



RICK SNYDER  
GOVERNOR

Office of Career and Technical Education  
P. O. Box 30712 • Lansing, Michigan 48909 • 517-335-6041



**Informational Sheet**  
Youth Employment Standards Act 90 of 1978, as amended

**POSTING REQUIREMENT**

**MCL 409.110 Minor under 16 years; days and hours of employment.**

**Sec. 10.** A minor under 16 years shall not be employed in an occupation subject to this act for more than 6 days in 1 week, nor for a period longer than a weekly average of 8 hours per day or 48 hours in 1 week, nor more than 10 hours in 1 day. The minor shall not be employed between the hours of 9 p.m. and 7 a.m. A minor who is a student in school shall not be employed more than a combined school and work week of 48 hours during the period when school is in session.

**MCL 409.111 Minor 16 years and over; days and hours of employment; employment in agricultural processing.**

**Sec. 11. (1)** Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older in an occupation subject to this act for more than any of the following periods:

- (a) Six days in 1 week.
- (b) An average of 8 hours per day in 1 week.
- (c) Ten hours in 1 day.
- (d) Subject to subdivision (e), 48 hours in 1 week.
- (e) If the minor is a student in school and school is in session, 24 hours in 1 week.

**(2)** Except as provided in subsection (3), a person shall not employ a minor 16 years of age or older between 10:30 p.m. and 6 a.m. However, except as provided in subsection (3), a person may employ a minor 16 years of age or older who is a student in school until 11:30 p.m. on any of the following days:

- (a) On Fridays and Saturdays.
- (b) During school vacation periods.
- (c) During periods when the minor is not regularly enrolled in school.

**(3)** A person may employ a minor 16 years of age or older in farming operations involved in the production of seed or in agricultural processing for a period greater than the periods described in subsections (1) and (2) if all of the following conditions are met:

If a minor is a student in school, the period greater than the periods described in subsections (1) and (2) occurs when school is not in session.

- (a) The minor is employed for not more than 11 hours in 1 day.
- (b) The minor is employed for not more than 62 hours in any week. However, the employer shall not require the minor to work more than 48 hours during any week without the consent of the minor.
- (c) The minor is not employed between 2 a.m. and 5:30 a.m.
- (d) The agricultural processing employer maintains on file a written acknowledgment of the minor's parent or guardian consenting to the period of employment authorized under this subsection.

**(4) As used in this section:**

- (a) "Agricultural processing" means the cleaning, sorting or packaging of fruits or vegetables.
- (b) "Farming operations involved in the production of seed" means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.

HISTORY: AM. 1978, ACT 90, EFF. JUNE 1, 1978 -- AM. 1995, ACT 251, EFF. MAR. 28, 1996 -- AM. 1996, ACT 499, IMD. EFF. JAN. 9, 1997 -- AM. 2000, ACT 418, IMD. EFF. JAN. 8, 2001 -- AM. 2011, ACT 197, IMD. EFF. OCT. 18, 2011

**MCL 409.112 Meal and rest period.**

**Sec. 12.** A minor shall not be employed for more than 5 hours continuously without an interval of at least 30 minutes for a meal and rest period. An interval of less than 30 minutes shall not be considered to interrupt a continuous period of work.

**MCL 409.112a Prohibition of minors working alone in occupation involving a cash transaction after sunset or 8 p.m. at fixed location.**

**Sec. 12a.** A minor who would otherwise be permitted under this act to be employed in an occupation subject to this act shall not be employed in an occupation that involves a cash transaction subject to this act after sunset or 8 p.m., whichever is earlier, at a fixed location unless an employer or other employee 18 years of age or older is present at the fixed location during those hours.

HISTORY: ADD. 1980, ACT 436, EFF. MAR. 31, 1981.

IMPORTANT: ADMINISTRATIVE RULE, R408.6207 REQUIRES A MINOR SUBJECT TO ACT 90 BE SUPERVISED BY THE EMPLOYER OR ANOTHER EMPLOYEE 18 YEARS OF AGE OR OLDER

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**Youth Employment Standards Act, 1978 Public Act 90**

