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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

December 8, 2011

MEMORANDUM

TO: Local and Intermediate School District Superintendents
Public School Academy Directors
High School Principals

FROM: Sally Vaughn, Ph.D. *Sally*
Deputy Superintendent/Chief Academic Officer

SUBJECT: Recent Changes to the Youth Employment Standards Act, P. A. 90 of 1978 – Impacting Minors 16 and 17 Years of Age – Work Permits and Training Agreements

Effective October 18, 2011, the Youth Employment Standards Act (YESA) was amended as follows:

“Section 11. (1) ...a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods:

...(e) If the minor is a student in school and school is in session, **24 hours in 1 week.**” [emphasis added]

Previously, the legislation indicated “a combined **school and work week of 48 hours** during the period school is in session.” This change has implications for 16 and 17 year old minors who are currently in school and working under a work permit or a training agreement between the school and employer as follows:

- 1) **Work Permits** for 16 and 17 year-olds (CA-7). The revised CA-7 incorporates the new legislative language. Please note that these new work permits must be used **effective immediately**. They may be duplicated on yellow paper and the instructions must be printed on back of the form for it to be valid. Please make sure that your school district issuing officers receive this revised work permit form. Additionally, 16 and 17 year old minors should be notified that they are now able to work up to 24 hours per week while school is in session, but it is not necessary to reissue work permits that are currently in place.

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Please contact Tara Bride, Office of Career and Technical Education, at bridet@michigan.gov or (517) 335-6041, if you have any questions or need for clarification regarding this issue.

- 2) **Training Agreements.** Minors 16 and 17 years of age on a training agreement between the school and business for a work-based learning experience may now work up to 24 hours per week while school is in session.

The Pupil Accounting Rules indicate "(10) Federal and state regulations regarding the employment of minors shall be followed." Further, the Pupil Accounting Manual indicates "Training agreements cannot be written to exempt students from provisions of the federal child labor regulations, except for those detailed in Federal Bulletin 101 (hazardous occupations)."

- 3) Please make sure that teachers, placement coordinators, counselors and other staff who develop training agreements (this pertains to general education, special education, and career and technical education) are aware that 16 and 17 year old students are now able to work up to 24 hours per week while school is in session. Additionally, 16 and 17 year old minors should be notified that (effective immediately) they are able to work up to 24 hours per week while school is in session, but it is not necessary to reissue training agreements that are currently in place.

Please contact Diana Bailey, Office of Career and Technical Education, at baileyd@michigan.gov or (517) 373-8904, if you have any questions or need for clarification regarding these issues.

The CA-7 is available at: http://www.michigan.gov/mde/0,4615,7-140-6530_2629_59590---,00.html.

cc: Michigan Education Alliance