

■ WAGE PAYMENT LAW

TERMS:

Pay Periods —

Farm and Non-Farm Employment in General — As a rule, employers must pay their employees twice a month, with wages earned during the first half of the calendar month paid on or before the first day of the next calendar month, and wages earned during the second half of the month paid by the 15th of the month following. Regularly scheduled weekly pay periods are allowable, as long as each wage payment occurs within 14 days of the end of the week in which the wages were earned. Likewise, an employer may establish a monthly pay period, as long as wages earned during the month are paid on or before the first day of the following month.

Harvest Employment — For workers involved in the hand-harvesting of crops, all wages earned in a particular week must be paid no later than the second day after the end of the workweek.

Final Pay — Except for hand-harvest crop workers, employees who quit must receive final pay on the regularly scheduled payday for the period in which the termination occurs; workers who hand-harvest crops must be paid within one working day after they quit. An employer who fires or lays off a worker must pay final wages as soon as the amount can be determined.

Method of Payment — Wages must be paid (1) in U.S. currency, (2) by check payable without discount in U.S. currency, (3) by direct deposit to a financial institution selected by the worker, or (4) with a debit card that meets state standards. Employers may not require a worker to pay any fees or costs incurred by the employer in connection with wage payments.

Deductions from Wages — Except for deductions that are required or permitted by law, an employer may not make any deduction from wages without the worker's written consent, obtained without intimidation. The total amount of voluntary deductions may not reduce wages paid to a rate less than the state or federal minimum wage, even in the case of a worker not covered by the minimum wage laws.

Bonuses — It is illegal for an employer to withhold any portion of a worker's pay as a fringe benefit or "bonus" to be paid at the end of the employment period, unless the arrangement is agreed to in a written agreement signed by the worker without intimidation.

Employment Fees — An employer, or an agent of the employer (including a crew leader or labor contractor) having authority to hire or direct the services of the employer's workers, may not demand or receive a fee or other compensation from a worker, directly or indirectly, as a condition of employment or continued employment, unless the person charging the fee is licensed in Michigan as a personnel agency.

Payroll Records — In general, every employer must keep a record of the worker's name, address, birth date, occupation or job classification, pay rate, total hours worked in each pay period, total wages paid each pay period, deductions from pay, and fringe benefits provided. Such records must be kept for at least 3 years.

Pay Statements — Employers must generally furnish each employee, at the time of payment, with a statement showing the hours worked, the gross wages paid, the pay period for which wages are being paid, itemized deductions, and, for hand-harvest pieceworkers, the total number of units harvested.

ENFORCEMENT: *Wage and Hour Division, Michigan Department of Licensing and Regulatory Affairs, Lansing, Michigan 48909 (517-284-7800; toll-free 855-464-9243).* An employee who has not received his or her pay as required by this law may file a written complaint with the Department within 12 months after the alleged violation.

Subject to the same 12-month time limitation, a worker may file suit directly against an employer to recover unpaid wages, utilizing a private attorney or public legal service provider.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.