MICHIGAN YOUTH CORPS ACT
Act 69 of 1983

AN ACT to establish the Michigan youth corps program for the purpose of providing summer employment and work training for the youth in this state; to prescribe the powers and duties of certain state officers and state departments; and to provide for penalties.

History: 1983, Act 69, Imd. Eff. June 2, 1983.

The People of the State of Michigan enact:

***** *409.221 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229* *****

409.221 Short title.

Sec. 1. This act shall be known and may be cited as the "Michigan youth corps act".

History: 1983, Act 69, Imd. Eff. June 2, 1983.

***** *409.222 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229* *****

409.222 Definitions.

Sec. 2. As used in this act:

(a) "Minority" means a person who is black, hispanic, oriental, eskimo, or an American Indian who is not less than 1/4 quantum Indian blood as certified by the person's tribal association and verified by the Indian affairs commission.

(b) "Participant" means a person hired under this act who meets the eligibility criteria of section 6.

(c) "Private nonprofit organization" means a private nonprofit organization which does not as a substantial part of its activities carry on propaganda or otherwise attempt to influence legislation and which does not participate in or intervene in, including participation or intervention which involves publishing or distributing statements, any political campaign on behalf of any candidate for public office.

(d) "Recipient" means a city, village, county, township, school district, intermediate school district, university, community college, private nonprofit organization, or governmental authority, or an agency or department of a city, village, county, township, school district, intermediate school district, or a private nonprofit organization.

(e) "Resident" means an individual who has in this state the individual's true, fixed, and permanent home and principal establishment to which the individual intends to return whenever absent. An individual is a resident until the individual establishes a permanent establishment outside this state.

(f) "Service delivery areas" means the administrative entities designated by the governor under the job training partnership act, Public Law 97-300, 96 Stat. 1322.

(g) "State department" means a department created in the executive branch of state government pursuant to section 2 of article V of the state constitution of 1963, or a board, commission, agency, or other unit of state government.

(h) "Supervisor" means a person hired to supervise participants of programs operated under this act.

History: 1983, Act 69, Imd. Eff. June 2, 1983;—Am. 1984, Act 220, Imd. Eff. July 16, 1984;—Am. 1985, Act 28, Imd. Eff. June 6, 1985.

***** *409.223 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229* *****

409.223 Michigan youth corps program; establishment; disbursement of implementation funds.

Sec. 3. The Michigan youth corps program is established in the department of labor. Funds to implement the program shall be disbursed to state departments as provided by law.

History: 1983, Act 69, Imd. Eff. June 2, 1983;—Am. 1984, Act 220, Imd. Eff. July 16, 1984.

***** *409.224 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229* *****

409.224 Establishment of summer youth employment and work training programs by state departments; administration of grant program dispensing funds to recipients; written contract; contents; job training experience; duty of program director; identification of state elected or state appointed official prohibited.

Sec. 4. (1) With the funds disbursed as provided in section 3, each state department shall establish summer

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youth employment and work training programs to accomplish that state department's programs, or shall administer on a contractual basis a grant program which dispenses funds to recipients for the purpose of establishing summer youth employment and work training programs to maintain and enhance the human and natural resources of this state, or both.

(2) A state department that administers a grant program which dispenses funds to recipients under this act shall enter into a written contract with each recipient. The contract shall contain all assurances which are considered by the department to be necessary and to be consistent with the minimum provisions specified by the Michigan youth corps program director pursuant to section 8, and shall incorporate, either directly or by reference, the provisions of the Michigan youth corps policies and procedures specified by the Michigan youth corps program director pursuant to section 8. The policies and procedures shall include, but not be limited to, an explanation of all of the following:

(a) Purpose of the program.

(b) Funding of the program.

(c) Permissible and required program elements.

(d) Wage requirements.

(e) Duration of employment.

(f) Michigan employment security commission referral practices.

(g) Administrative costs.

(h) Required interim and final reports.

(i) Grievance procedures.

(j) Permitted subcontracts.

(k) Audit and performance evaluation criteria.

