

**Office of Larry E. Reider  
Kern county of Superintendent of Schools  
...advocates for children**

**WORKING MINORS IN COURT AND COMMUNITY SCHOOLS**

This document establishes uniform guidelines for school site administrators relative to working minors enrolled in court and community Schools operated by the Kern County Superintendent of Schools office. Summarized are regulations regarding the issuance of work permits and legalities of operating a formal work experience program based on State and Federal child labor laws.

Arthur S. Lujan, State Labor Commissioner writes in the California Child Labor Laws 2000 handbook *“The intent of the Legislation in enacting child labor laws is to enable young people to gain work experience and earn an income in a safe and healthy environment where their welfare is protected and formal education is not impaired.”*

Cross-referencing the California Education Code, Work Permit Handbook and California and Federal Child Labor Laws has revealed that there are many variables concerning actual interpretation and implementation of the various laws. At times, laws are contradictory and somewhat unspecific. However, it is clear that the protection of minors is the intent of all these governmental regulations and is our mandate.

The pamphlet *“Child Labor Laws, Work Permits and Work Experience”* is the condensed version of this document and may be copied and distributed to interested parents, students, educators, and community members. For more information please feel free to call:

Sandra Urner, Career Development Specialist  
CareerPlus! Center-Sandstone Education Center  
315 E. Truxtun Avenue  
Bakersfield, CA 93305  
661-852-5715 (office) or 661-477-3062 (cell)

## WORK PERMITS

Excerpts from Work Permit Handbook for California Schools –  
Laws and Regulations Governing the Employment of Minors  
California Department of Education

- Forms required for employment of minors:

The forms required for the employment of minors are supplied by the State Superintendent of Public Instruction to the offices of the County Superintendent of Schools, which in turn supplies the forms to school districts. These forms are also available online at [www.kccclc.org](http://www.kccclc.org) website. Two forms are required:

1. Request for Work Permit and Statement of Intent to Employ Minor
2. Permit to Employ and Work

Work regulations for minors are summarized on the reverse side of the Request for Work Permit and Statement of Intent to Employ Minor form.

Instructions:

1. The Statement of Intent to Employ Minor and Request for Work Permit must be filled in completely, including the signatures of a parent or legal guardian, employer and the name of the workers' compensation carrier.
2. After all the information is completed by student, employer and parent, school official types the information on the work permit and the administrator or school designee signs the work permit. A copy of the work permit should be kept on file at the school for 3 years.
3. Permits to work issued during the school year expire five days after the opening of the next succeeding school year.
4. Work permits are issued for individual, specific employers.
5. Each time a student changes jobs, a new work permit must be issued.
6. If a student works two jobs, both jobs together may not total more than the legal number of hours specified for each age group and circumstance.
7. A day of rest is required if the total hours employed per week exceed 30, or if more than 6 hours are worked on any day during the week.
8. If an employer is covered by both state and federal laws, the higher standard – the provision which gives the most protection to employees – applies.

## EDUCATION CODE SUMMARY RELATIVE TO WORK PERMITS

Note for school administrators: For clearer reference, the law is in italics and KCSOS procedures are written in a standard, non-italic font.

### **E.C. 49110 Legislative Intent**

*It is the intent of the Legislature that school district personnel responsible for issuing work permits to minors have a working knowledge of California Labor Laws as they relate to minors; and further, that personnel be trained to provide the pupils practical career guidance in career education....*

### **KCSOS Procedure**

School administrators and the career development specialist are designated to oversee the work permit application process and authorized to sign work permits. School administrators may designate a school site staff member to distribute applications, type work permits and keep work permits on file for three years.

### **E.C. 49111 Issuing Mandates**

*A permit to work may be issued to any minor over the age of 12 years and under the age of 18 years to be employed on a regular school holiday, during the regular vacation of public school, during such time as minor is exempt from compulsory school attendance pursuant to section 4831, and during the period of specific occasional public school vacation in anyone of the establishment or occupations not otherwise permitted by law.*

### **KCSOS Procedure**

- Students enrolled in Court or Community schools may obtain a Request for Work Permit Application form from their school office.
- Issuing school staff should explain to applicant how to complete the application with particular emphasis on “kind of work minor is to perform” and assist applicant to thoroughly and properly complete the form. Often this is a first job for students and they are understandably nervous about the process of becoming employed. Typically, students don’t understand and may request a work permit without having an employer. School staff should be prepared to explain that an application is only issued if there is an employer who is planning to hire the student and complete the employer section of the form.
- Once the signature from parent/guardian and employer is obtained, applicant returns the form to the issuing school staff. School staff types the “Permit to Employ and Work” using the online form if available and gives the form to the student who in turn submits the form to the employer. The Request for Work Permit application form remains on file at school for the three years.

- Designated school administrator signs the work permit authorizing spread of hours and type of permit to be issued (regular or vacation). School administrators are authorized to issue work permits for up to 32 hours for students 16 years of age and older.
- Students enrolled in work experience may be authorized to work for up to 36 hours per week of work. **However, only the Career Development Specialist can issue all work experience permits.** This is due to the legal requirements for instruction and onsite worksite supervision. Refer students who want to work more than 32 hours a week to the CareerPlus! Center – 852-5715.

### **E.C. 4911 Work Permit Contents**

*The permit to employ includes the following information::*

- a) Name, age, birth date, address and phone number of the minor.*
- b) The place and hours of compulsory part-time school attendance for the minor, or statement of exemption there from, and the hours of compulsory full-time school attendance for the minor, if the permit is issued for outside of the school hours.*
- c) The maximum number of hours per day and per week student may work when school is in session.*
- d) The minor's social security number.*
- e) The signature of the minor and the issuing authority.*
- f) The date on which permit expires.*

### **KCSOS Procedure**

Same as above, however, the school administrator has the option of adding comments in the remarks section for the employer when additional restrictions apply. For example, administrator may write. "student cannot work beyond 10:30 pm on a school day" if it is applicable.

