



RICK SNYDER
GOVERNOR

Office of Career and Technical Education
P.O. Box 30712, Lansing, MI 48909



(517) 335-6041
www.michigan.gov/mde

Informational Sheet:
Youth Employment Standards Act 90 of 1978, as amended

POSTING REQUIREMENT

MCL 409.110 Minor under 16 years; days and hours of employment.

Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

MCL 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.

Sec. 11. (1). Except as provided in subsection (3), 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:

- (a) Six days in 1 week.
- (b) An average of 8 hours per day in 1 week.
- (c) Ten hours in 1 day.
- (d) Subject to subdivision (e), 48 hours in 1 week.
- (e) If the minor is a student in school and school is in session, 24 hours in 1 week.

(2) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met: If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.

- (a) The minor is employed for not more than 11 hours in 1 day.
- (b) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.
- (c) The minor is not employed between 2 a.m. and 5:30 a.m.
- (d) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.

(4) As used in this section:

- (a) "Agricultural processing" means the cleaning, sorting or packaging of fruits or vegetables.
- (b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

History: Am. 1978, Act 90, Eff. June 1, 1978 ;-- Am. 1995, Act 251, Eff. Mar. 28, 1996 ;-- Am. 1996, Act 499, Imd. Eff. Jan. 9, 1997 ;-- Am. 2000, Act 418, Imd. Eff. Jan. 8, 2001 ;-- Am. 2011, Act 197, Imd. Eff. Oct. 18, 2011

MCL 409.112 Meal and rest period.

Sec. 12. A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

MCL 409.112a Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at fixed location.

Sec. 12a. A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

IMPORTANT: Administrative Rule, R408.6207 REQUIRES A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091

YOUTH EMPLOYMENT STANDARDS ACT
Act 90 of 1978

AN ACT to provide for the legal employment and protection of minors; to provide for the issuance and revocation of work permits; to provide for the regulation of hours and conditions of employment of minors; to prescribe powers and duties of the departments of labor and education; to provide for the enforcement of this act; to prescribe penalties; and to repeal certain acts and parts of acts.

History: 1978, Act 90, Eff. June 1, 1978.

The People of the State of Michigan enact:

409.101 Short title.

Sec. 1. This act shall be known and may be cited as the "youth employment standards act".

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.102 Definitions.

Sec. 2. As used in this act:

(a) "Employ" means engage, permit, or allow to work.

(b) "Employer" means a person, firm, or corporation that employs a minor, and includes the state or a political subdivision of the state, an agency or instrumentality of the state, and an agent of an employer.

(c) "Issuing officer" means the chief administrator of a school district, intermediate school district, public school academy, or nonpublic school, or a person authorized by that chief administrator in writing to act on his or her behalf.

(d) "Minor" means a person under 18 years of age.

(e) "Rule" means a rule promulgated pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1996, Act 438, Imd. Eff. Dec. 18, 1996.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.103 Employment of minor; prohibited occupations; minimum age; exceptions and limitations.

Sec. 3. (1) A minor shall not be employed in, about, or in connection with an occupation that is hazardous or injurious to the minor's health or personal well-being or that is contrary to standards established under this act, unless a deviation is granted under section 20.

(2) The minimum age for employment of minors is 14 years, subject to the following exceptions and limitations:

(a) A minor at least 11 years of age and less than 14 years of age may be employed as a youth athletic program referee or umpire for an age bracket younger than his or her own age if an adult representing the athletic program is on the premises at which the athletic program event is occurring and a person responsible for the athletic program possesses a written acknowledgment of the minor's parent or guardian consenting to the minor's employment as a referee or umpire.

- (b) A minor 11 years of age or older may be employed as a golf caddy.
- (c) A minor 13 years of age or older may be employed in farming operations as described in section 4(3).
- (d) A minor 11 years of age or older may be employed as a bridge caddy at any event sanctioned by the American contract bridge league or other national bridge league association.
- (e) A minor 13 years of age or older may be employed to perform services which entail setting traps for formal or informal trap, skeet, and sporting clays shooting events.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1987, Act 71, Imd. Eff. June 29, 1987;—Am. 1997, Act 132, Imd. Eff. Nov. 14, 1997.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.104 Employment of minor; copy of work permit or temporary permit required; issuance and filing of work permit; duration of temporary permit; oath; return of permit; exception to work permit requirement; evidence of age; exception in subsection (3) inapplicable to other provisions.

Sec. 4. (1) Except as provided in subsection (3), a minor shall not be employed in an occupation regulated by this act until the person proposing to employ the minor procures from the minor and keeps on file at the place of employment a copy of the work permit or a temporary permit. The work permit shall be issued by the issuing officer of the school district, intermediate school district, public school academy, or nonpublic school at which the minor is enrolled, and a copy of the work permit shall be placed in the minor's permanent school file for as long as the minor is employed. A temporary permit is valid for 10 days from the date of issue. A work permit may be issued by the school district in which the minor's place of employment is located, or by the public school academy or nonpublic school nearest that place of employment. An issuing officer may administer oaths in relation to work permits.

(2) Immediately after the termination of the minor's employment, the employer shall return the permit to the issuing officer.

(3) The work permit requirement of subsection (1) does not apply to any of the following:

(a) A minor 13 years of age or older who is employed in farming operations involving detasseling, roguing, hoeing, or any similar act involved in the production of seed. This exception applies only when a minor is employed during school vacation periods or when the minor is not regularly enrolled in school. An employer shall keep on file at the place of employment evidence of the age of any minor employed under this work permit exception. Evidence of the age of the minor shall be established as provided in section 5(b).

(b) A minor who is performing work as an unpaid volunteer for an organization that is recognized as tax-exempt under, or whose purposes, structure, or activities are exclusively those that are described in, section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3).

(c) A minor who is performing work as an unpaid volunteer for a fair or exhibition operated and managed under 1929 PA 11, MCL 46.151 to 46.153, or held by an agricultural or horticultural society under 1855 PA 80, MCL 453.231 to 453.240.

(4) A work permit exception in subsection (3) does not provide an exemption from any other provision of this act.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1987, Act 71, Imd. Eff. June 29, 1987;—Am. 1996, Act 438, Imd. Eff. Dec. 18, 1996;—Am. 2010, Act 221, Imd. Eff. Dec. 9, 2010;—Am. 2011, Act 80, Imd. Eff. July 12, 2011.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.105 Work permit; application; examination, approval, and filing of papers.

Sec. 5. An issuing officer shall issue a work permit only upon application in person by the minor desiring employment and after having examined, approved, and filed the following papers:

(a) A statement of intention to employ, signed by the prospective employer or by a person authorized by the prospective employer, setting forth the general nature of the occupation in which the employer intends to employ the minor, the hours during which the minor will be employed, the wages to be paid and other information the department of education, in cooperation with the department of labor, requires.

(b) Evidence showing that the minor is of the age required by this act. Proof of age shall be established by one of the following:

(i) A certified copy of the birth record or any other proof of age showing the place and date of birth.

(ii) A certified copy of valid operator's license issued by this state clearly showing date of birth.

(iii) The school record or the school census record.

(iv) The sworn statement of the minor's parent or guardian, together with a corroborating statement of a physician.

(v) If documentary proof as described in subparagraphs (i) to (iv) is not obtainable, the issuing officer may accept other documentation as established by department of education rules.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.106 Work permit; form; color; contents; rules.

Sec. 6. (1) Work permits shall be issued in the form prescribed by the department of education in cooperation with the department of labor and in accordance with instructions so prescribed. The color of work permits for minors under 16 years of age shall be distinct from that for minors 16 years of age and over. Work permits shall state the name and address of the minor, the date of birth, the occupation and industry in which the minor is employed, the employer's name and address, and other information required by the department of education.

(2) The department of education shall promulgate rules prescribing standards for the issuance of work permits, which shall include the following factors:

(a) Evidence of age.

(b) Standards of work as established by the department of labor and federal regulation.

(c) Statutory requirements.

(3) A fee shall not be charged for a work permit or other record required by this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Administrative rules: R 340.186 et seq.; R 408.201 et seq.; R 409.1 et seq.; and R 423.401 et seq. of the Michigan Administrative Code.

