

StudentsWork Permits

The Governing Board recognizes that many students hold jobs. Part-time jobs can give these students needed supplementary income, valuable work experience, and enhanced self-esteem.

The Board also recognizes that all school-aged persons should acquire an education and that work permit laws exist to prevent outside employment from impairing a student's health and educational progress. Before accepting employment, students must obtain work permits which school authorities have been given the responsibility of issuing.

The Superintendent or designee shall issue work permits only to the extent that outside employment will not significantly interfere with the student's schoolwork. Approval to work more than 20 hours a week shall be granted only when justified by unusual circumstances, which shall be stated on the work permit.

Legal Reference:EDUCATION CODE

48231 Entrance into attendance area within ten school days of end of term

49110-49119 Permits to work

49130-49135 Permits to work full time

49140-49141 Exceptions

49150 Report

49164 Inspection; cancellation or revocation

LABOR CODE

1285-1312 Employment of minors

1391-1399 Working hours for minors

Policy
adopted: January 1991

NORRIS SCHOOL DISTRICT
Bakersfield, California

Law and Agencies Controlling Employment of Minors

Most state employers are governed not only by state child labor laws but also by the child labor provisions of the federal Fair Labor Standards Act (FLSA). When federal and state laws both apply, the more restrictive law prevails.

FLSA sets basic minimum ages of 16 for general employment and 18 for occupations declared particularly hazardous for young workers. Persons younger than 16 are allowed to work only in limited, specified occupations. (See federal Child Labor Bulletins 101 and 102.)

State law also sets out minimum ages, as summarized below, and restricts or prohibits employment of specified age groups of minors in specified hazardous occupations. (See "Child Labor Laws in California.")

Information on federal labor laws is available from the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor. Information on state child labor laws is available from the Division of Labor Standards, California Industrial Welfare Commission (IWC). Both the federal and state agencies have offices in several state cities.

Summary of Minors' Work Regulations

1. Federal law generally prohibits employment of children younger than 14. State law generally prohibits employment of children younger than 12. Special rules apply to agricultural and domestic work and to the entertainment industry.
2. Children generally must attend school until age 18 unless they are 16 or older and have graduated from high school or received a state Certificate of Proficiency.
3. Employers of minors required to attend school must have "Request for Work Permit and Statement of Intent to Employ Minor" (Form B1-1) on file with the school district of attendance for each such minor and must themselves have on file for each minor a "Permit to Employ and Work" (Form B1-4). Records are to be open at all times for inspection by school authorities and officers of the Division of Labor Standards Enforcement.
4. A work permit must be revoked whenever the issuing authority determines the employment is impairing the health or education of the minor.
5. Labor laws applicable to adult employees are also generally applicable to minor employees, including workers' compensation insurance requirements.
6. The child labor laws do not generally apply to minors who deliver newspapers or work at odd jobs, such as yard work and babysitting, in private homes where the minor is not regularly employed.

7. Hours of work:

<u>Age</u>	<u>Federal Regulations</u>	<u>State Regulations</u>
12-13	(see 1, above)	When school is not in session; daily maximum 8 hours, weekly maximum 48 hours. Generally cannot work on school days.
14-15	When school is not in session; daily maximum 8 hours, weekly maximum 40 hours. When school is in session; daily maximum 3 hours, weekly maximum 18 hours, except 23 hours if student is in work experience program. (Generally may not work during school hours except in work experience program.)	When school is not in session; same as for ages 12 and 13, above. On school days, if student has completed at least 7th grade, 4 hours maximum, except 8 hours if student is in work experience program. (Generally may not work during school hours except in work experience program.)
16-17	Same as for adults - <u>state standard prevails</u> .	Same as for ages 14 and 15, except: may be permitted 8 hours maximum on school days immediately preceding nonschool days, and high school graduates and state Certificate of Proficiency recipients are treated as adults.

8. Spread of hours:

12-13	(See 1, above.)	Work must be performed between 5 a.m. and 10 p.m.
14-15	Work must be performed between 7 a.m. and 7 p.m., except that from June 1 to Labor Day it may extend to 9 p.m.	Same as for ages 12 and 13, above, except that work may extend to 1/2 hour past midnight on nights preceding nonschool days, and students in work experience program may be authorized to work until 1/2 hour past midnight on nights preceding school days.
16-17	Same as for adults - <u>state standard prevails</u> .	Same as for ages 14 and 15, above, except that high school graduates and state Certificate of Proficiency recipients are treated as adults.

9. A day of rest from work is required if the total hours employed per week exceed 30 or if more than six hours are worked on any one day during the week.