

SENATE BILL NO. 910

May 07, 2020, Introduced by Senator VICTORY and referred to the Committee on Economic and Small Business Development.

A bill to amend 1978 PA 90, entitled
"Youth employment standards act,"
by amending sections 5 and 6 (MCL 409.105 and 409.106).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. **(1)** ~~An~~ **Except as otherwise provided in subsection (2),**
2 **the** issuing officer shall issue a work permit only ~~upon~~ **on an in-**
3 **person** application ~~in person~~ by the minor desiring employment and
4 after ~~having~~ **the following papers have been** examined, approved, and
5 filed: ~~the following papers:~~

6 (a) A statement of intention to employ **the minor**, signed by

1 the prospective employer or by a person authorized by the
2 prospective employer, setting forth the general nature of the
3 occupation in which the employer intends to employ the minor, the
4 hours during which the minor will be employed, the wages to be
5 paid, and other information the department of education, in
6 cooperation with the department of labor **and economic opportunity**,
7 requires.

8 (b) Evidence showing that the minor is of the age required by
9 this act. Proof of age ~~shall~~**must** be established by one of the
10 following:

11 (i) A certified copy of the birth record or any other proof of
12 age showing the place and date of birth.

13 (ii) A certified copy of valid operator's license issued by
14 this state clearly showing date of birth.

15 (iii) The school record or the school census record.

16 (iv) The sworn statement of the minor's parent or guardian,
17 together with a corroborating statement of a physician.

18 (v) If documentary proof as described in subparagraphs (i) to
19 (iv) is not obtainable, the issuing officer may accept other
20 documentation as established by department of education rules.

21 **(2) During a state of disaster or a state of emergency issued**
22 **by the governor under the emergency management act, 1976 PA 390,**
23 **MCL 30.401 to 30.421, the requirement that a work permit**
24 **application must be made only by an in-person application by the**
25 **minor desiring employment is suspended. The issuing officer may**
26 **allow the minor desiring employment to submit the application**
27 **materials described in subsection (1) using any of the following**
28 **methods:**

29 (a) **Electronic transmittal of the application materials, which**

1 includes electronic mail or facsimile.

2 (b) Mailing the application materials.

3 Sec. 6. (1) ~~Work permits shall~~ **Except as otherwise provided in**
4 **subsections (4) and (5), a work permit must** be issued in the form
5 prescribed by the department of education in cooperation with the
6 department of labor **and economic opportunity** and in accordance with
7 instructions so prescribed. The color of ~~work permits for minors a~~
8 **work permit for a minor** under 16 years of age ~~shall~~ **must** be
9 distinct from that for ~~minors a minor~~ 16 years of age and over.
10 ~~Work permits shall~~ **A work permit must** state the name and address of
11 the minor, the date of birth, the occupation and industry in which
12 the minor is employed, the employer's name and address, and other
13 information required by the department of education.

14 (2) The department of education shall promulgate rules
15 prescribing standards for the issuance of work permits, which ~~shall~~
16 **must** include the following factors:

17 (a) Evidence of age.

18 (b) Standards of work as established by the department of
19 labor **and economic opportunity** and federal regulation.

20 (c) Statutory requirements.

21 (3) A fee shall not be charged for a work permit or other
22 record required by this act.

23 (4) **If the governor declares a state of disaster or a state of**
24 **emergency under the emergency management act, 1976 PA 390, MCL**
25 **30.401 to 30.421, and the issuing officer issues a work permit**
26 **electronically to a minor desiring employment, the requirement that**
27 **a work permit form must be in a color described under subsection**
28 **(1) is suspended.**

29 (5) A work permit issued during the period described in

1 subsection (4) and printed in a form in a color other than the
2 color described in subsection (1) is valid for 90 days after the
3 termination of the state of disaster or state of emergency. The
4 issuing officer shall issue the minor a work permit in the color
5 described under subsection (1) before the expiration of the 90-day
6 period.

7 (6) As used in this section:

8 (a) "State of disaster" means that term as defined in section
9 2 of the emergency management act, 1976 PA 390, MCL 30.402.

10 (b) "State of emergency" means that term as defined in section
11 2 of the emergency management act, 1976 PA 390, MCL 30.402.