

SENATE BILL NO. 496

August 13, 2025, Introduced by Senator ALBERT and referred to Committee on Labor.

A bill to amend 1978 PA 90, entitled
"Youth employment standards act,"
by amending the title and sections 2, 3, 4, 5, 7, 8, 10, 20, 21,
and 22 (MCL 409.102, 409.103, 409.104, 409.105, 409.107, 409.108,
409.110, 409.120, 409.121, and 409.122), the title and sections 2,
4, 5, 7, 8, 10, and 20 as amended by 2024 PA 196, section 3 as
amended by 1997 PA 132, and section 22 as amended by 1980 PA 436;
and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to provide for the legal employment and protection of
 3 minors; to provide for the issuance and revocation of work permits;
 4 ~~to provide for the registration of employers and employed minors;~~
 5 to provide for the regulation of hours and conditions of employment
 6 of minors; to prescribe the powers and duties of certain state
 7 governmental officers and entities; to provide for the promulgation
 8 of rules; to provide for the enforcement of this act; to prescribe
 9 penalties; and to repeal certain acts and parts of acts.

10 Sec. 2. As used in this act:

11 (a) "Department" means the department of labor and economic
 12 opportunity.

13 (b) "Director" means the director of the department or the
 14 director's designee.

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

16 (d) "Employer" means a person, firm, or corporation that
 17 employs a minor, and includes this state or a political subdivision
 18 of this state, an agency or instrumentality of this state, and an
 19 agent of an employer.

20 (e) "Issuing officer" means the chief administrator of a
 21 school district, intermediate school district, public school
 22 academy, or nonpublic school, or a person authorized by that chief
 23 administrator in writing to act on the chief administrator's
 24 behalf.

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

26 ~~(g) "Registration system" means the registration system~~
 27 ~~created under section 4b.~~

28 (g) ~~(h)~~ "Rule" means a rule promulgated under the
 29 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to

1 24.328.

2 Sec. 3. (1) A minor ~~shall~~**must** not be employed in, about, or
3 in connection with an occupation that is ~~hazardous~~**either of the**
4 **following:**

5 (a) **Hazardous** or injurious to the minor's health or personal
6 well-being. ~~or that is contrary~~

7 (b) **Contrary** to standards established under this act, unless a
8 deviation is granted under section 20.

9 (2) The minimum age for employment of ~~minors~~**a minor** is 14
10 years, subject to the following exceptions and limitations:

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

19 (b) A minor 11 years of age or older may be employed as a golf
20 caddy.

21 (c) A minor 13 years of age or older may be employed in
22 farming operations as described in section 4(3).

23 (d) A minor 11 years of age or older may be employed as a
24 bridge caddy at any event sanctioned by the American contract
25 bridge league or other national bridge league association.

26 (e) A minor 13 years of age or older may be employed to
27 perform services ~~which~~**that** entail setting traps for formal or
28 informal trap, skeet, and sporting clays shooting events.

29 Sec. 4. (1) Except as provided in subsection (3), ~~before the~~

~~date that is 18 months after the effective date of the amendatory~~
~~act that added section 4a,~~ a minor must 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. ~~Before the date that is 18 months after the effective date~~
~~of the amendatory act that added section 4a,~~ the **The** work permit
 must 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 must 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 ~~or the~~
~~director~~ may administer oaths in relation to work permits. ~~On or~~
~~after the date that is 18 months after the effective date of the~~
~~amendatory act that added section 4a,~~ the work permit must be
 issued by the director.

(2) Immediately after the termination of the minor's
 employment, the employer shall ~~do 1 of the following, as~~
~~applicable:~~

~~(a) If the termination occurs before the date that is 18~~
~~months after the effective date of the amendatory act that added~~
~~section 4a,~~ return the permit to the issuing officer.

~~(b) If the termination occurs on or after the date that is 18~~
~~months after the effective date of the amendatory act that added~~
~~section 4a,~~ notify the department.

1 (3) The work permit requirement of subsection (1) ~~and the~~
2 ~~requirements of section 4a do~~**does** not apply to any of the
3 following:

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

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

18 (c) A minor who is performing work as an unpaid volunteer for
19 a fair or exhibition operated and managed under 1929 PA 11, MCL
20 46.151 to 46.153, or held by an agricultural or horticultural
21 society under 1855 PA 80, MCL 453.231 to 453.240.

22 (4) An exception in subsection (3) does not provide an
23 exemption from any other provision of this act.

24 Sec. 5. An issuing officer ~~or the director, as applicable,~~
25 shall issue a work permit on an application by the minor desiring
26 employment and after the following papers have been examined,
27 approved, and filed:

28 (a) A statement of intention to employ the minor, signed by
29 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 that the department **of education, in cooperation with the department**, requires.

(b) Evidence showing that the minor is of the age required by this act. Proof of age must be established by 1 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 ~~or the director, as applicable,~~ may accept other documentation as established by ~~the department of education~~ rules. ~~promulgated under this act.~~

Sec. 7. (1) The issuing officer ~~or the director, as applicable,~~ 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 may be revoked only after the permit has been suspended. The suspension must take place ~~upon~~ **on** notice to the minor and the employer, and an opportunity to correct the deficiency is afforded. The suspension must 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 ~~or the director, as applicable,~~ is informed of the violation **by the department.**

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

Sec. 8. The failure or refusal of the issuing officer ~~or the director, as applicable,~~ to issue a work permit may be appealed in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, by the minor who applied for the permit, the parent or guardian of the minor, or 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.