409.107 Revocation of permit; factors; record of refusal, suspension, or revocation; informing minor of appeal process.

Sec. 7. (1) The issuing officer may revoke a permit based solely on the following factors:

(a) Poor school attendance, characterized by repeated erratic or unexcused absences, which results in consistent performance of school work at a level lower than that which preceded the minor's employment. The work permit shall be revoked only after the permit has been suspended. The suspension shall take place upon notice to the minor and the employer, and an opportunity to correct the deficiency is afforded. The suspension shall not exceed 30 days after date of notification.

(b) The minor's employment is in violation of federal or state law or of a regulation or rule promulgated under federal or state law, and the issuing officer is informed of the violation by the department of labor.

(2) The issuing officer shall keep a record of each refusal, suspension, or revocation and the reasons for the action. Upon revocation, the minor shall be informed of the appeal process and shall be given instructions as to the initiation of an appeal.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor

and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.108 Failure or refusal to issue work permit; appeal; procedure.

Sec. 8. The failure or refusal of the issuing officer to issue a work permit may be appealed in accordance with Act No. 306 of the Public Acts of 1969, as amended, by the minor or by the parent or guardian of the minor applying therefor, or by the person or agency to whom custody of the minor has been awarded. An appeal may be taken in the same manner from the revocation of a permit.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.109 Work permit as evidence of age.

Sec. 9. A work permit issued in accordance with this act shall be conclusive evidence of the age of the minor for whom issued in a proceeding involving the employment of the minor under this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.110 Minor under 16 years; days and hours of employment.

Sec. 10. A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.111 Minor 16 years or older; days and hours of employment; definitions.

Sec. 11. (1) Except as provided in subsection (3), 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:

- (a) Six days in 1 week.
- (b) An average of 8 hours per day in 1 week.
- (c) Ten hours in 1 day.
- (d) Subject to subdivision (e), 48 hours in 1 week.
- (e) If the minor is a student in school and school is in session, 24 hours in 1 week.

(2) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:

- (a) If the minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.
- (b) The minor is employed for not more than 11 hours in 1 day.
- (c) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.
- (d) The minor is not employed between 2 a.m. and 5:30 a.m.
- (e) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent

or guardian consenting to the period of employment authorized under this subsection.

(4) As used in this section:

(a) "Agricultural processing" means the cleaning, sorting, or packaging of fruits or vegetables.

(b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1995, Act 251, Eff. Mar. 28, 1996;—Am. 1996, Act 499, Imd. Eff. Jan. 9, 1997;—Am. 2000, Act 418, Imd. Eff. Jan. 8, 2001;—Am. 2011, Act 197, Imd. Eff. Oct. 18, 2011.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.112 Meal and rest period.

Sec. 12. A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.112a Employment of minor in occupation involving a cash transaction after sunset or 8 p.m. at fixed location; condition.

Sec. 12a. A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is the earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

History: Add. 1980, Act 436, Eff. Mar. 31, 1981.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.113 Posting copy of MCL 409.110, 409.111, and 409.112; time record.

Sec. 13. (1) Each employer shall keep posted conspicuously in or about the premises at which a minor is employed, a printed copy of sections 10, 11, and 12 as furnished by the department.

(2) Each employer shall keep in or about the premises at which a minor is employed, an adequate time record which shall state the number of hours worked by the minor each day of the week together with starting and ending times and other information the department of labor requires. The employer shall keep the record on file for not less than 1 year.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.114 Employment of minor in performance by performing arts organization; approval.

Sec. 14. This act shall not prevent a minor from being employed in a performance by any performing arts organization if a letter of approval is obtained from the department of labor by the representative of the arts organization. Approval shall be issued only if the department of labor determines that the employment is not detrimental to the health or personal well-being of the minor, that the minor is adequately supervised, and that the minor's education is not neglected.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.114a Performing in or being subject to child abusive commercial activity.

Sec. 14a. Except as provided in section 14, a minor shall not perform in or be a subject of a child abusive commercial activity as defined in section 145c of Act No. 328 of the Public Acts of 1931, being section 750.145c of the Michigan Compiled Laws.

History: Add. 1978, Act 228, Imd. Eff. June 14, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.115 Employment of minor in establishment manufacturing, distributing, or selling alcoholic beverages.

Sec. 15. (1) A work permit shall not be issued authorizing the employment of a minor 16 years of age or older in, about, or in connection with that part of an establishment where alcoholic beverages are distilled, rectified, compounded, brewed, manufactured, bottled, consumed, distributed, sold at retail, or sold for consumption on the premises unless the sale of food or other goods constitutes at least 50% of the total gross receipts.

(2) This act shall not prohibit the issuance of work permits for 14- and 15-year-olds to be employed in establishments where alcoholic beverages are sold at retail, if the sale of food or other goods constitutes at least 50% of the total gross receipts of the establishment. Minors 14 and 15 years of age shall not be employed in, or about, or in connection with that part of the establishment where alcoholic beverages are consumed or sold for consumption on the premises.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.116 Exemption; minor 16 years of age completing requirements for graduation; minor 17 years of age passing general educational development test; duty of employer.

Sec. 16. (1) This act shall not apply to or prohibit the employment of a minor 16 years of age or older who has completed the requirements for graduation from high school. An employer, before employing the minor, shall obtain and keep on file a certification from the school the minor attended certifying that the minor has completed the requirements for graduation.

(2) This act shall not apply to or prohibit the employment of a minor 17 years of age or older who has successfully passed the general educational development test. An employer, before employing the minor, shall obtain and keep on file proof of the minor's successful completion.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.117 Exemption; emancipated minor; duty of employer.

Sec. 17. This act shall not apply to nor prohibit the employment of an emancipated minor, as defined by section 4 of Act No. 293 of the Public Acts of 1968, as amended, being section 722.4 of the Michigan Compiled Laws. An employer, before employing the minor, shall obtain and keep on file proof of the minor's emancipated status.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.118 Exemption; minor 14 years of age employed under agreement or contract between employer and governing body of school district, public school academy, or nonpublic school.

Sec. 18. This act does not apply to or prohibit the employment of a student minor 14 years of age or older by an employer if a written agreement or contract is entered into between the employer and the governing body of the school district, public school academy, or nonpublic school at which the minor is enrolled. The employment shall not be in violation of a federal statute or regulation and a signed copy of the agreement shall be on file in the place of employment before the minor begins employment.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1996, Act 438, Imd. Eff. Dec. 18, 1996.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.119 Exemptions generally; hours of work.

Sec. 19. (1) This act shall not apply to or prohibit a minor from engaging in any of the following activities:

- (a) Domestic work or chores in connection with a private residence.
- (b) Soliciting, distributing, selling, or offering for sale newspapers, magazines, periodicals, political, or advertising matter.
- (c) Shoe shining.
- (d) Services performed as a member of a recognized youth oriented organization that is engaged in citizenship training and character building, if the services are not intended to replace employees in occupations for which workers are ordinarily paid.
- (e) Employment in a business owned and operated by the parent or guardian of the minor. For the purposes of this subdivision, a business is considered to be owned by the parent or guardian of the minor if the parent or guardian is either the sole owner, partner, or stockholder in the business and a business is considered to be operated by the parent or guardian of the minor if he or she devotes substantially all of his or her working hours to the operation of the business.
- (f) Farm work if the employment is not in violation of a standard established by the department of labor and economic growth. Farm work means the work activity designated in sector 11 - agriculture, forestry, fishing, and hunting, of the North American industry classification system - United States, 1997, published by the office of management and budget. Farm work includes any practices performed on a farm as an incident to or in conjunction with farming operations, including preparation for market and delivery to storage, market, or carriers for transport to market.
- (g) Employment by a school, academy, or college in which the minor is enrolled if the minor is 14 years old or older.

(h) Nonhazardous construction work or operations performed as an unpaid volunteer, if the construction work or operations are performed under adult supervision for a charitable housing organization. As used in this subdivision:

(i) "Charitable housing organization" means a nonprofit charitable organization the primary purpose of which is the construction or renovation of residential housing for low-income individuals.

(ii) "Family income" and "statewide median gross income" mean those terms as defined in section 11 of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1411.

(iii) "Low-income person" means a person with a family income of not more than 60% of the statewide median gross income.

