

# HOUSE BILL NO. 4441

May 06, 2025, Introduced by Reps. Skaggs, Rogers, Rheingans, Price, Conlin, Weiss, Myers-Phillips, Young, Coffia, Tsernoglou, Morgan, Paiz, Steckloff, McKinney, Neeley, Mentzer, Pohutsky, Hoskins, Martus, Brixie, Hope, Foreman, Breen, Longjohn, Scott, Miller, T. Carter, Wooden, Snyder, Glanville, MacDonell, Liberati, Wilson, Wegela, O'Neal, McFall, B. Carter and Andrews and referred to Committee on Economic Competitiveness.

A bill to amend 1978 PA 90, entitled  
"Youth employment standards act,"  
by amending sections 3, 21, and 22 (MCL 409.103, 409.121, and  
409.122), section 3 as amended by 1997 PA 132 and section 22 as  
amended by 1980 PA 436.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 3. (1) A minor ~~shall~~**must** not be employed in, about, or  
2 in connection with an occupation that is ~~hazardous~~**any of the**  
3 **following:**

4           **(a) Hazardous** or injurious to the minor's health or personal

1 well-being. ~~or that is contrary~~

2 (b) **Contrary** to standards established under this act, unless a  
3 deviation is granted under section 20.

4 (2) The minimum age for employment of minors is 14 years,  
5 subject to the following exceptions and limitations:

6 (a) A minor ~~at least~~ 11 years of age ~~and less or older but~~  
7 **younger** than 14 years of age may be employed as a youth athletic  
8 program referee or umpire for an age bracket younger than ~~his or~~  
9 ~~her~~ **the minor's** own age if an adult ~~representing~~ **who represents** the  
10 athletic program is on the premises at which the athletic program  
11 event is occurring and a person responsible for the athletic  
12 program possesses a written acknowledgment of the minor's parent or  
13 guardian consenting to the minor's employment as a referee or  
14 umpire.

15 (b) A minor 11 years of age or older may be employed as a golf  
16 caddy.

17 (c) A minor 13 years of age or older may be employed in  
18 farming operations as described in section 4(3).

19 (d) A minor 11 years of age or older may be employed as a  
20 bridge caddy at any event sanctioned by the American contract  
21 bridge league or other national bridge league association.

22 (e) A minor 13 years of age or older may be employed to  
23 perform services ~~which~~ **that** entail setting traps for formal or  
24 informal trap, skeet, and sporting clays shooting events.

25 Sec. 21. (1) The ~~department of labor~~ **director** shall enforce  
26 this act and assist in the prosecution of this act. The ~~department~~  
27 ~~shall have the authority to~~ **director may** enter and inspect any  
28 place where a minor may be employed and ~~to have access to~~ work  
29 permits, age certificates, or other proof of age and time records

1 of the employer, and other records ~~which~~**that** may aid in the  
2 enforcement of this act.

3 (2) An employer shall not discharge, discipline, retaliate  
4 against, or otherwise discriminate against an employee or minor who  
5 exercises a right granted under this act on behalf of the employee  
6 or minor or another employee or minor.

7 (3) If a person violates this act or a rule promulgated under  
8 this act, the director may, after providing notice of and an  
9 opportunity for a hearing conducted in the same manner as a  
10 contested case under the administrative procedures act of 1969,  
11 1969 PA 306, MCL 24.201 to 24.328, impose an administrative fine of  
12 not more than \$5,000.00 for each violation. The director shall  
13 notify the attorney general if a person does not pay an  
14 administrative fine under this section. The attorney general shall  
15 bring a civil action to recover the administrative fine and costs  
16 and fees. An administrative fine collected or recovered under this  
17 subsection must be deposited in the general fund.

18 (4) In addition to any other action authorized under this act,  
19 the director may bring an action to do 1 or more of the following:

20 (a) Obtain a declaratory judgment that a method, act, or  
21 practice is in violation of this act.

22 (b) Obtain an injunction against an employer that is engaging  
23 in, or about to engage in, a method, act, or practice that violates  
24 this act.

25 (c) Obtain a judgment that requires an employer that violated  
26 this act to pay each minor employed in violation of this act an  
27 award. If the violation resulted in the minor being unable to  
28 continue employment with the employer, the award must be an amount  
29 greater than or equal to the minor's hourly wage rate at the time

1 of the violation multiplied by the average number of hours the  
 2 minor worked during the 4-week period immediately preceding the  
 3 violation multiplied by 4.

4 Sec. 22. (1) Except as provided in subsection (2) or (3), a  
 5 ~~person~~**an employer or an agent of an employer** who employs a minor  
 6 in violation of this act, violates this act or a rule promulgated  
 7 under this act, or obstructs the ~~department of labor~~**director** in  
 8 the enforcement of this act is guilty of a **crime punishable as**  
 9 **follows:**

10 (a) **For a first offense, a** misdemeanor punishable by  
 11 imprisonment for not more than 1 year, ~~or~~ a fine of not more than  
 12 ~~\$500.00,~~ **\$5,000.00**, or both.

13 ~~(2) A person who employs, permits, or suffers a minor in~~  
 14 ~~violation of section 12a is guilty of a misdemeanor punishable by~~  
 15 ~~imprisonment for not more than 1 year, or a fine of not more than~~  
 16 ~~\$2,000.00, or both. A person who commits~~

17 (b) **For** a second offense, ~~under section 12a is guilty of a~~  
 18 ~~misdemeanor,~~ **a felony** punishable by imprisonment for not more than  
 19 2 years, ~~or~~ a fine of not more than ~~\$5,000.00,~~ **\$25,000.00**, or both.  
 20 ~~A person who commits~~

21 (c) **For** a third or subsequent ~~violation of section 12a is~~  
 22 ~~guilty of~~ **offense**, a felony ~~,~~ punishable by imprisonment for not  
 23 more than ~~10~~ **5** years, ~~or~~ a fine of not more than ~~\$10,000.00,~~  
 24 **\$50,000.00**, or both.

25 (2) ~~(3)~~ A person ~~who~~ **that** employs, permits, or suffers a minor  
 26 to be employed or to work in violation of section 14a is guilty of  
 27 a felony ~~,~~ punishable by imprisonment for not more than 20 years,  
 28 ~~or~~ a fine of not more than \$20,000.00, or both.

29 (3) **If a minor who is the subject of an offense described in**

1 subsection (1) is killed or suffers great bodily harm while  
2 performing work for the minor's employer, the employer or  
3 employer's agent is guilty of a felony punishable as follows:

4 (a) For a first offense, the court may sentence the employer  
5 or employer's agent to imprisonment for not more than 5 years and  
6 shall impose a fine of not less than \$50,000.00 or more than  
7 \$500,000.00.

8 (b) For a second offense, the court may sentence the employer  
9 or employer's agent to imprisonment for not more than 10 years and  
10 shall impose a fine of not less than \$50,000.00 or more than  
11 \$500,000.00.

12 (c) For a third or subsequent offense, the court may sentence  
13 the employer or employer's agent to imprisonment for not more than  
14 20 years and shall impose a fine of not less than \$50,000.00 or  
15 more than \$500,000.00.

16 (4) The imposition of a fine, penalty, or other sanction under  
17 this act does not affect any other right or remedy provided for by  
18 law.