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## Michigan Department of Energy, Labor & Economic Growth

### Wage & Hour Division

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### **Informational Sheet: Youth Employment Standards** **TEENAGER'S EMPLOYMENT IN MICHIGAN**

This informational sheet contains information about employing teenagers in Michigan. It does not include all the provisions of Public Act 90, of 1978; Public Act 390, of 1978; and Public Act 154, of 1964.

#### **AGE OF EMPLOYMENT**

- ▶ Minimum age of employment for most jobs is 14 years of age.
- ▶ A youth 11 years of age or older may be employed as a golf caddy, bridge "caddy" or sports referee under certain conditions.
- ▶ A minor 13 years of age or older may be employed in trap setting or farming operations involving corn detasseling, hoeing, or similar work involved in the production of seed.

#### **WORK PERMITS**

- ▶ Teenagers must have a work permit before starting work, unless exempt from the Youth Employment Standards Act. The employer completes the intent to employ portion of a work permit. The teenager completes the minor information portion of a work permit and must get his or her school district's approval and return the work permit to the employer before starting work.
- ▶ Exemptions - The work permit, hours and hazardous work regulations do not apply to:
  - A 16/17 year old minor that has completed high school\*.
  - A 17 year old minor that has passed the GED test\*.
  - An emancipated minor (e.g., a married teenager)\*.
  - Employment under a contract between the employer and school board (a co-op student)\*.
  - Employment in a business owned and operated by the parent.
  - Work on a farm planting, cultivating or harvesting crops or tending livestock.

\* Documentation of exemption must be on file at place of employment.

#### **MINIMUM WAGE**

##### **Michigan Minimum Wage Law:**

- ▶ Covers employers who employ 2 or more persons 16 years of age or older.
- ▶ Allow minors 16 to 17 years of age to be paid 85% of the minimum hourly wage rate.
- ▶ Requires a minimum hourly wage rate for individuals 18 years of age or older:

Effective Date	Minimum Hourly Wage Rate	85% of Minimum Hourly Wage Rate
<b>July 24, 2009</b>	\$7.40	\$7.25*

\*The state 85% rate of \$6.29 is valid between July 1, 2008 and July 23, 2008, effective July 24, 2009, the federal minimum wage increased to \$7.25. Under Section 14 of Public Act 154 of 1964, as amended, being MCL 408.394 (1) the act states: "Sec. 14. (1) This act does not apply to an employer who is subject to the minimum wage provisions of the fair labor standards act of 1938, 29 USC 201 to 219, unless those federal minimum wage provisions would result in a lower minimum hourly wage than provided in this act."

- ▶ Provides an hourly training wage of \$4.25 to newly hired employees age 16 through 19 for the first 90 days of employment.
- ▶ Provides a minimum hourly rate of \$2.65 to tipped employees if the combined total of tips received as reported on a signed dated tip statement and hourly wages paid are equal to or greater than the applicable minimum hourly wage rate.
- ▶ Provides an overtime rate for employees of 1-1/2 times the regular hourly rate of pay.

Note: 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 more information on the federal minimum wage rate.

## **HAZARDOUS OCCUPATIONS**

### ▶ TEENAGERS CANNOT BE EMPLOYED IN:

- Vehicle drivers (e.g., pizza delivery) and work as an outside helper on a vehicle.
- Construction site work involving construction, excavation, street, highway, bridge construction or demolition. (16 and 17 year-olds may do construction work under special approved conditions).
- Occupations using lead paint, lead solder, varnish, or hazardous cleaners and solvents.
- Slaughtering, butchering, and meat cutting.
- Operation of elevators, hoisting equipment, and power industrial trucks.
- Occupations using power driven equipment, tools, and machinery (e.g., power saws).
- Occupations involving the use of power operated food-processing machines (e.g., mixers, meat slicers).

Minors 14 and 15 years old cannot use ladders, scaffolding, or their substitutes, or operate power driven lawnmowers.

Minors 14 and 15 years old may not work in occupations involving brazing, welding, soldering, heat-treating, ore reduction, and casting metals.

Minors 14 to 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 the part of the business where alcohol is consumed. Minors under the age of 18 cannot sell, serve, or furnish alcoholic beverages. For information on Liquor Control Commission regulations concerning selling or serving alcoholic beverages call 517.322.1400.

**Minors Must Be Supervised At All Times By A Person That Is At Least 18 Years Of Age**

## **HOURS AND BREAKS**

- ▶ Combined hours of school and work cannot exceed 48 hours in a work week. Work cannot exceed 48 hours if the minor is not attending school.
- ▶ Work cannot exceed 6 days in a week, 10 hours in 1 day, and an average of 8 hours a day for the week.
- ▶ 14 and 15 year olds can work between 7:00 a.m. and 9:00 p.m., outside of school hours (Federal law is more restrictive and may apply to some businesses).
- ▶ 16 and 17 year olds can work between 6:00 a.m. and 10:30 p.m. Sunday through Thursday, and 11:30 p.m. on Fridays and Saturdays during the school year. During school vacation periods and periods when the minor is not regularly enrolled in school, 16 and 17 year-olds can work between 6:00 a.m. and 11:30 p.m.
- ▶ Workers under 18 years of age may not work more than 5 hours without a 30 minute uninterrupted break
- ▶ Special hours apply to agricultural processing and corn detasseling, contact our office for information.

## **PAYMENT OF WAGES**

- ▶ Wages must be paid on a regular basis: weekly, bi-weekly, bi-monthly, or monthly.
- ▶ An employee that quits or is discharged must be paid on the regular payday following termination.
- ▶ Deductions, other than those required by law (income tax, social security, garnishments), require a voluntary written authorization from the employee.
- ▶ Fringe benefits (holiday, vacation, sick pay etc.) earned pursuant to a written contract or policy must be paid according to the terms of the contract or policy.

## **TIPS FOR PARENTS**

Talk with your teenager about the job. Keep abreast of changes in duties, equipment, and supervision and ask about encountered problems. Be alert for warning signs of danger – late night hours, unsupervised workers, and employee injuries. Have your child keep a record of wages received and a daily record of hours worked, including starting and ending times. Ask teachers to notify you if there is a decline in grades, attendance, or attention.

## **COMPLAINTS**

For more information or to report a workplace hazard or other violation contact:  
The Wage & Hour Division at 517.322.1825, or write to P.O. Box 30476, Lansing, Michigan 48909-7976  
[www.michigan.gov/wagehour](http://www.michigan.gov/wagehour)