(iv) "Nonhazardous construction work or operations" means construction work or operations that are performed at a construction site of a new or renovated single family home and do not involve the use of power tools, woodworking machinery, or hazardous substances or other activities that would constitute a great risk of serious injury. Activities that would constitute a great risk of serious injury include, but are not limited to, all of the following:

- (A) Excavation.
- (B) Highway, bridge, or street construction.
- (C) Wrecking.
- (D) Demolition.
- (E) New commercial or new multiple residential construction.

(2) If a minor is required by law to attend school, the work may only be performed outside of school hours, unless the minor is enrolled and employed under a work-related educational program.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 2003, Act 288, Imd. Eff. Jan. 8, 2004.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.120 Rules; deviations.

Sec. 20. (1) The department of labor shall promulgate rules prescribing standards not inconsistent with this act as to the working conditions, safety, health and personal well-being of minors in various types of employment.

(2) Deviations from established standards or from hours by employment shall be granted by the director of labor when it is determined to be in the best interests of the minor and the community. The procedures for applying and issuing deviations shall be prescribed by the department of labor.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Administrative rules: R 408.6202 et seq. of the Michigan Administrative Code.

409.121 Enforcement and prosecution of act; right of entry and inspection.

Sec. 21. The department of labor shall enforce this act and assist in the prosecution of this act. The department shall have the authority to enter and inspect any place where a minor may be employed and to have access to work permits, age certificates, or other proof of age and time records of the employer, and other records which may aid in the enforcement of this act.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.122 Violation as misdemeanor or felony; penalties.

Sec. 22. (1) Except as provided in subsection (2) or (3), a person who employs a minor in violation of this act, violates this act or a rule promulgated under this act, or obstructs the department of labor in the enforcement of this act is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than \$500.00, or both.

(2) A person who employs, permits, or suffers a minor in violation of section 12a is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of not more than \$2,000.00, or both. A person who commits a second offense under section 12a is guilty of a misdemeanor, punishable by imprisonment for not more than 2 years, or a fine of not more than \$5,000.00, or both. A person who commits a third or subsequent violation of section 12a is guilty of a felony, punishable by imprisonment for not more than 10 years, or a fine of not more than \$10,000.00, or both.

(3) A person who employs, permits, or suffers a minor to be employed or to work in violation of section 14a is guilty of a felony, punishable by imprisonment for not more than 20 years, or a fine of not more than \$20,000.00, or both.

History: 1978, Act 90, Eff. June 1, 1978;—Am. 1978, Act 228, Imd. Eff. June 14, 1978;—Am. 1980, Act 436, Eff. Mar. 31, 1981.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.123 Repeal of MCL 409.1 to 409.30 and 380.1597.

Sec. 23. (1) Act No. 157 of the Public Acts of 1947, as amended, being sections 409.1 to 409.30 of the Compiled Laws of 1970, is repealed.

(2) Section 1597 of Act No. 451 of the Public Acts of 1976, being section 380.1597 of the Compiled Laws is repealed.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

409.124 Effective date.

Sec. 24. This act shall take effect June 1, 1978.

History: 1978, Act 90, Eff. June 1, 1978.

Compiler's note: For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Act No. 197
Public Acts of 2011
Approved by the Governor
October 17, 2011
Filed with the Secretary of State
October 18, 2011
EFFECTIVE DATE: October 18, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Reps. Stamas, Roy Schmidt, Denby, Helse, LeBlanc, Pettalia and Wayne Schmidt

ENROLLED HOUSE BILL No. 4732

AN ACT to amend 1978 PA 90, entitled "An act to provide for the legal employment and protection of minors; to provide for the issuance and revocation of work permits; to provide for the regulation of hours and conditions of employment of minors; to prescribe powers and duties of the departments of labor and education; to provide for the enforcement of this act; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

The People of the State of Michigan enact:

Sec. 11. (1) Except as provided in subsection (3), 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:

- (a) Six days in 1 week.
- (b) An average of 8 hours per day in 1 week.
- (c) Ten hours in 1 day.
- (d) Subject to subdivision (e), 48 hours in 1 week.
- (e) If the minor is a student in school and school is in session, 24 hours in 1 week.

(2) Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

(3) A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:

- (a) If the minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.
- (b) The minor is employed for not more than 11 hours in 1 day.
- (c) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.
- (d) The minor is not employed between 2 a.m. and 5:30 a.m.

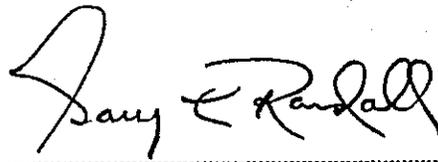
(e) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.

(4) As used in this section:

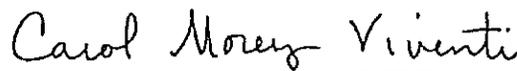
(a) "Agricultural processing" means the cleaning, sorting, or packaging of fruits or vegetables.

(b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor



RICK SNYDER
GOVERNOR

Youth Employment Standards Act 90 of 1978

(517) 335-6041

www.michigan.gov/mde

Work Activities Prohibited or Restricted by Law or Administrative Rule

http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=40806199&Dpt=&RngHigh=40900006

Work Activity	Age 14/15	Age 16/17	MCL or Rule Cite
1. Alcoholic Beverages:			
Employed in Establishments Where Alcohol Sales are 50% or More of Total Sales	Prohibited	Prohibited	MCL 409.115
Employed Where Alcohol is Consumed in Establishments Where Alcohol Sales are Less than 50% of Total Sales	Prohibited	Permitted	MCL 409.115
Minors Cannot Sell, Serve, or Furnish Alcoholic Beverages; Liquor Control Commission Regulations, 1-866-893-2121	Prohibited	Prohibited	Liquor Control Commission
2. Clay Construction Products / Silica Refractory Products	Prohibited	Prohibited	R 408.6209(1)
3. Child Commercial Abusive Activities	Prohibited	Prohibited	MCL 409.114a
4. Confined Spaces	Prohibited	Permitted	R 408.6208(8)
5. Construction Operations:			
Involving Additions, Improvements, Excavation, Highway, Bridge, or Street Construction, Roofing, Wrecking, Demolition, and Ship Breaking Operations	Prohibited	Prohibited	R 408.6208(2)
Involving Cleanup (Not in Above Operations)	Prohibited	Permitted	R 408.6208 (1)
Non-Hazardous Construction Work for Charitable Housing Organization	Exempt	Exempt	MCL 409.119
6. Explosives	Prohibited	Prohibited	R 408.6208(3)
7. Extinguishment of Fires	Prohibited	Restricted	R 408.6209(11)
8. Hazardous Substances (see R 408.6204(a) for definition)	Prohibited	Prohibited	R 408.6208(5)
9. Hoisting Apparatus:			
Operation of	Prohibited	Prohibited	R 408.6208(11)(a)
Riding on	Prohibited	Prohibited	R 408.6208(11)(b)
Assisting in the Operation of	Prohibited	Prohibited	R 408.6208(11)(c)
Working Under	Prohibited	Permitted	R 408.6208(12)
10. Ladders and Scaffolding	Prohibited	Permitted	R 408.6209(10)
11. Logging and Sawmills	Prohibited	Prohibited	R 408.6209(5)
12. Mines and Quarries	Prohibited	Prohibited	R 408.6209(6)
13. Motor Vehicles	Prohibited	Prohibited	R 408.6208(13)
Outside Helpers	Prohibited	Prohibited	R 408.6208(14)
14. Ore Reduction, Casting Metals	Prohibited	Permitted	R 408.6209(7)
15. Power Driven:			
Bakery Machines	Prohibited	Prohibited	R 408.6208(9)(c)
Meat Processing Machines	Prohibited	Prohibited	R 408.6208(9)(f)
Paper Product Machines	Prohibited	Prohibited	R 408.6208(9)(d)
Metal Forming Machines	Prohibited	Prohibited	R 408.6208(9)(b)
Saws	Prohibited	Prohibited	R 408.6208(9)(e)
Woodworking Machines	Prohibited	Prohibited	R 408.6208(9)(a)
Tractors (Non-Agricultural)	Prohibited	Restricted	R 408.6208(10)(b)
Lawn Mowers and Cutters	Prohibited	Permitted	R 408.6209(8)
Earth Moving Equipment and Trenchers	Prohibited	Prohibited	R 408.6208(10)(a)
16. Radioactive Substances including Self-Luminous Compounds	Prohibited	Prohibited	R 408.6208(6)
17. Respiratory Equipment	Prohibited	Prohibited	R 408.6208(7)
18. Slaughtering, Meat Packing, and Rendering	Prohibited	Prohibited	R 408.6209(9)
19. Tanning (Animal Hides)	Prohibited	Prohibited	R 408.6209(4)
20. Welding	Prohibited	Permitted	R 408.6209(2)
Heat Treating, Brazing, and Soldering	Prohibited	Permitted	R 408.6209(3)

This document contains general information only. It does not carry the effect of law. Act 90 contains other limitations on employment of minors and all requirements must be met. Please contact the Office of Career and Technical Education for specific restrictions.

