

Legislative Analysis



WORK PERMITS FOR HOMESCHOOLED MINORS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4063 as enrolled

Sponsor: Rep. John Reilly

House Committee: Education

Senate Committee: Economic and Small Business Development

Complete to 4-12-22

Analysis available at
<http://www.legislature.mi.gov>

(Vetoed by the Governor 9-16-21)

BRIEF SUMMARY: House Bill 4063 would amend the Youth Employment Standards Act to allow a minor's parent or legal guardian to issue and revoke a work permit for employment in qualifying occupations if the minor is being homeschooled.

FISCAL IMPACT: House Bill 4063 would not have a significant fiscal impact on the Department of Labor and Economic Opportunity (LEO) or any other unit of state or local government.

THE APPARENT PROBLEM:

Currently, if a homeschooled minor wants to obtain a work permit, he or she can go to the local school district, where the chief administrator "shall" issue the permit. As noted in committee testimony, this puts the chief administrator in an awkward situation, where a person who does not know the student is authorizing that student to work. Supporters of the bill advanced it as a way to put homeschoolers on equal footing with traditional students, by allowing the person responsible for educating the student—the student's parent or guardian—to authorize the work permit.

THE CONTENT OF THE BILL:

House Bill 4063 would amend the Youth Employment Standards Act to allow a minor's parent or legal guardian to issue and revoke a work permit for employment in qualifying occupations if the minor is being homeschooled.

Currently under the act, the term *issuing officer* refers to the chief administrator of the minor's school district, intermediate school district (ISD), public school academy (PSA), or nonpublic school or a designee of the chief administrator.

The bill would expand that definition to include the minor's parent or guardian. It also would specify that a parent or guardian is included as an issuing officer even when, as in section 4 of the act, reference is made to the "issuing officer of the school district, ISD, PSA, or nonpublic school at which the minor is enrolled."

These changes would ensure that the same youth employment standards as apply to students attending traditional schools would apply to those being educated at home by a parent or guardian in an organized educational program including specified subject matter. The rules specified under the act for issuance, application for the work permit, revocation, and appeal also would apply.

MCL 409.102

BACKGROUND:

The bill is a reintroduction of HB 4262 of the 2019-20 legislative session, which was referred from the House Education committee and considered by the House Ways and Means committee.

Vetoed 9-16-21:

In her veto message, Governor Whitmer said that the bill would chip at the child labor laws that protect children from child labor exploitation, such as denial of educational opportunities and increased physical and mental health risks. Current law requires an educational entity to sign off on youth employment; the bill would have allowed parents to fill out and approve an application on their own, thereby removing a level of scrutiny.

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