(3) The employment and work training programs established pursuant to this section shall provide a job training experience for youth in this state that will increase their likelihood of obtaining future employment in the private sector.

(4) The Michigan youth corps program director shall assure that services designed to assist in the transition from the Michigan youth corps program to educational or job training or to unsubsidized employment are made available under this program. These services may include, but are not limited to, career workshops and job fairs. To the greatest extent possible, the Michigan youth corps program director shall coordinate transition efforts made available under this act with federal job training program activities offered by service delivery areas.

(5) While on the job, participants shall not wear any uniforms or items of any kind containing the name or otherwise identifying any state elected or state appointed official.

History: 1983, Act 69, Imd. Eff. June 2, 1983;—Am. 1984, Act 220, Imd. Eff. July 16, 1984;—Am. 1985, Act 28, Imd. Eff. June 6, 1985.

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****** 409.225 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229 ******

409.225 Application for grant; review and referral; disbursement of grant to recipient.

Sec. 5. (1) A potential recipient may apply to either a state department or the director of the Michigan youth corps program for a grant under this act. The director shall review and refer qualified applications so received to the appropriate state department.

(2) A state department shall not disburse to a recipient before the beginning of the recipient's employment program more than 90% of the total grant amount determined by the department. The state department shall disburse the balance of the grant upon receipt, auditing, and approval of a report describing the recipient's use of the grant awarded under this act.

History: 1983, Act 69, Imd. Eff. June 2, 1983.

****** 409.226 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229 ******

409.226 Persons hired as participants by state department or recipient under program; qualifications; prohibited hiring; certification of eligibility; payment of participants; assuring hiring of certain applicants; duties of program director and director of department of social services; hiring priority; duration of employment; uniform allowable maximum cost per participant; use of existing state department employees as supervisors; administrative expenses, nonwage-related expenses, and program expenses.

Sec. 6. (1) Persons hired as participants by a state department or a recipient under the Michigan youth corps program shall meet all of the following:

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(a) Be residents of the state.

(b) Be not younger than 18 years of age and not older than 21 years of age on the date of application.

(c) Be unemployed at the time of hiring.

(2) A state department or a recipient shall not hire a person as a participant or supervisor who was on the department's or recipient's payroll in a similar capacity within 30 days before being hired through an employment program established with funds received under this act.

(3) A state department or a recipient shall not hire a person as a participant or supervisor who is the son or daughter of an elected or appointed official of this state or of a city, village, county, township, school district, intermediate school district, or other governmental authority.

(4) A person who is a son or daughter of an employee of a state department or a recipient shall not be hired to work in a summer youth employment and work training program established by that department or recipient.

(5) State departments and recipients shall hire only those participants who are certified as eligible by the employment security commission.

(6) A state department or a recipient shall pay participants of an employment program established with funds disbursed from the Michigan youth corps fund according to the following:

(a) Participants, other than supervisors, shall be paid the minimum wage established by law at the time of employment.

(b) Participants who are supervisors shall be paid a temporary supervisory wage not to exceed $5.50 per hour.

(7) Each state department and recipient and the Michigan youth corps program director shall assure that eligible minority persons, eligible persons who are members of households the heads of which are single, eligible persons who are handicapped, and equal numbers of eligible males and females, to the extent that these persons apply for the program, are hired as employees and supervisors under the Michigan youth corps program.

(8) The Michigan youth corps program director shall notify the director of the department of social services of any summer employment and work training programs established under this act. The director of the department of social services shall take any action necessary to notify all employable general assistance recipients who are eligible under this act, who are not currently assigned to employment, training, or an educational program of the summer employment and work programs established under this act.

(9) If the number of persons applying for positions in a summer employment and work training program established under this act exceeds the number of positions created, a state department or a recipient shall give priority in hiring first to those persons who are members of households the heads of which are unemployed, and then to those persons who are relatively older than other persons applying.

(10) A state department or a recipient shall not establish positions, other than supervisory positions, to last less than 6 weeks nor more than 12 weeks under this act without prior approval of the Michigan youth corps program director. A state department or a recipient shall not employ supervisors for more than 14 weeks under this act. The Michigan youth corps program director may establish a uniform allowable maximum cost per participant for all recipients of the Michigan youth corps program.

