

PERMIT TO EMPLOY AND WORK

Form B1-4 (REV. 2-10)

General Summary of Minors' Work Regulations

- If federal laws, state laws, and school district policies conflict, the more restrictive law (the one most protective of the minor) prevails. (FLSA)
- Employers of minors required to attend school must complete a "Statement of Intent to Employ a Minor and Request for Work Permit" (CDE B1-1) for the school attendance for each such minor. (EC 49162)
- Employers must retain a "Permit to Employ and Work" (CDE B1-4) for each such minor. (EC 49161)
- Work permits (CDE B1-4) must be retained for three years and be available for inspection by sanctioned authorities at all times. (EC 49164) A work permit (CDE B1-4) must be revoked whenever the issuing authority determines the employment is illegal or is impairing the health or education of the minor. (EC 49164) A day of rest from work is required in every seven days, and shall not exceed six days in seven. (LC 551, 552)

Minors under the age of 18 may not work in environments declared hazardous or dangerous for young workers, examples listed below:

- | | |
|--|--|
| 1. Explosive Exposure | 10. Power-driving meat slicing/processing machines |
| 2. Motor vehicle driving/outside helper | 11. Power-driven metal forming, punching |
| 3. Roofing | 12. Power-driven paper products/paper bailing |
| 4. Logging and sawmilling | 13. Power-driven woodworking machines |
| 5. Manufacturing brick, tile products | 14. Power saws and shears |
| 6. Motor vehicle driving/outside helper | 15. Radiation Exposure |
| 7. Power-driven hoists/forklifts | 16. Roofing |
| 8. Power-driven metal forming, punching, and shearing machines | 17. Wrecking, demolition |
| 9. Power saws and shears | |

For more information about hazardous occupations, contact the U.S. Department of Labor (Child Labor Bulletins 101 and 102) and the California Department of Industrial Relations, Division of Labor Standards Enforcement. Regional offices are located in several California cities. They are listed in the "Government Listings" section of telephone directories.

- Minors younger than 16 years are allowed to work only in limited, specified occupations which exclude baking,

manufacturing, processing, construction, warehouse, and transportation occupations.

- In addition to safety regulations, labor laws applicable to adult employees are also generally applicable to minor employees, including workers' compensation insurance requirements.
- Child labor laws do not generally apply to minors who deliver newspapers or work at odd jobs, such as yard work and babysitting, or in private homes where the minor is not regularly employed.
- A day of rest from work is required if the total hours worked per week exceed 30 or if more than 6 hours are worked on any day during the week.

Hours of Work

16-17 when school is in session: Daily maximum 4 hours, Monday through Thursday. May work up to 8 hours on any non-school day. May be permitted to work up to 48 hours per week. **Students in Work Experience Education** programs may be permitted to work a maximum of 8 hours on a school day. **When School not in session:** May work up to 48 hours per week but no more than 8 hours in any one day.

Work must be performed no earlier than 5:00 a.m. nor later than 10:00 p.m. except that work may extend to 12:30 a.m. on nights preceding non-school days. **Students in Work Experience Education** programs may be authorized to work until 12:30 a.m. on nights preceding school days with specified written permission.

14-15 When School is in session: On schooldays, daily maximum 3 hours. On non-school days may work 8 hours. Weekly maximum 18 hours. **Students Work Experience Education** and Career Exploration programs may work up to 23 hours per week. **When School is not in session:** Daily maximum 8 hours and weekly maximum 40 hours.

May not work during public school hours: Except students in Work Experience Education or career exploration programs. Work must be performed no earlier than 7:00 a.m. nor later than 7:00 p.m. any day of the week. From June 1 to Labor Day work hours may be extended to 9:00 p.m. Younger than 14: Labor Laws generally prohibit nonfarm employment of children younger than 14. Special rules apply to agricultural work, domestic work and the entertainment industry.

For more information about child labor laws, contact the U.S. Department of Labor at <http://www.dol.gov/>, and the State of California Department of Industrial Relations, Division of Labor Standards Enforcement at <http://www.dir.ca.gov/DLSE/dlse.html>.