

## Records an Employer Must Keep

- The work permit or verification of exemption from the Act.
- The number of hours a minor works each day, as well as starting and ending times. These records must be kept for one year.
- Approved deviation and parent/guardian permission to work deviated hours or in a restricted occupation.

Other records requested by the Department, e.g., beginning and ending times of meal/rest periods.

## Wages

- Wages must be paid on a regular basis: weekly, bi-weekly, monthly or bi-monthly.
- Minors, 16–17 years of age, may be paid 85% of the minimum hourly wage rate.
- If the minor is a tipped employee, the combined total of tips received as reported on a signed dated tip statement and hourly wages paid must be equal to or greater than the applicable minimum hourly wage rate.
- Minors under 16 years of age may be required to be paid the federal minimum wage rate; visit [www.dol.gov](http://www.dol.gov) for information on the federal minimum wage rate.

## State Minimum Hourly Wage Rate

- Michigan's minimum wage rate for individuals 18 years of age and older is \$7.40 an hour, as of July 1, 2008. Minors 16 and 17 may be paid a youth sub minimum wage that is 85% of the adult minimum wage. The state's sub minimum wage is currently \$7.25 an hour and equal to the federal minimum wage, as of July 24, 2009. Michigan's Minimum Wage and Overtime Law allows that it... "does not apply to an employer who is subject to the minimum wage provisions of the fair labor standards act of 1938... unless those federal minimum wage provisions would result in a lower minimum hourly wage than provided by this act."

Many Michigan employers and their employees, under 18 years of age, are subject to federal rules and regulations. For information about federal regulations, contact the U.S. Department of Labor, Wage & Hour Division, toll-free at 1-866-487-9243 or on the web at [www.dol.gov](http://www.dol.gov).

In addition to the Youth Employment Standards Act, the Wage & Hour Division also administers these laws:

### Michigan Minimum Wage Law

PA 154 of 1964 establishes the minimum wage, overtime pay, record keeping standards, equal pay and permits sub-minimum wage payment for certain employees.

### Payment of Wages and Fringe Benefits Act

PA 390 of 1978 covers the time and manner for payment of wages and fringe benefits.

### Prevailing Wage on State Projects

PA 166 of 1965 establishes wage and fringe benefit rates for construction workers on state-funded projects.



This brochure is intended for general information only. It does not include all of the provisions of Act 90, Public Acts of 1978.

For information on the Youth Employment Standards Act or other laws administered by the Wage & Hour Division contact:

Michigan Department of Energy,  
Labor & Economic Growth  
**Wage & Hour Division**  
General Office Building (GOB)  
7150 Harris Dr.  
Dimondale, MI 48821

Mailing Address:  
PO Box 30476  
Lansing, MI 48909-7976  
**(517) 322-1825**

**Southeast Michigan**  
33523 W. 8 Mile Road  
Livonia, MI 48152  
**(313) 456-4906**

**Upper Peninsula**  
**(906) 482-3602**



Working to Create Michigan's Future Today

[www.michigan.gov/deleg](http://www.michigan.gov/deleg)

The Michigan Department of Energy, Labor & Economic Growth is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

WHD-9803; Printed: 10/09; Total Copies: 1000;  
Cost: \$167.97; Unit Cost: \$0.168

# Employing Minors in Michigan



**Wage & Hour Division**  
Michigan Department of Energy,  
Labor & Economic Growth  
[www.michigan.gov/wagehour](http://www.michigan.gov/wagehour)  
**(517) 322-1825**

## What Employers Should Know About Hiring Minors:

- A minor must be at least 14 years old for most occupations, unless exempt from the Youth Employment Standards Act.
- A work permit is required, unless the minor is exempt from the Act or employed in corn detasseling.
- Minors may be employed in most jobs, except those considered hazardous.
- Minors may only work certain hours.
- Workers under 18 may not work more than five hours without a 30-minute uninterrupted break.

## Who IS Covered

- Workers under 18 years of age, including volunteers and performing artists.