(11) A state department or a recipient shall use its existing employees as supervisors whenever possible.

(12) A state department shall not expend funds received under this act to pay for administrative expenses incurred by the state department to administer a grant program which dispenses funds to recipients. Not more than 18% of the funds distributed to a state department or a recipient may be expended for nonwage-related expenses, and not more than 8% of the 18% may be expended for administrative expenses of the state department's or recipient's own employment program. The Michigan youth corps program director, upon his or her discretion, may authorize a waiver of the 18% limitation only in case of extenuating circumstances. The balance of the funds distributed to a state department or a recipient may be expended for program expenses. As used in this section:

(a) "Administrative expenses" means general overhead expenses.

(b) "Program expenses" means all of the following:

(*i*) Participant and supervisory wages. Program expenses do not include participant or supervisory fringe benefits.

(*ii*) Worker's disability compensation costs.

(*iii*) Reasonable and necessary tools, supplies, and safety equipment.

(*iv*) Reasonable and necessary transportation expenses.

History: 1983, Act 69, Imd. Eff. June 2, 1983;—Am. 1984, Act 220, Imd. Eff. July 16, 1984;—Am. 1985, Act 28, Imd. Eff. June 6, 1985.

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***** *409.227 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229* *****

409.227 Adding or eliminating permanent full-time positions as result of hiring prohibited; willful violation of subsection (2).

Sec. 7. (1) Permanent full-time positions in the state classified civil service shall not be added or eliminated as a result of hiring under this act.

(2) Recipients shall not add or eliminate permanent full-time positions as a result of hiring under this act. Any willful violation of this subsection will require the recipient to fully repay any grants received from the Michigan youth corps program to the state general fund.

History: 1983, Act 69, Imd. Eff. June 2, 1983.

***** *409.228 THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 1986: See 409.229* *****

409.228 Michigan youth corps program director; appointment; powers and duties.

Sec. 8. (1) The governor shall appoint a Michigan youth corps program director who may adopt guidelines, promulgate rules, and take any other action to implement the program.

(2) The Michigan youth corps program director shall specify the minimum provisions to be incorporated into the contracts and Michigan youth corps policies and procedures required under section 4.

History: 1983, Act 69, Imd. Eff. June 2, 1983.

***** *409.228a THIS SECTION DOES NOT APPLY AFTER JANUARY 1, 1985* *****

409.228a Private sector advisory task force; creation; appointment of members; report.

Sec. 8a. A private sector advisory task force, consisting of 9 representatives of the private sector, shall be created. Of the 9 members, 3 shall be appointed by the governor, 3 shall be appointed by the senate majority leader, and 3 shall be appointed by the speaker of the house of representatives. Not later than January 1, 1985, the private sector advisory task force shall submit a report to the senate and house committees that have the responsibility for labor legislation regarding the feasibility of employing youth in the private sector during their participation in the Michigan youth corps program, and, if it is considered feasible, examples of how the private sector can be involved in the Michigan youth corps program. The report also shall include, but not be limited to, identification of unsubsidized employment opportunities and suggestions for services, such as career counseling, job search assistance, and job placement, designed to assist participants in the transition from the Michigan youth corps program to unsubsidized employment.

History: Add. 1984, Act 220, Imd. Eff. July 16, 1984.

Compiler's note: Section 2 of Act 220 of 1984 provides: “Section 8a shall not apply after January 1, 1985.”

409.229 Nonapplicability of MCL 409.221 to 409.228.

Sec. 9. Sections 1 through 8 shall not apply after September 30, 1986.

History: 1983, Act 69, Imd. Eff. June 2, 1983;—Am. 1984, Act 220, Imd. Eff. July 16, 1984;—Am. 1985, Act 28, Imd. Eff. June 6, 1985.

409.230 Repealed. 1984, Act 220, Imd. Eff. July 16, 1984.

Compiler's note: The repealed section pertained to conditional effective date of act.

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