating hours worked, gross wages paid, an itemization of deductions, and the dates for which the wages were earned.
- Receive wages in cash, check or money order, payroll debit card, or authorized direct deposit into a bank or credit union.
- Be hired and remain employed without paying an employer a fee or other consideration. Exception: fees paid to employment agencies and law enforcement training

The Payment of Wages and Fringe Benefits Act Provides That Employers:

- Maintain records for three years that indicate the employee's name, address, birthdate, classification, rate of pay, total hours worked in each pay period, total wages paid, and an itemization of fringe benefits.
- Supply the Wage and Hour Division time and pay records or other document relevant to an investigation or proceeding.
- May deduct overpayments of wages or fringe benefits due to mathematical or typographical errors under special conditions. Contact the Wage and Hour Division for guidelines for deducting overpayments.
- May be subject to interest and civil penalties upon conclusion of an investigation of up to \$1,000 each for failure to maintain or submit the required records and/or pay wages or fringe benefits found due by the Wage and Hour Division, plus exemplary damages of twice the amount determined due.
- May not discharge or take other discriminatory action against an employee who has filed a wage or fringe benefit complaint, instituted a proceeding under the act, testified in a proceeding, or exercised a right afforded by the act on behalf of other employees.

Complaint Filing

The Payment of Wages and Fringe Benefits Act covers most Michigan employers and employees. An employee who believes that his or her employer has violated this act may file a complaint with the Wage and Hour Division. A complaint alleging nonpayment of wages or fringe benefits must be filed within 12 months of the alleged violation.

A complaint alleging discharge or other discrimination because of filing a wage or fringe benefit complaint or asserting a right provided by the Payment of Wages and Fringe Benefits Act must be filed within 30 days of the discharge or date wages were reduced.

If a claim cannot be informally resolved, the Wage and Hour Division will issue a written determination that the employee and employer may appeal. A hearing before an administrative law judge will be scheduled. The employer and employee are expected to attend the administrative hearing to give testimony regarding the claim. The hearings officer will affirm, modify, or reverse the determination. That decision can be appealed to circuit court.

The Wage and Hour Division does not guarantee payment of wages and fringe benefits earned. Collection depends on the employer's financial ability to pay, business closure, bankruptcy filing, or location of money and assets. There is no charge for filing a complaint.

Complaints may be filed online at www.michigan.gov/wageclaim.