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091



RICK SNYDER
GOVERNOR

Office of Career and Technical Education
P.O. Box 30712, Lansing, MI 48909



(517) 335-6041
www.michigan.gov/mde

Youth Employment Standards Act 90 of 1978

Work Activities Prohibited or Restricted by Department Review under MCL 409.103

http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=40806199&Dpt=&RngHigh=40900006

Work Activity	Age 14/15	Age 16/17
1. Amusement Park/Recreational Establishment – No Assembly, Disassembly, or Operation of Rides; Age 16/17 may tend, i.e., Take Tickets, Board and Disembark Passengers	Prohibited	Restricted
2. Bloodborne Pathogens Exposure	Prohibited	Prohibited
3. Boats and Other Watercraft	Prohibited	Prohibited
4. Conveyors (Belt), Work On or Near	Prohibited	Restricted
5. Firearms (Loaded), Any Gauge or Caliber including Air Powered	Prohibited	Prohibited
6. Garbage Cart – Easy Tipper	Prohibited	Prohibited
7. Gator Type Utility Vehicles (Not on a Public Road)	Prohibited	Permitted
8. Go-Cart Spotters	Prohibited	Permitted
9. Golf Carts (Not on a Public Road)	Prohibited	Permitted
10. Hot Grease or Oil (Exceeding 100 degrees Fahrenheit)	Prohibited	Prohibited
11. Kansmacker, Un-jamming, Servicing, or Repairing	Prohibited	Prohibited
12. Knives: Chef, Boning, Butcher, Meat Cleaver, Filet, Skinning, and Machete	Prohibited	Prohibited
13. Laminators, Used to Form a Multiple-Ply Product	Prohibited	Prohibited
14. Lawn Care Equipment (Power-Driven) – Mowers, Edgers, Weed Eaters, Hedger Clippers, Tillers, Wheelbarrows, Thatchers, and Aerators	Prohibited	Permitted
15. Life Guard (Certified)		
Swimming Pools and Water Amusement Parks	Permitted (15 only)	Permitted
Natural Bodies of Waters, Such as Lakes and Rivers	Prohibited	Permitted
16. Pharmacies and Prescription Drug Delivery	Prohibited	Prohibited
17. Power Drills (Over 3/8" Chuck)	Prohibited	Prohibited
18. Propane (LP) Gas, Dispensing	Prohibited	Prohibited
19. Sewing Machines Used in a Manufacturing Process	Prohibited	Permitted
20. Snow Blower	Prohibited	Permitted
21. Tire Changer	Prohibited	Prohibited
22. Youth Peddling, Door-to-Door and Street Sales for Profit Making Companies including Mobile Sales Crews	Prohibited	Permitted

This document contains general information only. It does not carry the effect of law. Act 90 contains other limitations on employment of minors and all requirements must be met. Please contact the Office of Career and Technical Education for specific restrictions (517) 335-6041 OR click on website below (State Office of Administrative Hearings and Rules (SOAHR Administrative code) 400.1-409.6 Wage and Hour Division, Youth Employment Standards

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091

Revised July 26, 2013

**State of Michigan
 Combined Offer of Employment and Work Permit/Age Certificate
 CA-7 for minors 16 and 17 years of age**

Permit Number for School Use (optional)
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Employer Information:

- The employer must have a completed work permit form on file before a minor begins work.
- The employer must provide competent adult supervision at all times.
- The employer of the minor must comply with federal, state, and local laws and regulations including nondiscrimination against any applicant or employee because of race, color, religion, national origin or ancestry, age, gender, height, weight, marital status, or disability.
- The employer must return the work permit to the issuing officer upon termination of the minor's employment.

Directions: Please type or print using an ink pen. **ALL FIELDS MUST BE COMPLETED. See back of this form for summary of requirements.**

Section I: To be Completed by Minor Applicant and Parent/Guardian			
Name of Minor:		Address:	
Age:		Date of Birth Month/Day/Year:	
Last Four Digits of Social Security Number:		Contact Telephone Number for Minor:	
Name of School (present or last attended):		Address:	
City:		ZIP:	
School Status (check one): <input type="checkbox"/> in school <input type="checkbox"/> left school <input type="checkbox"/> home schooled			Last Grade Completed:
Signature of Minor: (x)		Name of Parent/Guardian (circle one):	
Parent/Guardian Telephone:			

Section II: To be Completed by the Employer - Offer of Employment				
Name of Business:		Address:		City:
ZIP:				
Earliest Starting Time a.m./p.m.:	Latest Ending Time a.m./p.m.:	Hours per Day:	Number of Days per Week:	Total Hours of Employment per Week:
Applicant's Job Title:	Hourly Wage:	Job Duties/Tasks to be Performed by Minor:	Equipment/Tools to be Used by Minor:	
Will the minor be working under an existing hours deviation granted by the Michigan Department of Education? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, attach a copy of the approved Michigan hours deviation and retain parent/guardian consent at the work site.				
Signature of Employer: (x)		Title:		Telephone:
Date:				

Section III: To be Completed by School's Issuing Officer – Must be Signed by the Issuing Officer to be Valid			
This is to certify that: (1) the minor personally appeared before me, (2) this form was properly completed, (3) listed job duties are in compliance with state and federal laws and regulations, (4) listed hours are in compliance with state and federal laws and regulations, (5) this form was signed by student and employer, and I authorize the issuance of this work permit.	Evidence of Age Confirmed by (issuing officer checks one): <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Certificate of Arrival in the U.S. <input type="checkbox"/> Driver's License <input type="checkbox"/> Hospital Record of Birth <input type="checkbox"/> School Record <input type="checkbox"/> Baptismal Certificate <input type="checkbox"/> Other (describe)		A student 16 or 17 years of age may work when SCHOOL IS IN SESSION: No more than 24 hours per week
			A student 16 or 17 years of age may work when SCHOOL IS NOT IN SESSION : No more than 48 hours per week
	Name of School District: Address: City, State, ZIP: Telephone Number:		Printed Name of Issuing Officer: Title: Signature of Issuing Officer: Issue Date:

Summary of Requirements CA-7 MICHIGAN WORK PERMIT AND AGE CERTIFICATE

Who Needs a CA-7 Work Permit? A minor who is 16 or 17 years of age and not specifically exempted from the Youth Employment Standards Act (P.A. 90 of 1978). This completed form permits a minor to be employed only by the employer and at the location listed in Section II. Employers must complete a CA-7 for minors who start employment at 16 years of age. CA-7 Work Permits are valid until a minor turns 18 or graduates, as long as the minor works for the same employer. Home schooled students must be issued a work permit from an authorized issuing officer. Additionally, 16 or 17 year olds currently not attending school who have not met the requirements of graduation, or have not obtained a GED, or have not been emancipated by court order must secure a work permit from an authorized issuing officer.

Who Issues the Work Permit? The issuing officer is the chief administrator of a school district, intermediate school district, public school academy, or nonpublic school, or a person authorized by that chief administrator, in writing, to act on his/her behalf. A work permit may be issued by the school the minor attends, the school district where the minor resides, or the district where the minor will be employed.

Employment of Minors: A person under 18 years of age shall not be employed in, about, or in connection with an occupation which is hazardous or injurious to the minor's health or personal well-being or which is contrary to standards established by state and federal acts, i.e., construction, slicers, motor vehicle operation, power-driven machinery. The **minimum age for employment is 14 years** except that a minor 11 years of age or older may be employed as a golf or bridge caddy or youth athletic program referee, and a minor 13 years of age or older may be employed in some farming occupations or as a trap-setter. Adult supervision is required.

