

SENATE BILL NO. 140

March 07, 2023, Introduced by Senators MCMORROW, IRWIN, WOJNO, SINGH, CHANG, POLEHANKI, KLINEFELT, SANTANA, SHINK, CAVANAGH and BAYER and referred to the Committee on Economic and Community Development.

A bill to require employers to disclose family leave policies to employees and potential employees; to provide for the powers and duties of certain state and local governmental officers and entities; and to prohibit failing to disclose family leave policies and prescribe civil sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "family leave policy
2 disclosure act".

3 Sec. 3. As used in this act:

1 (a) "Employee" means an individual employed by an employer.

2 (b) "Employer" means a person that has 1 or more employees or
3 that accepts applications for employment. Employer includes an
4 agent of an employer.

5 (c) "Family leave" means paid or unpaid maternity, paternity,
6 or medical leave.

7 (d) "Family leave policy" means an employer's policy regarding
8 family leave that the employer offers to its employees.

9 (e) "Person" means an individual or a partnership,
10 corporation, limited liability company, association, governmental
11 entity, or other legal entity.

12 (f) "Potential employee" means an individual who has applied
13 for employment with an employer.

14 Sec. 5. (1) An employer shall disclose its family leave policy
15 to a potential employee before the employer conveys an offer of
16 employment to that potential employee.

17 (2) If an employee did not receive a disclosure as described
18 under subsection (1) before the effective date of this act, the
19 employer shall disclose its family leave policy to that employee
20 not more than 90 days after the effective date of this act.

21 (3) A disclosure required under this section must meet all of
22 the following requirements:

23 (a) Be conveyed in writing or electronically.

24 (b) Include at least all of the following information
25 regarding the employer's family leave policy:

26 (i) The amount of family leave available before the birth or
27 adoption of a child.

28 (ii) The amount of family leave available after the birth or
29 adoption of a child.

1 (iii) The procedures an employee must follow to request family
2 leave.

3 Sec. 7. This act does not limit the rights or remedies
4 otherwise available to an employee or potential employee under any
5 other law.

6 Sec. 9. An employer that violates this act is subject to a
7 civil fine of not more than \$1,000.00. The prosecutor of the county
8 in which the violation occurred or the attorney general may bring
9 an action to collect the fine.