

Act No. 438  
Public Acts of 1996  
Approved by the Governor  
December 17, 1996  
Filed with the Secretary of State  
December 18, 1996

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1996**

**Introduced by Reps. Green, Horton, Kukuk, Oxender, McBryde, Goschka, Geiger, Walberg, Voorhees,  
Lowe, Whyman and Galloway**

# **ENROLLED HOUSE BILL No. 5789**

AN ACT to amend sections 2, 4, and 18 of Act No. 90 of the Public Acts of 1978, 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," section 4 as amended by Act No. 71 of the Public Acts of 1987, being sections 409.102, 409.104, and 409.118 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Sections 2, 4, and 18 of Act No. 90 of the Public Acts of 1978, section 4 as amended by Act No. 71 of the Public Acts of 1987, being sections 409.102, 409.104, and 409.118 of the Michigan Compiled Laws, are amended to read as follows:

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.

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 shall be 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 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. The work permit exception provided in this subsection does not provide an exemption from any other provision of this act. 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).

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.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.