### **E.C. 49118 Expiration of Permits**

*Permits to work issued during the school year shall expire five days after the opening of the next succeeding year.*

## EDUCATION CODE SUMMARY RELATIVE TO WORK EXPERIENCE

### **E.C. 51760 Work Experience Instruction**

*The governing board of any district maintaining high school may:*

- a) *Provide for the instruction of pupils in the skills, attitudes, and understandings necessary to success in employment by means of courses of work experience education as provided in this article.*
- b) *Provide for guidance and supervision procedures designed to insure maximum educational benefit to students from placement in suitable work experience education courses.*
- c) *Provide for arranging, approving, coordinating, and awarding credit for work experience education courses, and for all those purposes employ instructors, coordinators or other necessary personnel.*
- d) *Provide for the district to purchase liability insurance for students enrolled in programs of study involving work experience or vocational education at locations off school grounds approved by the governing board, or require students to purchase insurance and to pass on all or a portion of the cost, at the discretion of the governing board or district.*

### **KCSOS Procedure**

All minor students interested in working more than 32 hours per week should be referred to the career specialist to obtain a work permit. In order to obtain a work permit for more than 32 hours per week, minor students must enroll in KCSOS' Work Experience Program that is conducted at the CareerPlus! Center.

### **E.C. 51760.3 Issuing Credit**

*The governing board of any school district offering work experience education pursuant to the authority of Section 51760 shall grant credit to pupils satisfactorily completing a work experience education program, in an amount not to exceed a total of 40 semester credits, of which no more than 10 credits per semester...*

### **KCSOS Procedures**

A maximum of 10 semester credits may be earned for work experience in one school year.

### **E.C. 51560.3 (b) Credit Limits**

*During the course of pupil's enrollment in the program, the pupil receives as minimum of the equivalent of one instructional period per week of a class room instruction or counseling by a certificated employee.*

#### **KCSOS Procedure**

Career development specialist will conduct work experience meetings on a regularly schedule basis and will conduct work site monitoring visits.

### **California Administrative Code, Title 5 Division 10, Chapter 1, Article 4**

### **E.C. 10071 Formal Training Agreements for Each Type of Work Experience Education**

*Work Experience Education consists of one or more of the following paid and unpaid types of on-the-job experiences, which the secondary school district may offer through a formal training agreement with each employer. The written agreement shall identify the responsibilities of the student; employer, parent or guardian and secondary school district shall outline the objectives that the student is to accomplish at the training site.*

- a) *Vocational work experience: a combination of related classroom instruction in Work Experience Education and supervised paid employment in the occupation for which their vocational course in school prepares them.*
- b) *General Work Experience Education: paid work experience.*
- c) *Exploratory Work Experience: non-paid career development experience such as job shadowing, career tours, etc.*

#### **KCSOS Procedure**

Majority of our students will be enrolled in a General Work Experience Education.

### **E.C. 10072 Selection and Approval of Work Stations**

*Work Experience Education Teacher-Coordinator shall approve workstations that will enable the student to accomplish meaningful objectives.*

#### **KCSOS Procedure**

Career development specialist will be responsible for monitoring work sites.

**E.C. 10073                      Related Classroom Instruction**

*The Work Experience Education Teacher-Coordinator shall conduct the related classroom instruction. Related classroom instruction shall be developed each semester and type of Work Experience Education offered, including units in appropriate scope and sequence.*

**KCSOS Procedure**

Career development specialist shall provide related instruction.

**E.C. 10074                      Supervision of Student**

*In carrying out the district plan for Work Experience Education, the Teacher-Coordinator shall provide for the supervision of the students by preparing individual training plans, observing and consulting with students, and making a minimum of one onsite contacts per semester with each work station supervisor and a minimum of one onsite contact during summer school to evaluate student performance.*

**KCSOS Procedure**

Career development specialist shall distribute and/or complete:

- a) Worksite Agreement (copy to be kept at worksite and school) for each worksite employing students enrolled in work experience or any other work program offered through KCSOS.
- b) Worksite Visitation Record: a log recording results of worksite visit and including dates as well as anecdotal records.
- c) Worksite Supervisor Packets: general information about our schools, child labor laws, work experience education program and services of the CareerPlus! Center.

## CHILD LABOR LAWS SUMMARY

A recap of the hour limitations as listed in the *California Child Labor Laws, 2000 edition on page 9 – Hours or Work follows:*

### Ages 16-17 (School in Session)

- 4 hours maximum per day, Monday to Thursday
- 8 hours maximum per day, Friday to Sunday
- 32 hours total per week
- 5:00-10:00 pm except...5:00-12:30 am if there is no school the next day

### Ages 16-17 (School in Session/Enrolled in Work Experience)

- 5 hours maximum per day, Monday to Thursday
- 8 hours maximum per day, Friday to Sunday
- 36 hours total per week
- 5:00-10:00 pm except...5:00-12:30 am if there is no school the next day or with permission of parent or guardian, school counselor and Work Experience Coordinator

### Ages 16-17 (Summer/Vacation)

- 8 hours maximum per day, Monday to Saturday
- 48 hours total per week
- 5:00-12:30 am any day of week

### Ages 14-15 (school in session)

- 3 hours maximum per day, Monday to Friday
- 8 hours maximum per day, Saturday and Sunday
- 40 hours total per week
- 7:00-7:30 pm any day of week

### Ages 14-15 (Summer/Vacation)

- 8 hours maximum per day, Monday to Sunday
- 40 hours total per week
- 7:00-7:30 pm any day of week

