

WORK PERMITS IN MICHIGAN

According to the Youth Employment Standards Act 90 of 1978, as amended (Section 409.106), work permits shall be issued in the form prescribed by the Department of Labor & Economic Growth. The work permit forms (CA-6 and CA-7) were last revised in March 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, 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 Labor & Economic Growth does not receive a copy; the letter is to be kept locally, only.*

Types of Work Permits

Form CA-6 is a pink form and is used for minors who are under 16 years of age.

Form CA-7 is a yellow form 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 works for the same employer at the same location.

Employers may obtain single copies of work permit forms from their local school-issuing officer. Larger quantities of the forms may be purchased from the Michigan Center for Career and Technical Education (800-292-1606).

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

Minors start the work permit process by completing Section I of either the CA-6 or CA-7 (depending on the minor's age). Section II is the employer's offer of employment and needs to be completed in full. The following is a check-off of information needed from the employer:

- Job duties/tasks to be performed by minors (employers need to be specific)
- 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 rules**

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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 with 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 issues work permit by signing and dating form and keeping a copy on file
- Minor returns the completed original form to the employer
- Minor may now begin work

Employers must keep the original CA-6 or CA-7 on file at the place of employment for as long as the minor is employed. The issuance of a work permit does not authorize employment of minors contrary to state or federal laws and regulations. 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

Since most employers must comply with both state and federal child labor law provisions concerning hours, the following are hours and times that would be allowable for minors:

All Minors:

May not work more than 5 hours without a 30 minute uninterrupted break.

Under 16 years: May work no more than:

1. 6 days in 1 week
2. 8 hours maximum per day (non-school days)
3. 3 hours maximum (school days)
4. 18 hours total hours per week (school in session) OR 48 hours combined school and work hours in 1 week, whichever is stricter
5. 40 hours in 1 week (non-school weeks)
6. Ages 15 and under may not be employed during school hours.
7. Employers, who are not covered by Federal Labor Laws, may employ minors ages 14-15 until 9:00 p.m. when school is in session, and 10 hours maximum per day (non-school days).

Under 16 years: Allowable times:

1. 7:00 a.m. to 7:00 p.m. (school in session)
2. 7:00 a.m. to 9:00 p.m. (summer vacation)

Ages 16-17: May work no more than:

1. 6 days in 1 week
2. A weekly average of 8 hours per day
3. 10 hours in 1 day
4. 48 hours combined school and work hours in 1 week

Ages 16-17: Allowable times:

1. 6:00 a.m. to 10:30 p.m. (Sunday through Thursday)
2. 6:00 a.m. to 11:30 p.m. (vacation periods at least 7 calendar days in length)
3. 6:00 a.m. to 11:30 p.m. (Friday and Saturday)
4. 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 week, and not between 2:00 a.m. and 5:30 a.m.

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 the following hazardous types of work:

- Motor Vehicle Driving (on public roads and water ways)
- Power-Driven Woodworking Machines
- Exposure to Radioactive Substance
- 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-Drive Meat Processing Machines, including meat slicers
- Power-Driven Circular Saws, Band Saws, and Guillotine Shears
- Roofing Operations
- Excavation Operations
- Construction Work

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 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:

- 1) poor school attendance results in a level of school work lower than that prior to beginning employment, or
- 2) 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 for employees 16 years of age and older: \$6.95 per hour effective 10/1/2006, \$7.15 per hour effective 7/1/2007, \$7.40 per hour effective 7/1/2008.
- Minors 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 minimum hourly wage rate, those rates are as follows; \$5.91 per hour effective 10/1/2006, \$6.08 per hour effective 7/1/2007, and \$6.29 per hour effective 7/1/2008.
- Minors may be paid a minimum of \$2.65 per hour when tips as reported in writing by the employee combined with the employee's hourly rate equal the required minimum hourly wage rate.
- Minors under 16 years of age may be required to be paid the federal minimum wage.

Violations

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, 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:

Office of Career and Technical Preparation
P.O. Box 30712
Lansing, MI 48909
517.373.8904
www.michigan.gov/octp

Federal Wage & Hour Questions

U.S. Department of Labor
211 W. Fort Street, Suite 1317
Detroit, MI 48226
1-886-4-USWAGE
www.dol.gov/esa/whd

Printing Work Permit Forms via the Web:

http://www.michigan.gov/mdcd/0,1607,7-122-1680_2629_2722-17155--,00.html and go to Section 6 of the *Work-Based Learning Guide for Risk Management*.

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.