



HOUSE BILL No. 5789

April 23, 1996, Introduced by Reps. Green, Horton, Kukuk, Oxender, McBryde, Goschka, Geiger, Walberg, Voorhees, Lowe, Whyman and Galloway and referred to the Committee on Human Resources and Labor.

A bill to amend sections 2, 4, and 18 of Act No. 90 of the Public Acts of 1978, entitled "Youth employment standards act," 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:

1 Section 1. Sections 2, 4, and 118 of Act No. 90 of the
2 Public Acts of 1978, section 4 as amended by Act No. 71 of the
3 Public Acts of 1987, being sections 409.102, 409.104, and 409.118
4 of the Michigan Compiled Laws, are amended to read as follows:

5 Sec. 2. As used in this act:

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

7 (b) "Employer" means a person, firm, or corporation ~~which~~
8 THAT employs a minor, and includes the state or a political

1 subdivision of the state, an agency or instrumentality of the
2 state, and an agent of an employer.

3 (c) "Issuing officer" means ~~a superintendent~~ THE CHIEF
4 ADMINISTRATOR of a school district, ~~or~~ intermediate school
5 district, PUBLIC SCHOOL ACADEMY, OR NONPUBLIC SCHOOL, or a person
6 ~~whom the superintendent authorizes~~ AUTHORIZED BY THAT CHIEF
7 ADMINISTRATOR in writing to act on HIS OR HER behalf. ~~of the~~
8 ~~superintendent.~~

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

10 (e) "Rule" means a rule promulgated pursuant to THE ADMINIS-
11 TRATIVE PROCEDURES ACT OF 1969, Act No. 306 of the Public Acts
12 of 1969, ~~as amended,~~ being sections 24.201 to ~~24.315~~ 24.328
13 of the Michigan Compiled Laws.

14 Sec. 4. (1) Except as provided in subsection (3), a minor
15 shall not be employed in an occupation regulated by this act
16 until the person proposing to employ the minor procures from the
17 minor and keeps on file at the place of employment a copy of the
18 work permit or a temporary permit. The work permit shall be
19 issued by the issuing officer of the school district, ~~or~~ inter-
20 mediate school district, ~~in~~ PUBLIC SCHOOL ACADEMY, OR NONPUBLIC
21 SCHOOL AT which the minor ~~resides~~ IS ENROLLED, and a copy of
22 the work permit shall be placed in the minor's permanent school
23 file for as long as the minor is employed. A temporary permit
24 shall be valid for 10 days from the date of issue. A work permit
25 may be issued by the school district in which the minor's place
26 of employment is located, OR BY THE PUBLIC SCHOOL ACADEMY OR

1 NONPUBLIC SCHOOL NEAREST THAT PLACE OF EMPLOYMENT. An issuing
2 officer may administer oaths in relation to work permits.

3 (2) Immediately after the termination of the minor's employ-
4 ment, the employer shall return the permit to the issuing
5 officer.

6 (3) The work permit requirement of subsection (1) does not
7 apply to a minor 13 years of age or older who is employed in
8 farming operations involving detasseling, roguing, hoeing, or any
9 similar act involved in the production of seed. This exception
10 applies only when a minor is employed during school vacation per-
11 iods or when the minor is not regularly enrolled in school. The
12 work permit exception provided in this subsection does not pro-
13 vide an exemption from any other provision of this act. An
14 employer shall keep on file at the place of employment evidence
15 of the age of any minor employed under this work permit
16 exception. Evidence of the age of the minor shall be established
17 as provided in section 5(b).

18 Sec. 18. This act ~~shall~~ DOES not apply to or prohibit
19 the employment of a student minor 14 years of age or older by an
20 employer if a written agreement or contract is entered into
21 between the employer and the ~~board of education~~ GOVERNING BODY
22 of the school district, ~~in~~ PUBLIC SCHOOL ACADEMY, OR NONPUBLIC
23 SCHOOL AT which the minor is enrolled. The employment shall not
24 be in violation of a federal statute or regulation and a signed
25 copy of the agreement shall be on file in the place of employment
26 before the minor begins employment.