Instructions for Completing and Issuing:

1. The Minor obtains the CA-7 from the Issuing Officer of their school district and completes Section I.
2. The Minor takes the form to the prospective Employer who completes Section II.
3. The Issuing Officer verifies the age of Minor using the best available evidence and ensures compliance with state and federal laws and regulations.
4. The Work Permit is issued by the Issuing Officer signing and dating the form in Section III.
5. The Issuing Officer makes a copy for the school file and gives the original to the Minor to return to the Employer.
6. The Minor returns the completed original form to the Employer **before** beginning work.

The failure or refusal to issue a work permit by the school may be appealed by the minor in accordance with Public Act 306 of 1969.

Employer's Responsibilities: The issuance of a work permit does not authorize employment of minors contrary to state or federal laws and regulations.

- Must have a completed work permit form **before** a minor begins work.
- Shall keep the original work permit form and any approved deviation with parental consent on file at the place of employment.
- Must provide competent adult supervision at all times.
- Must comply with federal, state, and local laws and regulations including nondiscrimination against any applicant or employee because of race, color, religion, national origin or ancestry, age, gender, height, weight, marital status, or disability.
- Records required by Public Act 90 of 1978, as amended, will be maintained and made available for inspection by an authorized representative of the department.
- Must return the work permit to the issuing officer upon termination of the minor's employment.
- Must post required work place posters at work site; posters may be downloaded at www.michigan.gov/mde .

Issuing Officer's Responsibilities: A copy of the CA-7 and any deviation forms shall be filed in the minor's permanent school file. Work permits shall not be issued if the work is hazardous, information is incomplete, or if the minor's employment is in violation of state or federal laws and regulations.

Hours of Work: Minors 16 years of age and older may work:

1. 6 days in 1 week.
2. A weekly average of 8 hours per day (**effective October 18, 2011/Act No. 197 of 2011 – HB 4732**).
3. 10 hours in one day.
4. When school is in session, up to 24 hours per week (**effective October 18, 2011/Act No. 197 of 2011 – HB 4732**).
5. When school is not in session, up to 48 hours per week (**effective October 18, 2011/Act No. 197 of 2011 – HB 4732**).
6. Not more than 5 hours continuously without a 30 minute uninterrupted meal or rest period.
7. Between 6:00 a.m. and 10:30 p.m.
8. Until 11:30 p.m. Friday and Saturday, and when not regularly attending school, i.e., summer vacation.

Michigan Youth Employment Standards Act (P.A. 90 of 1978): For information about the law, rules, and regulations contact the Michigan Department of Education, Office of Career and Technical Education, PO Box 30712, Lansing, MI, 48909, phone 517/335-6041, www.michigan.gov/mde and click on 'Offices', then click 'Career & Technical', and then select 'Youth Employment'.

Hours Deviations: At any time an employer may apply for a General Hours or an Individual Hours Deviation. For information about deviations, contact the Michigan Department of Education, Office of Career and Technical Education, PO Box 30712, Lansing, MI, 48909, phone 517/335-6041.

Revocation of Permit: A permit may be revoked by the school issuing officer if: (1) poor school attendance results in a level of school work lower than that prior to beginning employment or (2) the Michigan Department of Education/U.S. Department of Labor informs the school of an employer's violations of state or federal laws or regulations. Any minor who has a permit revoked shall be informed of the appeal process by the school.

Federal Fair Labor Standards Act: For information about federal child labor provisions contact the U.S. Department of Labor, Wage and Hour Division, at 1-866-4USWAGE or www.youthrules.dol.gov.

THIS DEVIATION IS NOT VALID WITHOUT ORIGINAL FRONT AND BACK YELLOW WORK PERMIT

**INDIVIDUAL APPLICATION FOR HOURS DEVIATION
FOR 16 AND 17 YEAR OLD MINORS**

Michigan Department of Education
Office of Career and
Technical Education

Mailing Address:

P.O. Box 30712
Lansing, MI 48909
Telephone#: (517) 335-6041
Facsimile#: (517) 373-8776
www.michigan.gov/mde

FOR OFFICE USE ONLY

Approval Date:

Expiration Date: *Minor's 18th birth date
and/or graduate*

Authority: Act 90, Public
Acts of 1978 as amended

MDE is an equal opportunity employer/program. Auxiliary aids, services, and other reasonable accommodations are available, upon request, to individuals with disabilities. Call (517) 335-6041 to make your needs known to this agency.

EMPLOYER INFORMATION

IMPORTANT: Deviation of hours cannot be granted unless this form is completed and returned for review and approval. If approved by the Department, the deviation is valid for the purpose indicated. ***An adult supervisor must be present during the period of time during which the minor works.***

Business Name: _____ Telephone Number: _____
Corporate Name: _____ Federal Tax ID# _____
Corporate Mailing Address: _____
City: _____ State: _____ ZIP: _____

MINOR DUTIES/RESPONSIBILITIES TO BE PERFORMED:

Location where minor will work the deviated hours if approved by the Department:

Address: _____
City: _____ State: _____ ZIP: _____ County: _____

- **During the period the employee attends school, the business listed above requests approval to employ the named employee before the hour of 6:00 a.m. or after the hour of 10:30 p.m. as follows:**
Sunday through Thursday: _____ Friday & Saturday: _____
- **The business requests approval to employ the named employee, not attending school, during the following hours before 6:00 a.m. or after 11:00 p.m.:**

EMPLOYEE INFORMATION

Minor's Name (Please Print) _____ Last Four Digits of Social Security Number _____ Date of Birth _____

PLEASE COMPLETE OTHER SIDE

STATEMENT OF SCHOOL ATTENDANCE

NOTE: This section must be signed and dated by school's representative and minor's original front and back work permit must attached to this form.

The named minor attends school _____ hours per week.

Name and Address of School Attended by Minor

Signature of School Representative

Date

PARENTAL/LEGAL GUARDIAN PERMISSION STATEMENT

I give my permission for _____ to work the deviated hours indicated on this application (***not to exceed 24 work hours in one (1) week when minor is in school and school is in session or 48 work hours when school is not in session***).

Signature of Parent OR Legal Guardian (**Check appropriate Box**)

Date

Print or Type Name of Parent or Legal Guardian

Home Telephone Number

Work Telephone Number

Signature of Employer or Representative

Title

Print Name of Employer or Representative

Date Application Signed

By signing this form the employer certifies that all statements in this application are true and that:

1. Records will be maintained on the premises where the minor is employed, certifying that **work hours do not exceed 24 in one (1) week if minor is a student in school and school is in session OR 48 work hours when school is not in session** (effective October 18, 2011)
2. The employment of all minors at this establishment will comply with the provision of Act 90.
3. Records required by Act 90 will be maintained and made available for inspection by an authorized representative of the department.

Any minor employed under the provisions of this deviation shall not be employed:

1. More than six (6) days in one (1) week.
2. An average of 8 hours per day in one (1) week.
3. Ten (10) hours in one (1) day.
4. Subject to subdivision (e), 48 work hours in one (1) week when school is **not** in session.
5. 24 work hours in one (1) week, **if minor is a student in school and school is in session** (effective October 18, 2011).
6. Not more than 5 hours continuously without a full and documented 30 minute meal or rest break.
4. In violation of any of the Department's standard.

A Parent or Guardian may deny or revoke approval for the minor to work the deviated hours requested.

The Director or their representative of the Department of Education may **deny or revoke** a deviation when the employer is in violation of any standard of the Department, or **modify** a deviation to comply with a related state or federal standard.

An employer may request a hearing to review a modification or denial by submitting written notice to the department. Upon receipt of the written appeal, a hearing will be scheduled before an administrative law judge, providing the employer an opportunity to justify the deviation.

THIS APPROVAL DOES NOT APPLY IF FEDERAL LAW OR A MUNICIPAL ORDINANCE ESTABLISHES A MORE RESTRICTIVE HOURS STANDARD.

**Michigan Department of Education
Office of Career and Technical Education
John A. Hannah Building
608 West Allegan Street/UP Level
P.O. Box 30712, Lansing, Michigan 48909**

www.michigan.gov/mde

Before submitting an Application for Individual Hours Deviation, please read these instructions carefully! If the application is not completed as indicated, it will be returned not processed.

