



Students

Work Permits

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 most 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.



Students

Work Permits

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:

Age	Federal Regulation	State Regulations
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 7 th 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 14-15, 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.



Students

Work Permits

8. Spread of hours:

Age	Federal Regulations	State Regulations
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.