



# Banning High School

## CALIFORNIA WORK PERMIT HANDBOOK



The issuance of work permits is a serious responsibility for California educators. The California Work Permit Handbook is designed as a reference document for school personnel authorized, with the responsibilities of issuing work permits to minors.

### **Chapter 1**

Chapter 1 of the California Work Permit Handbook covering work permits.

#### Forms Required for the Employment of Minors

The school responsible for the issuance of work permits may print the forms required for the employment of minors. Two forms are required:

CDE Form B1-1: Statement of Intent to Employ A Minor and Request for a Work Permit Certificate of Age (English)

CDE Form B1-4: Permit to Employ and Work; also known as the "official work permit"

#### General Regulations

The following information is general and applies to the employment of minors:

When designated in writing by the school district superintendent, principal, or designee:

CDE Form B1-1: must be filled in completely, including the signatures of employer and parent/legal guardian.

CDE Form B1-4: may be issued only when the completed CDE Form B1-1 (DOC) is on file with the school/school district.

Work permits (CDE Form B1-4) are issued for specific employers.

Each time a student/minor changes employers, a new work permit must be issued.

If a student works at two jobs, both jobs together may not total more than the legal number of hours specified for his/her age group and circumstance.

A day of rest from work is required if the total hours employed per week exceeds 30, or if more than 6 hours are worked on any one day during the week.

If the state and federal laws are not the same, the higher standard (the provision that gives the most protection to employees) applies.

School and/or school districts may set maximum limits on daily and weekly hours worked for minors that are more restrictive than those reflected in state and federal regulations.

When self-certifying a working knowledge of child labor laws and regulations pertaining to working minors, public and private school principals or their designated administrators:

May complete the work permit process and requirements using CDE Form B1-8.

Shall comply with all the general regulations listed above.

Shall submit a copy of the CDE Form B1-1, CDE Form B1-4, and their self-certification (CDE Form B1-8) to the district or county superintendent of where the school resides.

#### Potentially Unsafe Environment

In some instances, a minor may be working in an environment that has the potential for injury to the minor. In other words, the job tasks themselves are not dangerous or hazardous, but an unsafe environment could exist (e.g., a car wash in which the minor's responsibilities are to only wash windows and dry cars by hand, not to use the power machines).

In such a case, the work permit issuing authority is strongly urged to include wording in the "Remarks" section of the work permit, calling attention to the possibility that the environment could be hazardous for the minor. This work permit is issued for the specific work duties as indicated on the CDE Form B1-4.

The employer must be aware that the work environment could, unknowingly, cause the minor to be exposed to dangerous and/or hazardous situations or equipment. It is the employer's responsibility to provide adequate supervision to maintain a safe working environment for the minor.

## Chapter 2

Labor law charts, which outline state and federal laws and regulations state and federal laws and regulations concerning the employment of minors in California, may be located in the California Child Labor Laws Handbook. This publication of the California Department of Industrial Relations, Division of Labor Standards Enforcement contains comprehensive information about child labor laws, school attendance, wage, hour, and age requirements, restrictions, employer requirements and work permits.

### Hours of Work

16 & 17 Year Olds	14 & 15 Year Olds	12 & 13 Year Olds
Must have completed 7 <sup>th</sup> grade to work while school is in session (EC 49112)	Must have completed 7 <sup>th</sup> grade to work while school is in session (EC 49112)	Must have completed 6 <sup>th</sup> grade to work while school is in session (EC 49112)  Labor laws prohibit non-farm employment of children younger than 14. Special rules apply to agricultural work, domestic work in a private home, and the entertainment industry (LC 1285-1312)

### Maximum Work Hours - School In Session

16 & 17 Year Olds	14 & 15 Year Olds	12 & 13 Year Olds
EC 49112, 49116; LC 1391)  8 hours on any non-school day (EC 49112; LC 1391)  48 hours per week (LC 1391)  WEE and CVE students & personal attendants may work more than 4 hours on a school day, but never more than 8 (EC 49116; LC 1391, 1392)	3 hours per school day outside of school hours (EC 49112, 49116; LC 1391)  8 hours on any non-school day 18 hours per week (EC 49116; LC 1391)  WEE and CVE students may work during school hours and up to 23 hours per week (EC 49116; LC 1391)	May be employed only during school holidays and vacations (usually construed to include weekends). May never be employed on any school day, either before or after school (EC 49111)  Exemptions pursuant to EC 49112 for 13 year olds consist of a maximum of 2 hours per school day and a maximum of 4 hours per week

### Maximum Work Hours - School Not In Session

16 & 17 Year Olds	14 & 15 Year Olds	12 & 13 Year Olds
8 hours per day (LC 1391, 1392) 48 hours per week (LC 1391)	8 hours per day (LC 1391, 1392) 40 hours per week (LC 1391)	8 hours per day (LC 1391, 1392) 40 hours per week (LC 1391)

### Spread of Hours

16 & 17 Year Olds	14 & 15 Year Olds	12 & 13 Year Olds
5 a.m.–10 p.m. However, until 12:30 a.m. on any evening preceding a non-school day (LC 1391)  WEE and CVE students, with permission until 12:30 a.m. on any day (LC 1391.1)  Messengers: 6 a.m.–9 p.m.	7 a.m.–7 p.m., except from June 1 through Labor Day, until 9 p.m. (LC 1391)	7 a.m.–7 p.m., except from June 1 through Labor Day, until 9 p.m. (LC 1391)

Labor law charts found in the *California Child Labor Laws Handbook* are only summaries. Special rules or regulations may not be included in these charts. For more information regarding California labor laws, the reader should consult the Department of Industrial Relations, Division of Labor Standards Enforcement. For more specific information concerning federal regulations and the **Fair Labor Standards Act (FLSA)**, contact the U.S. Department of Labor, Wage and Hour Division.