Must submit front and back original CA-7 along with Application Individual Deviation

COMPLETE THIS APPLICATION IF:

1. Records will be maintained on the premises at the fixed location/work site where the minor is employed certifying that work hours do not exceed 24 work hours in 1 week, if the minor is a student and school is in session (*effective October 18, 2011*), AND
2. A valid work permit issued by a public, charter or private school is obtained, AND
3. All minors at this establishment will be employed in compliance with the provisions of the Youth Employment Standards Act 90 of 1978, as amended, AND
4. Pay and time records will be maintained and made available for inspection by an authorized representative of the Department, AND
5. No minor will be employed for more than six (6) days in one (1) week,
6. No minor will work longer than an average of eight (8) hours per day (*i.e., total hours worked divided by/ number of allowable days - effective October 18, 2011*)
7. No minor will work more than five (5) continuous hours without receiving a documented and uninterrupted interval of, at least, 30 continuous minute meal and/or rest period AND
8. Adult supervision is provided at all times.

COMPLETE THIS APPLICATION BY:

1. Entering the business name and telephone number, AND
2. Entering the corporate name and Federal Tax Identification number, AND
3. Entering the business mailing address, AND
4. Entering the address where the minor will be working the deviated hours, AND
5. Entering **DETAILED** description of duties to be performed by minor, AND
6. Entering the deviated hours requested for the minor, AND
7. Entering the signature of the employer or representative, their title, AND
8. Entering the name of the employer or representative and date application signed, AND
9. Entering the minor's first and last name, date of birth, last four digits of social security number, AND
10. Statement of School Attendance: **The school must complete this section including name and address of school attended by the minor and date and signature of the school representative and provide the CA-7 yellow front and back work permit with the deviation application, AND**
11. Parent/Legal Guardian Permission Statement: **ONLY THE PARENT/LEGAL GUARDIAN MAY COMPLETE THIS SECTION (signature, date, print name and home and work telephone# required).**

**State of Michigan
 Combined Offer of Employment and Work Permit/Age Certificate
 CA-6 for minors UNDER 16 years of age**

Permit Number for School Use (optional)
--

Employer Information:

- The employer must have a completed work permit form on file before a minor begins work.
- The employer must provide competent adult supervision at all times.
- The employer of the minor must comply with federal, state, and local laws and regulations including nondiscrimination against any applicant or employee because of race, color, religion, national origin or ancestry, age, gender, height, weight, marital status, or disability.
- The employer must return the work permit to the issuing officer upon termination of the minor's employment.

Directions: Please type or print using an ink pen. **See back of this form for summary of requirements.**

Section I: To be Completed by Minor Applicant and Parent/Guardian					
Name of Minor:		Address:		City:	ZIP:
Age:	Date of Birth Month/Day/Year:	Last Four Digits of Social Security Number:		Contact Telephone Number for Minor:	
Name of School (present or last attended):		Address:		City:	ZIP:
School Status (check one): <input type="checkbox"/> in school <input type="checkbox"/> home schooled				Last Grade Completed:	
Signature of Minor: (x)		Name of Parent/Guardian (circle one):		Parent/Guardian Telephone:	

Section II: To be Completed by the Employer - Offer of Employment					
Name of Business:		Address:		City:	ZIP:
Earliest Starting Time a.m./p.m.:	Latest Ending Time a.m./p.m.:	Hours per Day:	Number of Days per Week:	Total Hours of Employment per Week:	
Applicant's Job Title:	Hourly Wage:	Job Duties/Tasks to be Performed by Minor:		Equipment/Tools to be Used by Minor:	
Signature of Employer: (x)		Title:		Telephone:	Date:

Section III: To be Completed by School's Issuing Officer – Must be Signed by the Issuing Officer to be Valid			
This is to certify that: (1) the minor personally appeared before me, (2) this form was properly completed, (3) listed job duties are in compliance with state and federal laws and regulations, (4) listed hours are in compliance with state and federal laws and regulations, (5) this form was signed by student and employer, and I authorize the issuance of this work permit.	Evidence of Age Confirmed by (issuing officer checks one): <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Certificate of Arrival in the U.S. <input type="checkbox"/> Driver's License <input type="checkbox"/> Hospital Record of Birth <input type="checkbox"/> School Record <input type="checkbox"/> Baptismal Certificate <input type="checkbox"/> Other (describe)		Number of Hours in School per Week, when School is in Session:
			Number of Hours able to Work while Attending School:
Name of School District:	Printed Name of Issuing Officer:		Title:
Address:	Signature of Issuing Officer: (x)		Issue Date:
City, State, ZIP:			
Telephone Number:			

Summary of Requirements CA-6 MICHIGAN WORK PERMIT AND AGE CERTIFICATE

Who Needs a CA-6 Work Permit? A minor who is 14 to 15 years of age and not specifically exempted from the Youth Employment Standards Act (P.A. 90 of 1978) and minors 11-13 employed in certain occupations. This completed form permits a minor to be employed only by the employer and at the location listed in Section II. CA-6 Work Permits are valid until a minor turns 18 or graduates as long as the minor works for the same employer. Home schooled students must be issued a work permit from an authorized issuing officer.

Who Issues the Work Permit? The issuing officer is the chief administrator of a school district, intermediate school district, public school academy, or nonpublic school, or a person authorized by that chief administrator, in writing, to act on his/her behalf. The work permit may be issued by the school the minor attends or the school district where the minor resides or will be employed.

Employment of Minors: A person under 18 years of age shall not be employed in, about, or in connection with an occupation which is hazardous or injurious to the minor's health or personal well-being or which is contrary to standards established by state and federal acts, i.e., construction, slicers, motor vehicle operation, power-driven machinery. The minimum age for employment is 14 years except that a minor 11 years of age or older may be employed as a golf or bridge caddy or youth athletic program referee, and a minor 13 years of age or older may be employed in some farming occupations or as a trap-setter. Adult supervision is required.

Instructions for Completing and Issuing:

1. The Minor obtains the CA-6 from the Issuing Officer of their school district and completes Section I.
2. The Minor takes the form to the prospective Employer who completes Section II.
3. The Issuing Officer verifies the age of minor using the best available evidence and ensures compliance with state and federal laws and regulations.
4. The Work Permit is issued by the Issuing Officer signing and dating the form in Section III.
5. The Issuing Officer makes a copy for the school file and gives the original to the Minor to return to the Employer.
6. The Minor returns the completed original form to the Employer **before** beginning work.

The failure or refusal to issue a work permit by the school may be appealed by the minor in accordance with Public Act. 306 of 1969.

Employer's Responsibilities:

- Must have a completed work permit form **before** a minor begins work.
- Shall keep the original work permit form at the place of employment.
- Must provide competent adult supervision at all times.
- Must comply with federal, state, and local laws and regulations including nondiscrimination against any applicant or employee because of race, color, religion, national origin or ancestry, age, gender, height, weight, marital status, or disability.
- Records required by Public Act 90 of 1978, as amended, will be maintained and made available for inspection by an authorized representative of the department.
- Must return the work permit to the issuing officer upon termination of the minor's employment.
- Must post required work place posters at work site; posters may be downloaded at www.michigan.gov/mde .

Issuing Officer's Responsibilities: A copy of the CA-6 shall be filed in the minor's permanent school file. Work permits shall not be issued if the work is hazardous, information is incomplete, or if the minor's employment is in violation of state or federal laws and regulations.

Hours of Work Covered by Federal Law (business gross annual sales exceed \$500,000 or interstate commerce):

Minors 14 and 15 years of age may work:

1. 3 hours a day while school is in session; 8 hours a day on non-school days.
2. 40 hours in a non-school week; 18 hours in a school week.
3. Not before 7:00 a.m., only after school and only until 7:00 p.m., while school is in session.
4. From 7:00 a.m. until 9:00 p.m. during school summer vacation (June 1 - Labor Day).

Hours of Work Covered by State Law: Minors under 16 years of age may work:

1. 6 days in 1 week.
2. A weekly average of 8 hours per day.
3. 10 hours in one day.
4. 48 hours in 1 week, school and work combined.
5. Not more than 5 hours continuously without a 30 minute uninterrupted meal or rest period.
6. Between 7:00 a.m. and 9:00 p.m., but not during school hours.

