



**House
Legislative
Analysis
Section**

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YOUTH WORK STANDARDS

House Bill 4875 (Substitute H-1) First Analysis (11-13-02)

**Sponsor: Rep. Tony Stamas
Committee: Commerce**

THE APPARENT PROBLEM:

The Youth Employment Standards Act contains limits on how much time a high school student can work when school is in session. Currently, a 16- or 17-year-old student is limited to a total of 48 hours of school and work combined. Employers of teenagers say that this combined work-school limit is becoming problematic because state law is steadily increasing the number of school hours in a week, thus reducing the amount of hours a student can work. A representative of the Michigan Retailers Association says that where during the 1994 school year a student could work up to 23 hours a week (with 25 hours of school), today the same student can work only 17.5 hours and by 2007 will only be able to work 16.33 hours. Legislation has been introduced that would create a flat limit on the number of working hours and do away with the school-work combination limit.

THE CONTENT OF THE BILL:

The bill would amend the Youth Employment Standards Act to allow a 16- or 17-year-old person to be employed up to 20 hours per week during the period school is in session and up to 24 hours per week with the written consent of the minor's parent or guardian.

The bill would delete the current limit, which is a combined school and work week of 48 hours during the period school is in session.

MCL 409.111

FISCAL IMPLICATIONS:

The House Fiscal Agency reports that the bill could have a slight negative impact on state and local income tax revenues because it could allow employers to increase hours for minors and reduce hours for older workers earning more and could expand the availability of workers and so put downward pressure on wages paid to minors. The HFA says, however, that any impact would be

negligible when compared to total income tax revenues. (HFA floor analysis dated 11-12-02)

ARGUMENTS:

For:

The bill would provide a reasonable limit on how much a 16-or 17-year-old can work during the time school is in session. It eliminates the limit that is based on the combination of work and school on the grounds that the lengthening of the school day and year are rendering it obsolete. For example, employers say that federal law allows 14-and 15-year-olds to work up to 18 hours per week while school is in session, which is currently more hours than 16- and 17-year-olds are permitted with the state's work-school limit (at least in some school districts). Employers say Michigan is one of the most restrictive states on student working hours: 30 states have no limits, they say, and the 17 states that have a school session limit allow an average of 36.5 hours of work per week. The bill would permit 20 hours per week of work without parental consent and 24 hours per week with parental consent. Many students spend this amount of time outside of the classroom in extracurricular activities, and students who would prefer to work should be able to. Working can be a valuable experience. It is a valid alternative to other kinds of "after school" programs aimed at keeping young people out of trouble. Plus, some students work to help support themselves and their families. Furthermore, some people believe the student's family should be responsible for seeing that working does not interfere with academics or other aspects of a student's personal life.

Against:

Some people believe the bill goes too far, that it permits too many hours of work for high school students. Many students are already overloaded. The lengthening school day and year add more academic work; extracurricular activities become ever more demanding; and now work hours will expand as well. Students are often ill equipped to refuse employers'

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requests that they work more hours, unwilling to let them down or not comfortable with the conflict or afraid of losing a job or a reference for future work. The point of the statute is to protect students. While work may have its beneficial ancillary effects on student character and as a life experience, that is not the principal reason why students work. Educators say students typically work to support a car. Principals have suggested, moreover, that abandoning the school-work combination limit will have an effect on co-op students, whose work is tied to their school program by removing the linkage between the two.

POSITIONS:

The Michigan Restaurant Association testified in support of the bill. (11-12-02)

The following indicated support of the bill to the House Committee on Commerce: the Michigan Retailers Association; Spartan Stores; and the National Federation of Independent Business. (11-12-02)

Testifying in opposition to the bill were the Michigan State AFL-CIO; the Michigan Association of Secondary School Principals; and the Michigan Federation of Teachers and School Related Personnel. (11-12-02)

The following indicated opposition to the bill to the House Committee on Commerce: the United Auto Workers and the Service Workers International Union. (11-12-02)

Analyst: C. Couch

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.