

WORK PERMITS IN MICHIGAN

According to the Youth Employment Standards Act, P.A. 90 of 1978, as amended (Section 409.106), work permits shall be issued in the form prescribed by the Department of Education. The work permit forms (CA-6 and CA-7) were last revised in October 2006 and should replace existing work permit forms. Michigan's Youth Employment Standards Act of 1978 requires employers to have work permits for employed minors. The permit certifies the age and compliance with labor laws prior to the minor starting work.

Who Needs a Work Permit?

Any minor who is 11 up to 18 years of age and not specifically exempted from the Youth Employment Standards Act (P.A. 90 of 1978) and who works in a paid or unpaid position, must have a work permit. 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. A minor 13 years of age or older may be employed in certain farm operations or setting traps for trap skeet or sporting clays. Additionally, a minor, at least 11 years of age, may be employed as a youth athletic performance referee.

Who Issues Work Permits?

Permits are issued by the Chief Administrator (usually Superintendent) of a school district, intermediate school district, public school academy, or non-public school in which a minor resides or in which the minor's place of employment is located. Superintendents often designate staff in their central offices or in the middle/high schools to issue work permits. This person is typically referred to as the Issuing Officer. *NOTE: That person must be authorized, in writing by the Chief Administrator, and the issuance of work permits must be part of his/her job description. The written authorization must be kept in the person's personnel file and/or personal file on site. The Department of Education and/or Labor & Economic Growth do not receive copies; the letter is to be kept locally only.*

Types of Work Permits

Form CA-6 must be printed on pink paper and is used for minors who are under 16 years of age. Form CA-7 must be printed on yellow paper and is used for minors who are 16 and 17 years of age. Instructions for completing and issuing CA-6 and CA-7 Work Permit and Age Certificate Forms are on the back of the respective forms. These instructions are a formal part of the work permit and must be printed on the back in order to be considered valid.

A completed work permit allows a minor to be employed only by the employer who completes the "offer of employment" section (Section II of the form). CA-6 and CA-7 work permits are valid until a minor turns 18 or graduates from high school as long as the minor remains continuously employed by the same employer.

Minors may obtain single copies of work permit forms from their local school issuing officer.

What is the procedure to legally employ minors with Work Permits?

The Minor obtains the CA-6 or CA-7 from the issuing officer of his or her school district and completes Section I. The Minor takes the form to the prospective Employer who completes Section II, offer of employment. *The following is a check-off of information needed from the employer:*

- Name and address of employer
- Job duties/tasks to be performed by minor (employers need to be specific)
- Equipment/Tools to be used by minor
- Applicant's job title
- Hourly wage
- Hours of employment, including start and ending times
- Employer's signature, title, date signed, and telephone number

**MICHIGAN
 WORK PERMITS:**

**CA-6 form is for
 minors under 16
 years of age**

**CA-7 form is for
 minors 16 and 17
 years of age**

**Permits are
 needed before
 work starts**

**Hours must
 comply with state
 and federal laws
 and rules**

June 2008



Issuing Officers cannot fill in blank sections or issue the work permit if any part of the form is incomplete. This information needs to be accurate because issuing officers must certify that the information provided by employers conforms to state and federal laws and regulations. The employer then gives the form to the minor and the following steps must be completed before the minor can begin work:

- Minor takes form to school district's issuing officer (minor must appear in person)
- Issuing officer verifies age of minor using best available evidence of age
- Issuing officer verifies that employers "offer of employment" complies with state and federal laws and regulations
- Issuing officer fills in "number of hours in school" section
- Issuing officer verifies the form was signed by student and employer
- Issuing officer issues work permit by completing the school's name and address, signing and dating form, and keeping a copy along with deviations and other documentation connected to the work permit on file until graduation plus 7 years
- Minor returns the completed original form to the employer
- Minor may now begin work

The process for minors who are home schooled remains the same, except, the minor must provide a signed, written statement from the parent or guardian, as instructor of record, indicating how many hours per week the student is being home schooled. The issuing officer must review the statement and issue the work permit with those hours reflected in the "number of hours in school" section. The original statement is attached to the original work permit to be given to the employer. The issuing officer keeps a copy of the statement and work permit for retention.

Employers must keep a copy of the work permit or the original CA-6 or CA-7 on file at the place of employment for as long as the minor is employed. Employers must continue to monitor student hours in school and at work, provide supervision, and monitor work activities to assure that students are working in a safe and healthy environment.

Hours Minors Allowed to Work

Employers subject to coverage by both state and federal laws must comply with the more stringent provisions of the two laws. The following are hours and times that are allowable for minors:

Under 16 years of age

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

16-17 years of age

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

1. 6 days in 1 week.
1. A weekly average of 8 hours per day.
2. 10 hours in one day.
3. 48 hours in 1 week, school and work combined.
4. Not more than 5 hours continuously without a documented 30 minute uninterrupted meal or rest period.
5. Between 6:00 a.m. and 10:30 p.m.
6. Until 11:30 p.m. Friday and Saturday, and when not regularly attending school, i.e., summer vacation.

Minors ages 16-17 may be employed when school is not in session in agricultural processing for not more than 11 hours in 1 day, 62 hours in 1 workweek, with consent from the minor and written permission from the minor's parent or guardian, and not between 2:00 a.m. and 5:30 a.m.