Michigan Youth Employment Standards Act (P.A. 90 of 1978): For information about the law, rules, and regulations contact the Office of Career and Technical Education, PO Box 30712, Lansing, MI, 48909, phone 517/335-6041 or www.michigan.gov/mde and click "Offices", then click "Career & Technical" and select "Youth Employment."

Federal Fair Labor Standards Act: For information about federal child labor provisions, contact the U.S. Department of Labor, Wage and Hour Division, at 1-866-4USWAGE or www.youthrules.dol.gov.

Revocation of Permit: A permit may be revoked by the school issuing officer if: (1) poor school attendance results in a level of school work lower than that prior to beginning employment or (2) the Michigan Department of Education/U. S. Department of Labor informs the school of an employer's violations of state or federal laws or regulations. Any minor who has a permit revoked shall be informed of the appeal process by the school.



RICK SNYDER
GOVERNOR

Informational Sheet
Youth Employment Standards Act 90 of 1978, as amended
TEENAGER'S EMPLOYMENT IN MICHIGAN

(517) 335-6041
www.michigan.gov/mde

(It does not include all the provisions of Public Act 90 of 1978; Public Act 390 of 1978 and Public Act 154 of 1964)

AGE OF EMPLOYMENT

- Minimum age of employment for most jobs is 14 years of age
- A youth 11 years of age or older may be employed as a golf caddy, bridge "caddy", or sports referee under certain conditions
- A youth 13 years of age or older may be employed in trap setting or farming operations involving corn detasseling, hoeing, or similar work involved in the production of seed

WORK PERMITS

- Teenagers must have a work permit **before** starting work, **unless exempt** from the Youth Employment Standards Act
- The teenager and parent/legal guardian completes "Section I" portion of the work permit and then teenager takes the work permit to employer to complete "Section II" – the intent to employ portion of the work permit; and then the teenager returns with the work permit to the school and must get the school's approval and finally return the work permit to the employer **before** starting work.

EXEMPTIONS: - The work permit, hours and hazardous work regulations do not apply to:

1. A 16/17 year old minor who has passed the G.E.D. test*
2. A 17 year old minor who has passed the G.E.D. test*
3. An emancipated minor (i.e., married)*
4. Employment under a contract between the employer and school board (i.e., a co-op student)*
5. Employment in a business owned and operated by the parent
6. Work on a farm planting, cultivating, or harvesting crops or tending livestock

Documentation of exemption must be on file at place of minor's employment worksite

HOURS AND BREAKS

- Work cannot exceed 6 days in a week – 10 hours in 1 day – an average of 8 hours a day for the week
- Work cannot exceed 48 hours if the minor is not attending school
- Workers under 18 may not work more than five (5) continuous hours without a documented and uninterrupted 30 minute break
- 14 and 15 year old minors can work between 7:00 a.m. and 9:00 p.m. outside of school hours (Federal law is more restrictive and may apply to some businesses (www.dol.gov)
- 16 and 17 year old minors can work between 6:00 a.m. and 10:30 p.m. Sunday through Thursday and 6:00 a.m. and 11:30 p.m. on Friday and Saturday **during** the school year
- 16 and 17 year old minors can work between 6:00 a.m. and 11:30 p.m. **during** school vacation periods and when the minor is not regularly enrolled in school (Christmas break, Spring break, Summer break)
- **16 and 17 year old student in school and school is in session may work up to 24 hours in 1 week (effective October 18, 2011)**
- Special hours apply to agricultural processing, corn detasseling, hoeing, or similar work involved in the production of seed

HAZARDOUS OCCUPATIONS

TEENAGERS CANNOT BE EMPLOYED IN:

- Vehicle drivers (i.e., pizza delivery) and work as an outside helper on a vehicle
- Construction site work involving construction, excavation, street, highway, or bridge construction or demolition (16 and 17 year olds may do construction work under special approved conditions – general clean up only on an inactive site/project)
- Occupations using lead paint, lead solder, varnish, or hazardous cleaners and solvents
- Slaughtering, butchering, and meat cutting
- Operation of elevators, hoisting equipment, and power industrial trucks
- Occupations using power driven equipment, tools, and machinery (i.e., power saws)
- Occupations involving the use of power operated food-processing machines (i.e., mixers, meat slicers)
- Occupations involving the use of chef, boning, butcher, meat cleaver, filet, skinning, or machete knives

MINORS 14 YEARS AND 15 YEARS OF AGE

- May not work in occupations involving brazing, welding, soldering, heat-treating, ore reduction, and casting metals
- Cannot operate power driven lawnmowers
- Cannot use ladders, scaffolding, or their substitutes
- Cannot work in the part of the business where alcohol is consumed (*Info Liquor Control Commission Regulations 517-322-1400*)

MINORS 14 YEARS TO 17 YEARS OF AGE

- Cannot sell, serve or furnish alcoholic beverages (*Information on Liquor Control Commission Regulations 517-322-1400*)
- May be employed where alcoholic beverages are sold/consumed **if** food sale or other goods is at least 50% of total gross receipts

MINORS MUST BE SUPERVISED – at all times – BY AN INDIVIDUAL – at least – 18 YEARS OF AGE

EMPLOYER'S RECORD KEEPING REQUIREMENTS

- Employee name, address, date of birth – occupation/classification – rate of pay
- Total hours worked and total wages paid each pay period
- Total daily hours worked showing starting/ending times each day computer to nearest tenth of an hour (6 minutes) or smaller unit
- Separate itemization of deductions made each pay period
- Itemization of fringe benefits (1 listing for 10 or more employees)
- Furnish each employee at the time of payment of wages a statement indicating the following:
 1. Hours worked by the employee
 2. Gross wages paid
 3. Identification of the pay period for which payment is being made
 4. Itemization of deductions
 5. Hand harvester paid on a piece work basis – total number of units harvested by the employee

FOR TIPPED EMPLOYEES

- Signed and dated tip statement received each pay period AND Itemization of credits taken for tips each pay period

WHEN EMPLOYING MINORS

- Work permit/work agreement/co-op agreement/training agreement with school
- G.E.D. or High School diploma
- Approved deviation and parent/legal guardian permission to work deviated hours or a restricted occupation
- Records as required by Wage & Hour Division – beginning and ending times of 30 minute or more uninterrupted meal and/or rest period

Required Michigan Minimum Wage Law Poster is REQUIRED to be posted at the worksite

PAYMENT OF WAGES

- Wages must be paid on a regular basis – weekly – bi-weekly – bi-monthly - monthly
- Separation of employment pay must be paid on the next regular payday following the separation date
- Deductions – other than those required by law (income tax, social security, garnishments, judgments) - require a voluntary signed and dated written authorization from the employee
- Fringe benefits – holiday – sick – vacation – earned pursuant to a written policy, contract, and/or agreement must be paid in accordance to the terms of the written policy, contract, and/or agreement

For more information or to file an Employment Wage Complaint - contact (517) 322-1825
Wage and Hour Division P. O. Box 30476 Lansing, Michigan 48909-7976

MINIMUM WAGE

Michigan Minimum Wage Law:

- Covers employers who employ two (2) or more persons 16 years of age or older
- Allow 16 and 17 year old minors to be paid 85% of the minimum hourly wage rate
- Requires a minimum hourly wage rate for individuals 18 years of age or older

Effective Date	Minimum Hourly Wage Rate	85% of Minimum Hourly Wage Rate
July 1, 2007	\$7.15	\$6.08
July 1, 2008	\$7.40	\$6.55*
July 24, 2009	\$7.40	\$7.25*

**The state 85% rate of \$6.29 is valid between July 1, 2008 and July 23, 2008; effective July 24, 2008, the Federal minimum wage rate will increase to \$6.55 and to \$7.25 on July 24, 2009. Under Section 14 of Public Act 154 of 1964, as amended, being MCL 408.394(1) the Act states: "Sec. 14. (1) This act does not apply to an employer who is subject to the minimum wage provisions of the Fair Labor Standards Act of 1938, 29 USC 201 to 219, unless those Federal minimum wage provisions result in a lower minimum hourly wage rate than provided in this act."*