**Work Activities Prohibited or Restricted by Law or Administrative Rule**

Work Activity	Age 14/15	Age 16/17	MCL or Rule Cite
1. Alcoholic Beverages:			
Employed in Establishments Where Alcohol Sales are 50% or More of Total Sales	Prohibited	Prohibited	MCL 409.115
Employed Where Alcohol is Consumed in Establishments Where Alcohol Sales are Less than 50% of Total Sales	Prohibited	Permitted	MCL 409.115
Minors Cannot Sell, Serve, or Furnish Alcoholic Beverages; Liquor Control Commission Regulations, 1-866-893-2121	Prohibited	Prohibited	Liquor Control Commission
2. Clay Construction Products / Silica Refractory Products	Prohibited	Prohibited	R 408.6209(1)
3. Child Commercial Abusive Activities	Prohibited	Prohibited	MCL 409.114a
4. Confined Spaces	Prohibited	Permitted	R 408.6208(8)
5. Construction Operations:			
Involving Additions, Improvements, Excavation, Highway, Bridge, or Street Construction, Roofing, Wrecking, Demolition, and Ship Breaking Operations	Prohibited	Prohibited	R 408.6208(2)
Involving Cleanup (Not in Above Operations)	Prohibited	Permitted	R 408.6208 (1)
Non-Hazardous Construction Work for Charitable Housing Organization	Exempt	Exempt	MCL 409.119
6. Explosives	Prohibited	Prohibited	R 408.6208(3)
7. Extinguishment of Fires	Prohibited	Restricted	R 408.6209(11)
8. Hazardous Substances (see R 408.6204(a) for definition)	Prohibited	Prohibited	R 408.6208(5)
9. Hoisting Apparatus:			
Operation of	Prohibited	Prohibited	R 408.6208(11)(a)
Riding on	Prohibited	Prohibited	R 408.6208(11)(b)
Assisting in the Operation of	Prohibited	Prohibited	R 408.6208(11)(c)
Working Under	Prohibited	Permitted	R 408.6208(12)
10. Ladders and Scaffolding	Prohibited	Permitted	R 408.6209(10)
11. Logging and Sawmills	Prohibited	Prohibited	R 408.6209(5)
12. Mines and Quarries	Prohibited	Prohibited	R 408.6209(6)
13. Motor Vehicles	Prohibited	Prohibited	R 408.6208(13)
Outside Helpers	Prohibited	Prohibited	R 408.6208(14)
14. Ore Reduction, Casting Metals	Prohibited	Permitted	R 408.6209(7)
15. Power Driven:			
Bakery Machines	Prohibited	Prohibited	R 408.6208(9)(c)
Meat Processing Machines	Prohibited	Prohibited	R 408.6208(9)(f)
Paper Product Machines	Prohibited	Prohibited	R 408.6208(9)(d)
Metal Forming Machines	Prohibited	Prohibited	R 408.6208(9)(b)
Saws	Prohibited	Prohibited	R 408.6208(9)(e)
Woodworking Machines	Prohibited	Prohibited	R 408.6208(9)(a)
Tractors (Non-Agricultural)	Prohibited	Restricted	R 408.6208(10)(b)
Lawn Mowers and Cutters	Prohibited	Permitted	R 408.6209(8)
Earth Moving Equipment and Trenchers	Prohibited	Prohibited	R 408.6208(10)(a)
16. Radioactive Substances including Self-Luminous Compounds	Prohibited	Prohibited	R 408.6208(6)
17. Respiratory Equipment	Prohibited	Prohibited	R 408.6208(7)
18. Slaughtering, Meat Packing, and Rendering	Prohibited	Prohibited	R 408.6209(9)
19. Tanning (Animal Hides)	Prohibited	Prohibited	R 408.6209(4)
20. Welding	Prohibited	Permitted	R 408.6209(2)
Heat Treating, Brazing, and Soldering	Prohibited	Permitted	R 408.6209(3)

This document contains general information only and does not carry the effect of law. Act 90 contains other limitations on employment of minors and all requirements must be met. Please contact the Office of Career and Technical Education for additional information at 517-335-6041 or visit their website at [http://www.michigan.gov/mde/0,4615,7-140-6530\\_2629\\_59590---.00.html](http://www.michigan.gov/mde/0,4615,7-140-6530_2629_59590---.00.html)

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**Youth Employment Standards Act, 1978 Public Act 90**

**Work Activities Prohibited or Restricted by Department Review under MCL 409.103**

*“A minor shall not be employed in, about, or in connection with an occupation that is hazardous or injurious to the minor’s health or personal well-being or that is contrary to standards established under this act. . .”*

This document contains general information and does not carry the effect of the Law