Deviations from starting and ending times for age 16 and 17 year old minors are permitted under Michigan's child labor laws. Contact the Wage & Hour Division of the Michigan Department of Labor & Economic Growth for more information.

Restricted Occupations for Minors

Under Michigan and Federal child labor laws, many occupational job duties are restricted to a certain age, or prohibited under age 18. Employers subject to coverage by both state and federal laws must comply with the more stringent provisions of the two laws. Minors under the age of 18 years are prohibited from working in a hazardous or injurious occupation. Hazardous work includes, but is not limited to:

- Motor Vehicle Driving (on public roads and waterways)
- Power-Driven Woodworking Machines
- Exposure to Hazardous Substances, Chemicals, Explosives or Radioactive Substances
- Power-Driven Hoisting Apparatus, including lift truck, forklift, bobcat, etc.
- Power-Driven Metal-Forming, Punching, and Shearing Machines
- Power-Driven Bakery Machines
- Power-Driven Paper-Products Machines
- Power-Driven Circular Saws, Band Saws, and Guillotine Shears
- Roofing Operations
- Excavation Operations
- Construction Work, including painting
- Logging and Sawmill Operations
- Mining Operations
- Slaughtering, Meat Packing, Rendering, and Tanning Operations

Deviations from hazardous occupations for age 16 and 17 year old minors are permitted under Michigan's child labor laws. Exemptions from hazardous orders are also allowed under federal child labor laws for students enrolled in related state approved career and technical education training or apprenticeship programs. Contact each agency directly for more information.

Adult Supervision

A minor shall not be employed unless the employer or an employee who is 18 years of age or older provides supervision. This is a requirement of both Michigan's Youth Employment Standards Act and the Health and Safety (MIOSHA) standards.

When are Work Permits not required?

Work permits are not required for minors engaged in the following types of employment:

- Private homes doing occasional odd jobs
- Sale or delivery of newspapers, if self employed
- Employed by a business owned and operated by the parent or guardian of a minor
- Minors 14 years of age or older employed by a school, academy, or college in which the minor is enrolled
- Services performed as part of a recognized youth oriented organization (e.g. 4-H, Boy Scouts, Girl Scouts)
- Farm work which involves raising of livestock or production of crops
- Minors 13 years of age or older employed as corn detasslers
- An emancipated minor*
- Minors ages 16-17 who have completed high school graduation requirements*
- 17 year old minor who has passed the GED test*
- Employment of a student minor 14 years of age or older under a contract between employer and school board*

*employer, before minor begins work, shall obtain and keep on file proof of each condition

Revocation of Work Permit

A work permit may be revoked by the school if poor school attendance results in a level of school work lower than that prior to beginning employment. A work permit shall be revoked by the school if the Wage & Hour Division of the Michigan Department of Labor & Economic Growth informs the school of an employer's violation of state or federal laws or rules.

Any minor who has a work permit revoked by the school shall be informed of an appeal process by the school.

Wages

- Michigan's Minimum Hourly Wage Rate: \$7.15 per hour effective 7/1/2007, \$7.40 per hour effective 7/1/2008.
- Youths 16-19 may be paid a training wage of \$4.25 per hour for their first 90 days of employment.
- Minors 16-17 years of age may be paid 85% of the Michigan minimum hourly wage rate, those rates are as follows; \$6.08 per hour effective 7/1/2007, and \$6.29 per hour effective 7/1/2008; after 7/24/2008, these minors must be paid at least the federal minimum wage rate of \$6.55 per hour effective 7/24/2008 and \$7.25 per hour effective 7/24/2009.
- Minors under 16 years of age may be required to be paid the federal minimum wage.

Violations

The issuance of a work permit does not authorize employment of minors contrary to state or federal laws and regulations. Anyone who employs a minor without a work permit, or who violates Michigan's Youth Employment Standards Act or a rule promulgated under the Act, or obstructs the department in the enforcement of the 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.

Anyone who employs a minor in an occupation that involves a cash transaction after sunset or 8:00 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age is present at the fixed location during those hours, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year, or a fine of \$2,000.00, or both. Second and third subsequent violations may lead to a \$10,000.00 fine and 10 years imprisonment.

Important Resources

For further information contact:

State Wage & Hour Questions

Department of Labor & Economic Growth
Wage & Hour Division
P.O. Box 30476,
Lansing, MI 48909
www.michigan.gov/wagehour
517.335.0400

Work Permit Questions:

Michigan Department of Education
Office of Career and Technical Education
P.O. Box 30712
Lansing, MI 48909
517.373.8904
www.michigan.gov/octe

Federal Wage & Hour Questions

U.S. Department of Labor
211 W. Fort Street, Suite 1317
Detroit, MI 48226
1.866.487.9243
www.dol.gov/wage&hour

Printing Work Permit Forms via the Web:

<http://www.michigan.gov/octe> Go to "Notable Resources" Go to "Work-Based Learning Guide for Risk Management" and go to Section 6

This fact sheet summarizes the Work Permit rules of the Michigan Youth Employment Standards Act. It is intended as general information only and is not to be considered in the same light as official documents or statements of positions.