## Who Is NOT Covered

- 16 and 17-year-olds that have completed requirements for high school graduation.
- 17-year-olds who have passed the GED test.
- Emancipated minors (e.g., married minors).
- Students 14 years old and older working under a work-study contract between an employer and a school district that provides supervision.
- Domestic workers at private residences.
- Minors, who sell, distribute or offer for sale, newspapers, magazines, and periodicals, and political or advertising material.
- Shoe shiners.
- Members of recognized youth organizations (Boy Scouts, Girl Scouts, 4-H, school clubs, etc.).
- Minors working in businesses owned and operated by their parents.
- Workers who plant, cultivate, or harvest crops or raise livestock on farms.

- Minors employed in a school, academy, or college where the workers, ages 14–17, are students.
- Minors working in non-hazardous construction work performed under adult supervision as an unpaid volunteer for a nonprofit charitable housing organization.

## Types of Work

- Minors 14–17 years old may be employed in a business where alcoholic beverages are sold or consumed, if the sale of food or other goods is at least 50% of the total gross receipts. Minors 14 and 15 years old cannot work in that part of the business where alcohol is consumed. Minors under the age of 18 cannot sell, serve, or furnish alcoholic beverages. Information on Liquor Control Commission regulations concerning selling or serving alcoholic beverages can be found online at [www.michigan.gov/lcc](http://www.michigan.gov/lcc).
- Minors covered by the Act may not work in any occupations determined to be hazardous. **Examples of hazardous work include (but are not limited to):**
  - ◆ Contact with hazardous substances, chemicals, explosives, or radioactive substances.
  - ◆ Driving and working as an outside helper (pizza delivery, etc.).
  - ◆ Jobs in the logging and sawmill industry.
  - ◆ Jobs using woodworking machinery.
  - ◆ Brazing, welding, soldering or heat treating for those less than 16 years of age.
  - ◆ Work on construction sites, excavation sites, bridges, streets or highways.
  - ◆ Slaughtering, butchering, cutting meat or using meat slicers, cleavers or boning knives.
  - ◆ Occupations involving power driven equipment, tools, saws or machinery (bakery machines, paper product machines, and metal-forming, punching and shearing machines).

## Special Requirements

- 11-year-olds and those older may work as golf caddies, athletic event referees and bridge caddies, under specific conditions.
- 13-year-olds and those older may work as corn detasselers and at trap shooting events.

## Work Permits

Teenage workers who are not exempt must have a work permit before beginning work. Work permits are available from most schools or their administrative offices. The process is as follows:

1. The minor completes Part I of the work permit.
2. The employer completes Part II of the work permit.
3. The issuing officer at the school approves the work permit.
4. The minor gives the work permit to the employer before starting work and the employer keeps the work permit on file.

If the minor changes jobs, a new work permit is required for the new employer. A work permit may be revoked for poor academic performance or employer's non-compliance with the Act. A work permit is required even if the minor does not attend school.

## Supervision

A minor may not be employed unless the employer or another employee 18 years of age or older provides supervision. Special penalties apply for employing minors in occupations involving cash transactions after sunset or 8:00 p.m., whichever is earlier, without required supervision. Supervision means being on the premises to direct and control the work of minors and to assist in case of an emergency.



## Hours

- Combined hours of school and work cannot exceed 48 hours in a work week.
- A minor may not work more than six days per week.
- 14 and 15-year-olds may not work after 9:00 p.m. or before 7:00 a.m. 14 and 15-year-olds may not work during school hours.
- A minor age 16 or older shall not work before 6:00 a.m. or after 10:30 p.m., Sunday through Thursday.
- A minor age 16 or older shall not work before 6:00 a.m. or after 11:30 p.m. Fridays and Saturdays, during school vacation periods, and during periods when a minor is not regularly enrolled in school.
- Special hours apply to workers in agricultural processing. An information sheet is available from the Wage & Hour Division.
- Minors are limited to working no more than 10 hours in a day, with a weekly average of 8 hours per day.

Approval may be granted for 16 and 17-year-olds to work beyond the starting and ending times specified in the Youth Employment Standards Act. Approvals may be obtained from the Wage & Hour Division.

No deviations are allowed for 14 and 15-year-olds.

## Breaks

Workers less than 18 years of age may not work more than five hours without a 30-minute uninterrupted break.