Work Activity	Age 14/15	Age 16/17
1. Amusement Park/Recreational Establishment – No Assembly, Disassembly, or Operation of Rides; Age 16/17 may tend, i.e., Take Tickets, Board and Disembark Passengers	Prohibited	Restricted
2. Bloodborne Pathogens Exposure	Prohibited	Prohibited
3. Boats and Other Watercraft	Prohibited	Prohibited
4. Conveyors (Belt), Work On or Near	Prohibited	Restricted
5. Firearms (Loaded), Any Gauge or Caliber including Air Powered	Prohibited	Prohibited
6. Garbage Cart – Easy Tipper	Prohibited	Prohibited
7. Gator Type Utility Vehicles (Not on a Public Road)	Prohibited	Permitted
8. Go-Cart Spotters	Prohibited	Permitted
9. Golf Carts (Not on a Public Road)	Prohibited	Permitted
10. Hot Grease or Oil (Exceeding 100 degrees Fahrenheit)	Prohibited	Prohibited
11. Kansmacker, Un-jamming, Servicing, or Repairing	Prohibited	Prohibited
12. Knives: Chef, Boning, Butcher, Meat Cleaver, Filet, Skinning, and Machete	Prohibited	Prohibited
13. Laminators, Used to Form a Multiple-Ply Product	Prohibited	Prohibited
14. Lawn Care Equipment (Power-Driven) – Mowers, Edgers, Weed Eaters, Hedger Clippers, Tillers, Wheelbarrows, Thatchers, and Aerators	Prohibited	Permitted
15. Life Guard (Certified)		
Swimming Pools and Water Amusement Parks	Permitted (15 only)	Permitted
Natural Bodies of Waters, Such as Lakes and Rivers	Prohibited	Permitted
16. Pharmacies and Prescription Drug Delivery	Prohibited	Prohibited
17. Power Drills (Over 3/8” Chuck)	Prohibited	Prohibited
18. Propane (LP) Gas, Dispensing	Prohibited	Prohibited
19. Sewing Machines Used in a Manufacturing Process	Prohibited	Permitted
20. Snow Blower	Prohibited	Permitted
21. Tire Changer	Prohibited	Prohibited
22. Youth Peddling, Door-to-Door and Street Sales for Profit Making Companies including Mobile Sales Crews	Prohibited	Permitted

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### Informational Sheet

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## TEENAGER'S EMPLOYMENT IN MICHIGAN

(Refer to Youth Employment Standards Act, Public Act 90 of 1978)

### 14 Minimum Age of Employment

#### Work Permit

- Must be current, age and color appropriate on file at fixed location/work site place of employment **prior to** beginning work
- **Section I** completed by minor and parent/guardian (in its entirety); and,
- **Section II** completed by employer or representative proposing to employ minor (in its entirety); and
- **Section III** completed by school issuing officer only upon application **in person** by minor desiring employment and after having examined, approved and copy work permit placing in minor's permanent school file

#### Work Permit Exemptions

Work permit **do not** apply if:

- 16/17 year old has successfully passed G.E.D. test **and** provided proof of successful completion **prior to** employment
- 16/17 year old has completed high school graduation requirements **and** provided proof of diploma **prior to** employment
- 16/17 year old emancipated has provided proof to employer **prior to** employment (i.e., marriage certificate, etc.)
- Signed and dated written agreement/contract entered into between employer and governing body of the school district, etc.
- Employment in a business owned (sole, partner or stockholder) **and** operated by minor's parent/guardian if parent/guardian devotes substantially all of his/her working hours to the operation of the business

#### Adult Supervision

Minors under the age of 18 **may not** work

- Unless the employer or employee of the employer 18 years or older provides supervision;
- In an occupation that involves a cash transaction after sunset or 8 pm, whichever is earlier, at a fixed location unless employer or employee of the employer 18 years or older is present at the fixed location during those hours

#### Hours

**Minors required by law to attend school, may only perform work outside school hours (i.e., after 3:00 pm)**

Minors under the age of 18 **may not** work

- More than 6 days in one (1) week;
- More than an average of 8 hours per day in one (1) week;
- More than 5 hours continuously without 30 minutes or more documented and uninterrupted meal/rest period;

Minors 16/17 years

- May be employed no earlier than 6:00 am and no later than 10:30 pm (Sunday-Thursday);
- May be employed no earlier than 6:00 am and no later than 11:30 pm (Friday-Saturday) and (During Summer, Winter, Christmas school vacation at least 7 calendar days Sunday – Saturday)
- May work no more than 24 hours per week when school is in session (whether home/cyber/virtual/on-line school, etc.)
- May work no more than 48 hours per week when school is not in session (Spring, Summer, Winter/Christmas vacation - at least 7 calendar days Sunday – Saturday)