- Provides an hourly training wage of \$4.25 to newly hired employees age 16 through 19 for the first 90 days of employment.
- Provides a minimum hourly rate of \$2.65 to tipped employees **if** the combined total of tips received, as reported on a signed **and** dated tip statement, **and** hourly wages paid are equal to or greater than the applicable minimum hourly wage rate
- Provides an overtime rate for employees of 1 ½ times the regular hourly rate of pay

For more information or to file an Employment Wage Complaint - contact (517) 322-1825

NOTE: *Minors under 16 years of age may be required to be paid the Federal minimum wage rate (visit: www.dol.gov)*

IMPORTANT: Administrative Rule, R408.6207 REQUIRES A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091 (1/2012)



Office of Career and Technical Education
P.O. Box 30712, Lansing, MI 48909



RICK SNYDER
GOVERNOR

**Informational Sheet for State and Federal Regulations
EMPLOYERS EMPLOYING TEENAGERS SUBJECT TO COVERAGE OF
YOUTH EMPLOYMENT STANDARDS ACT 90 of 1978 and FAIR LABOR STANDARDS ACT of 1938**
(General information only. This does not carry the effect of the Law)

(517) 335-6041
www.michigan.gov/mde

14 and 15 STATE Work Hour Requirements	14 - 15 FEDERAL Work Hour Requirements	STRICTER STANDARDS
<p>May be employed between the hours of 7 a.m. and 9 p.m.</p> <p>Shall <u>not work or be employed</u> during school hours.</p> <p>Limited to working <u>no more than</u> 10 hours in a day <u>with a weekly average</u> of 8 hours per day (<u>divide total worked hours x 6 - is total number of allowable days</u>).</p> <p>Combined school and work hours <u>cannot</u> exceed 48 hours in a work week when school is in session.</p> <p>Shall <u>not</u> work more than 48 hours in a week when school is not in session, during <u>non-school</u> weeks (Christmas break, Summer break, Spring break) – 7 consecutive days</p> <p>Shall not work More than 10 hours in 1 day More than a weekly average of 8 hours per day (<u>divide total worked hours x 6 allowable days</u>) More than 48 hours combined school and work weekly More than 6 days in one (1) week</p>	<p>May work between the hours of 7 a.m. and 7 p.m. <u>between</u> Labor Day and June 1.</p> <p>Shall <u>not be employed</u> more than 3 hours (after school) on a school day.</p> <p>Shall <u>not be employed</u> more than 8 hours on a <u>non-school</u> day or when school is not in session.</p> <p>May work between the hours of 7 a.m. and 9 p.m. <u>between</u> June 1 and Labor Day.</p> <p>Shall <u>not be employed more than</u> 18 hours in a school week while school is in session.</p> <p>Shall <u>not be employed</u> more than 40 hours in a <u>non-school</u> week.</p>	<p>Federal Standards</p> <p>Non-school days such as holidays, snow days, conference days, or any other day recognized by the school on which the minor is not required to attend classes shall not be counted as school hours for the 48 hours combined in a workweek requirement</p> <p>Federal Standards stricter <u>unless</u> Work Permit shows more than 30 hours in school. Combined school and work week may not exceed 48 hours <u>under State Standard.</u></p>
<p>16 and 17 STATE Work Hour Requirements</p> <p>May be employed between the hours of 6:00 a.m. and 10:30 p.m. Sundays through Thursdays</p> <p>6:00 a.m. and 11:30 p.m. Fridays and Saturdays School vacation period Periods minor is not regularly enrolled in school</p> <p>May be limited to work no more than Six days in 1 week An average of 8 hours per day in 1 week Ten hours in 1 day Subject to subdivision (e), 48 hours in 1 week 24 hours in 1 week, if student and school in session</p>	<p>NO 16-17 FEDERAL Work Hour Requirements</p> <p>No Federal hour restrictions</p> <p>No Federal work week restrictions</p>	<p>STRICTER STANDARD</p> <p>State Standards</p> <p>State Standards</p> <p>16 and 17 year old minors may work until 11:30 p.m. if they no longer attend school or have "dropped out" of school or on a school vacation period of at least 7 consecutive calendar days</p>
<p>14-17 STATE Meal/Rest Period Requirements</p> <p>A minor <u>shall not be</u> employed for more than 5 hours continuously without a documented (recorded in time records) and uninterrupted interval of at least 30 consecutive minutes or more meal and/or rest period</p>	<p>NO 14-17 FEDERAL REQUIREMENTS</p> <p>No Federal meal and/or rest period requirement</p>	<p>STRICTER STANDARD</p> <p>State Standards</p>

14-17 STATE Adult Supervision Requirements	NO 14-17 FEDERAL REQUIREMENTS	STRICTER STANDARDS					
<p>A minor shall not be employed unless the employer or an employee who is 18 years of age or older is present, at all times. The same requirement exists for the employment of a minor, at a fixed site, in an occupation that involves cash transactions after sunset or 8 p.m., whichever is earlier.</p>	<p>No Federal requirements for adult supervision</p>	<p>State Standards</p>					
<p>14-17 STATE Work Permit Requirements</p> <p>A minor shall not be employed until the person proposing to employ the minor procures from the minor and keeps on file at the fixed location at the place of employment a copy of</p> <ul style="list-style-type: none"> A work permit or written co-op/training agreement between employer and school minor attends, OR Proof of emancipation, OR Proof of completion of graduation for 16/17 minors, OR Proof of passing the G.E.D. for 16/17 minors, OR Approved Application for Performing Arts Authorization 	<p>NO 14-17 FEDERAL REQUIREMENTS</p> <p>Proof of age required No Federal Work Permit requirements</p>	<p>STRICTER STANDARDS</p>					
<p>Michigan Minimum Wage Rate does not apply to minors less than 16 years of age.</p> <p>Michigan Minimum Wage allows \$4.25 per hour training wage for newly hired 16 to 19 age employees for the first 90 days of employment.</p> <p>Michigan Minimum Wage allows 16 to 17 years of age to be paid 85% of the minimum hourly wage rate unless the Federal minimum rate is greater than Michigan's 85% rate then the Federal rate is required to be paid.</p> <p>Michigan's Minimum Wage Rate:</p> <table border="1" data-bbox="1133 1392 1182 2053"> <tr> <td>Effective July 24, 2009</td> <td>\$7.40</td> <td>\$7.25* (85%)</td> </tr> </table>	Effective July 24, 2009	\$7.40	\$7.25* (85%)	<p>Federal minimum hourly wage rate is \$7.25 as of July 24, 2009.</p> <p>Federal allows \$4.25 per hour training wage for newly hired employees under 20 years of age for the first 90 consecutive calendar days of employment.</p> <p>Federal Minimum Wage Rate:</p> <table border="1" data-bbox="1133 699 1182 1377"> <tr> <td>Effective July 24, 2009</td> <td>\$7.25</td> </tr> </table>	Effective July 24, 2009	\$7.25	<p>State Standards</p> <p>Federal Standards</p> <p>Federal Standards</p> <p>*Federal Standard for minors paid less than Michigan's minimum rate.</p> <p>State standard for minors paid Michigan's minimum rate.</p>
Effective July 24, 2009	\$7.40	\$7.25* (85%)					
Effective July 24, 2009	\$7.25						

The Federal Fair Labor Standards Act (FLSA), in general, covers businesses that gross over \$500,000.00 annually OR individuals who are involved in interstate commerce.

The State of Michigan has sole jurisdiction over employers who employ in Michigan at any one (1) time in a calendar year, 2 or more individuals, at least 16 years of age or older (work must be performed at fixed site).

If employer **is not** covered by the Fair Labor Standards Act (FLSA), then Michigan has sole jurisdiction and employer must follow Michigan's Minimum Wage Law Act 154 of 1964.

If employer is dually covered, the Fair Labor Standards Act (FLSA) and State of Michigan, Minimum Wage and Overtime Public Act 154 of 1978, **only the stricter state standards apply**. **Contact Wage & Hour regarding the Payment of Wages and Fringe Benefits, Minimum Wage and Overtime (517) 322-1825**

It is the policy of the Michigan Department of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, height, weight, marital status, or disability shall be subjected to discrimination in any program, service, or activity for which it is responsible, or for which it receives financial assistance from the U. S. Department of Education. For further information, contact the Civil Rights Coordinator, Office of Career and Technical Education, P.O. Box 30712, Lansing, MI 48909. (517) 241-2091