Sec. 10. ~~(1)~~ A minor ~~under~~**less than** 16 years of age whose employment is subject to this act ~~may~~**must not** be employed ~~only as follows:~~**under any of the following circumstances:**

(a) ~~During a time that is outside school hours.~~**For more than 6 days in 1 week.**

(b) ~~For not more than 3~~**a period longer than a weekly average of 8** hours per day. ~~during a week when school is in session.~~

(c) ~~Between the~~**For 48** hours ~~of 7 a.m. and 9 p.m. during the period that begins on June 1 and ends on Labor Day.~~**in 1 week.**

(d) ~~Between the~~**For more than 10** hours ~~of 7 a.m. and 7 p.m. during the period that begins on the date immediately following Labor Day and ends on May 31.~~**in 1 day.**

(e) ~~For not more than 18 hours during a week when school is in~~

~~session.~~**Between the hours of 9 p.m. and 7 a.m.**

(f) For ~~not a minor who is a student in school, for~~ more than
~~40 a combined school and work week of 48~~ hours during ~~a week that~~
~~is not a week~~ **the period** when school is in session.

~~(2) As used in this section:~~

~~(a) "Outside school hours" means that term as defined in 29~~
~~CFR 570.35.~~

~~(b) "School hours" means that term as defined in 29 CFR~~
~~570.35.~~

~~(c) "Week" means that term as defined in 29 CFR 570.35.~~

~~(d) "Week when school is in session" means that term as~~
~~defined in 29 CFR 570.35.~~

Sec. 20. (1) The ~~director~~ **department** shall promulgate rules
that ~~do all of the following:~~

~~(a) Prescribe~~ **prescribe** standards that are not inconsistent
with this act regarding the working conditions, safety, health, and
personal well-being of minors in various types of employment.

~~(b) Implement this act.~~

(2) ~~Subject to subsection (3) and section 4a(5), the~~ **The**
director shall grant deviations from established standards or from
hours by employment if the director determines that it is in the
best interests of the minor and the community. The ~~director~~
department shall prescribe procedures for applying and issuing the
deviations.

(3) The director shall not grant a deviation under subsection
(2) if the deviation allows any of the following:

(a) A minor to be employed between 12 a.m. and 5 a.m.

(b) A minor to be employed in, about, or in connection with an
occupation that is hazardous or injurious to the minor's health or

1 personal well-being.

2 Sec. 21. **(1)** ~~The department of labor~~**director** shall enforce
3 this act and assist in the prosecution of this act. ~~The department~~
4 ~~shall have the authority to~~**director may** enter and inspect any
5 place where a minor may be employed and ~~to have access to~~ work
6 permits, age certificates, or other proof of age and time records
7 of the employer, and other records ~~which~~**that** may aid in the
8 enforcement of this act.

9 **(2) An employer shall not discharge, discipline, retaliate**
10 **against, or otherwise discriminate against an employee or minor who**
11 **exercises a right granted under this act on behalf of the employee**
12 **or minor or another employee or minor.**

13 Sec. 22. (1) Except as provided in subsection (2) or (3), ~~a~~
14 ~~person~~**an employer or an agent of an employer** who employs a minor
15 in **willful and knowing** violation of this act, **willfully and**
16 **knowingly** violates this act or a rule promulgated under this act,
17 or **willfully and knowingly** obstructs the ~~department of labor~~
18 **director** in the enforcement of this act is guilty of a **crime**
19 **punishable as follows:**

20 **(a) For a first violation, a misdemeanor punishable by**
21 **imprisonment for not more than 1 year, ~~or~~ a fine of not more than**
22 **~~\$500.00,~~ \$5,000.00, or both.**

23 ~~(2) A person who employs, permits, or suffers a minor in~~
24 ~~violation of section 12a is guilty of a misdemeanor punishable by~~
25 ~~imprisonment for not more than 1 year, or a fine of not more than~~
26 ~~\$2,000.00, or both. A person who commits~~

27 **(b) For a second offense under section 12a is guilty of or**
28 **subsequent violation of subdivision (a) that occurs after a**
29 **previous conviction under subdivision (a), a misdemeanor** 7

1 punishable by imprisonment for not more than ~~2 years, or 1 year~~, a
 2 fine of not more than ~~\$5,000.00, \$10,000.00~~, or both. A person who
 3 ~~commits a third or subsequent violation of section 12a is guilty of~~
 4 ~~a felony, punishable by imprisonment for not more than 10 years, or~~
 5 ~~a fine of not more than \$10,000.00, or both.~~

6 (2) ~~(3)~~ A person who employs, permits, or suffers a minor to
 7 be employed or to work in violation of section 14a is guilty of a
 8 felony, punishable by imprisonment for not more than 20 years, ~~or~~
 9 a fine of not more than \$20,000.00, or both.

10 (3) If a minor who is the subject of an offense described in
 11 subsection (1) is killed or suffers great bodily harm while
 12 performing work for the minor's employer, the employer or
 13 employer's agent is guilty of a felony punishable by imprisonment
 14 for not more than 5 years and a fine of not more than \$100,000.00.

15 (4) The imposition of a fine, penalty, or other sanction under
 16 this act does not affect any other right or remedy provided for by
 17 law.

18 Enacting section 1. Sections 4a, 4b, 4c, and 4d of the youth
 19 employment standards act, 1978 PA 90, MCL 409.104a, 409.104b,
 20 409.104c, and 409.104d, are repealed.

21 Enacting section 2. This amendatory act does not take effect
 22 unless Senate Bill No. 497 of the 103rd Legislature is enacted into
 23 law.