Minors 14/15 years

- May be employed no earlier than 7:00 am and no later than 7:00 pm (September Labor day – June 1st)
- May be employed no earlier than 7:00 am and no later than 9:00 pm (June 1st – September Labor day)
- May be employed no more than 18 hours a week during a school week
- May be employed no more than 3 hours a day, outside school hours, on school day (Monday – Friday)

#### Alcohol

**Minors under the age of 18 cannot sell, serve or furnish alcoholic beverages**

**Minors under the age of 16 may not be employed in establishments**

**where alcoholic beverages are sold or consumed for consumption on the premises**

**Minors shall not be employed in, about, or in connection with an occupation that is hazardous or injurious to the minor's health or well-being including but not limited to**

**(Youth Peddling, Door-to-Door sales, and Street sales for profit making companies)**

**(Use of Chef, Boning, Butcher, Meat Cleaver, Filet, Skinning, or Machete knives)**

**(Hot Grease or Oil when the temperature exceeds 100 degrees Fahrenheit)**

## **Hazardous Occupations (Under the age of 18)**

The term "operation" as used in HO's 5, 8, 10, 11, 12 and 14 includes the tasks of setting up, adjusting, repairing, oiling, and cleaning the equipment

- HO 1 Manufacturing or storing explosives
- HO 2 Driving a motor vehicle or work as an outside helper on motor vehicles
- HO 3 Coal mining
- HO 4 Logging and sawmilling
- HO 5 Power-driven woodworking machines
- HO 6 Exposure to radioactive substances and ionizing radiation
- HO 7 Power-driven hoisting apparatus
- HO 8 Power-driven metal-forming, punching and shearing machines
- HO 9 Mining, other than coal
- HO 10 Power-driven meat-processing machines, slaughtering and meat packing plants
- HO 11 Power-driven bakery machines
- HO 12 Power-driven paper-products machines, scrap paper balers, and paper box compactors
- HO 13 Manufacturing of brick, tiles and related products
- HO 14 Power-driven circular saws, band saws and guillotine shears
- HO 15 Wrecking, demolition, and shipbreaking operations
- HO 16 Roofing occupations and work on or about a roof
- HO 17 Trenching and excavation operations

Minors 14/15 years **may not** do

- Manufacturing and Mining
- Meat slaughtering, processing, and packaging
- Meat slicers, saws and meat choppers (including restaurants and delicatessens) occupations
- Operating power-driven equipment
- Transportation and Communications
- Warehousing and storage
- Construction
- Work in or about boiler or engine rooms
- Maintenance or repair of a building or equipment
- Work in freezers and meat coolers
- Outside window washing
- Baking such as vertical dough mixers, batter mixers (including most countertop models) dough rollers and dough sheeters
- Work involving power-driven food slicers and grinders, choppers or cutters and bakery mixers
- Loading and unloading goods to and from trucks, railcars or conveyors
- Work in areas where meats are prepared for sale

### **EMPLOYER'S RECORDKEEPING REQUIREMENTS**

- Work permit or Work Based Learning agreement or contract signed and dated between employer and school
- Copy of certification - successfully passing G.E.D. test or high school requirements - diploma
- "State Approved" Application for General Hours and Individual Application for Hours Deviation for 16 and 17 year old minors
- Starting and Ending documented and uninterrupted meal/rest period of 30 minute or more
- Posting Requirement – at the work site
- Required Michigan Minimum Wage Law Poster – posted at the work site
- Employee name, address, birth date – occupation/classification – rate of pay – total hours worked **AND** total hours paid each pay
- Total daily hours worked – starting/ending time worked each day and starting/ending meal/rest period
- Itemization of fringe benefits (1 listing for 10 or more employees)
- Separate earning statement of itemization of deductions made each pay period
- Furnish each employee at the time of payment of wages a retainable and detachable earning statement indicating
  1. Hours worked by the employee
  2. Gross wages paid
  3. Identification of the pay period for which payment is being made
  4. Itemization of deductions

### **TIPPED EMPLOYEES**

Signed and dated tip statement received each pay period **AND** Itemization of credits taken for tips each pay period

### **Wage and Hour Program**

#### **Workforce Opportunity Wage Act – Minimum Wage**

www.michigan.gov/wagehour • 517-322-1825 • Toll Free 855-4MI-WAGE (855-464-9243)

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