

Department of Labor and Economic Opportunity
Wage and Hour Division
P.O. Box 30476
Lansing, MI 48909-7976
517.284.7800
www.michigan.gov/wagehour

Before submitting an Application for General Hours Deviation, please read these instructions carefully. If the application is not completed as indicated in these instructions, it will be returned to you.

COMPLETE THIS APPLICATION IF:

1. Records will be maintained on the premises where the minor is employed certifying that work hours do not exceed 24 hours while school is in session and 48 hours while school is not in session, AND
2. A valid work permit issued by a public, charter or private school is obtained, AND
3. All minors at this establishment will be employed in compliance with the provisions of Act 90, PA 1978, the Youth Employment Standards Act, as amended, AND
4. Pay and time records will be maintained and made available for inspection by an authorized representative of the Michigan Department of Labor and Economic Opportunity, AND
5. No minor will be employed for more than six days in one week, work longer than an average of eight hours per day in one week, or work more than five consecutive hours without a 30 minute uninterrupted recorded rest period, AND
6. Adult supervision is provided at all times, AND
7. Written, signed and dated parental permission must be on file at the location the minor is working

COMPLETE THIS APPLICATION BY:

1. Entering complete business name and telephone number.
2. Entering complete corporate name.
3. Entering complete corporate mailing address.
4. Entering **DETAILED** description of duties to be performed by minors.
5. Entering the address where the work requiring deviated hours will be performed.
6. Affixing the signature of employer or employer's representative certifying the statements on the application.
7. Indicating the title of employer or employer's representative.
8. Printing name of employer or employer's representative.
9. Entering date of application.

APPLICATION FOR GENERAL HOURS DEVIATION FOR 16 AND 17 YEAR OLD MINORS

Michigan Department of Labor and Economic Opportunity
Wage and Hour Division
530 W. Allegan
P.O. Box 30476 Lansing, MI 48909-7976
Telephone: (517) 284-7800 Facsimile: (517) 763-0110
Website: www.michigan.gov/wagehour
e-mail: LEO-YESADEVIATION@MICHIGAN.GOV

FOR OFFICE USE ONLY

Approval Date: _____

Expiration Date: None

Authority: Act 90, Public
Acts of 1978 as amended

The Department of Labor and Economic Opportunity will not discriminate against any individual based on religion, race, color, national origin, sex, disability, age, marital status, height, weight, arrest record, genetic information and familial status. Persons with disabilities needing accommodations under the Americans with Disabilities Act may make your needs known to this agency.

EMPLOYER INFORMATION

IMPORTANT: Deviation of hours cannot be granted unless this form is completed and returned for review and approval.

Business Name: _____ Federal Tax ID#: _____

Corporate Name: _____ Telephone Number: _____

Corporate Mailing Address: _____ Type of Business: _____

City: _____ State: _____ ZIP: _____ Email Address: _____

Workers' Compensation Insurer: _____ Policy #: _____

Detailed duties to be performed by minor:

The business listed above requests approval to employ 16 and 17 year old minors **when school is in session**, before the hour of 6:00 a.m. or after the hour of 10:30 p.m. as follows:

- Monday through Thursday **no later than 11:30 p.m.**
- Friday a shift ending **no later than 12:30 a.m. Saturday**
- Saturday a shift **beginning at 5:00 a.m. or a shift ending no later than 12:30 a.m. Sunday**
- Sunday a shift **beginning at 5:00 a.m. or a shift ending no later than 11:30 p.m.**

The business listed above requests approval to employ 16 and 17 year old minors **when school is not in session (spring/summer/Christmas/winter vacation period 7 consecutive days or more)**:

- Sunday through Saturday, a shift **beginning at 5:00 a.m. or a shift ending no later than 12:30 a.m.**

Location- employer name, street address, city, state and ZIP code, where minor will work the deviated hours if approved:

County: _____

I certify to the best of my knowledge and belief that all statements in this application are true and:

1. This is a true statement of the duties the minor will perform and the days and times the minor is to work under the terms of this Deviation application.
2. I understand that the minor may not perform the duties or work the days and times requested on the Deviation application until the department has granted and/or modified the terms and conditions thereof in writing.
3. The employment of all minors at this establishment will comply with the provisions of 1978 Public Act 90, as amended, the Youth Employment Standards Act (YESA) and the Youth Employment Standards Administrative Rules and the federal child labor regulations, 29 C.F.R. 570.1 et seq., if applicable.
4. The employer or an employee of the same employer, at least 18 years of age or older, will always be present and provide supervision.
5. I understand that an approved and valid Work Permit and all necessary written Parental Consent approval documents shall be maintained at the location where the minor is performing work.
6. The required YESA poster is conspicuously posted in or about the premises at which the minor is employed.
7. Required records will be maintained on the premises where the minor is employed and made available for inspection by an authorized representative of the department.
8. If a minor is required by the law to attend school, the work may only be performed outside of school hours, unless the minor is enrolled and employed under a work-related education program.
9. School is considered to be in session during any week in which the school district in which the minor resides requires its students to attend school, either physically or through virtual or distance learning - such as cyber/online/virtual, etc.
10. Any minor employed under the provisions of this deviation shall not be employed:
 - o For more than 6 days in 1 week.
 - o For more than an average of 8 hours per day in 1 week.
 - o For more than 24 work hours in one week when school is in session.
 - o For more than 10 hours in 1 day, or 48 hours in 1 week, when school is not in session.
 - o For more than 5 hours continuously without at least a 30-minute uninterrupted, documented meal or rest period.
 - o In violation of any Michigan Department of Labor and Economic Opportunity standard or federal child labor regulations.
11. A Parent or Guardian may deny or revoke approval for the minor to work the deviated hours requested.
12. This approval does not apply if federal law or a municipal ordinance establishes a more restrictive standard.

The Director, or their representative, of the Department of Labor and Economic Opportunity, may deny or revoke a deviation when the employer is in violation of any standard of the Department or federal child labor regulations, or modify a deviation to comply with a related state or federal standard.

An employer may request a hearing to review a modification or denial by submitting written notice to the department. Upon receipt of the written appeal, a hearing will be scheduled before an administrative law judge, providing the employer an opportunity to justify the deviation.

Signature of Employer or Representative

Title

Print Name of Employer or Representative

Date Application Signed