

# Work Permit

## What is a work permit and where can I get one?

A work permit is a legal document required by the state of California that allows a person under 18 years of age to hold a job. You may get a work permit from your local public high school. There are four steps in obtaining a work permit:

1. Obtain a work permit application in the Career Center at your local high school (or the application form may be downloaded from the JCS Counseling Page.)
2. Fill out the personal information at the top of the application, get your prospective employer to fill out the information required in the middle portion, and have a parent or guardian sign the bottom portion of the application.
3. Return the completed work permit application to your high school where the work permit will be processed and typed. **Your school will need 24 hours to process the Work Permit.**
4. Return to the your counselor and sign your permit. Bring the typed and signed work permit back to the prospective employer.

## At what age can I get a work permit?

Minors aged 12 through 17 are required to get work permits before starting a job. A minor under the age of 12 cannot receive a work permit except in the entertainment industry. There are a few exceptions to these rules. No work permit is required for the following jobs: 1) certain agricultural industry jobs, 2) odd jobs in private homes such as gardening and babysitting, 3) newspaper delivery jobs, 4) casual work in a family-owned business, and 5) self-employment.

## Does a work permit require school attendance?

Minors under 18 years of age must attend school to get a work permit. If a student graduates from high school before age 18, he or she no longer needs a work permit. If a student passes the California High School Proficiency Exam (CHSPE) or the G.E.D. before the age of 18, he or she no longer needs a work permit. When an employer hires someone under 18 years old who has graduated, passed the CHSPE or G.E.D., the document verifying that fact must be given to the employer as proof that no work permit is required. Minors between 16 and 18 years of age who have dropped out of school must be enrolled in continuation or adult school classes for at least four hours per week before getting a work permit. Emancipated minors must attend school in order to get a work permit. Emancipated minors are those who have gone through court proceedings to be legally separated and freed from the control of their parents for certain reasons.

Emancipated minors are still required to get a work permit before being employed but may obtain the work permit without parent consent and signature.

### Can a work permit be taken away?

Yes, the work permit can be cancelled and taken away at any time by a high school administrator. In addition, a work permit can be cancelled at a parent's request with good reason. Good reasons for canceling a work permit include: job does not fit legal requirements for minors, hours scheduled create a truancy or absence problem for the student, or demands of job are causing student to fail classes at school.

### When does a work permit expire?

A minor must obtain a work permit for each job. A work permit is no longer valid when a minor quits or leaves a job. A new work permit application must be filled out for each new job. In addition, all work permits in the state of California **expire five days after the opening of school in the fall**. This is to insure that all minors report to school in the fall before continuing to work after summer vacation. Therefore, if a minor obtained a job and work permit in June and still had that same job in September, the work permit would expire. The minor would need to obtain a new work permit for the new school year even though it was for the same continuing job.

**STATEMENT OF INTENT TO EMPLOY A MINOR AND REQUEST FOR A WORK PERMIT—CERTIFICATE OF AGE**

CDE Form B1-1 (Rev. 02-14)

A "STATEMENT OF INTENT TO EMPLOY A MINOR AND REQUEST FOR A WORK PERMIT—CERTIFICATE OF AGE" form (CDE Form B1-1) shall be completed in accordance with California *Education Code* 49162 and 49163 as notification of intent to employ a minor. This form is also a Certificate of Age pursuant to California *Education Code* 49114.

*(Print Information)***Minor's Information**

|  |                        |                     |
|--|------------------------|---------------------|
| Minor's Name ( <i>First and Last</i> ) | Home Phone             | Grade               |
| Home Address                           | City                   | Zip Code            |
| Birth Date                             | Social Security Number | Age                 |
|  |                        | Student's Signature |

**School Information**

|                |              |          |
|----------------|--------------|----------|
| School Name    | School Phone |          |
| School Address | City         | Zip Code |

**To be filled in and signed by parent or legal guardian**

*This minor is being employed at the place of work described with my full knowledge and consent. I hereby certify that to the best of my knowledge and belief, the information herein is correct and true.*

|   |                    |      |
|---|--------------------|------|
| Parent's Name ( <i>Print First and Last</i> ) | Parent's Signature | Date |
|---|--------------------|------|

**To be filled in and signed by employer**

|  |                |                   |
|--|----------------|-------------------|
| Business Name or Agency of Placement   | Business Phone | Supervisor's Name |
| Business Address   | City           | Zip Code          |
| Employer's Maximum Expected Work Hours: _____ hours per day _____ hours per week |                |                   |
| Describe nature of work to be performed: _____                                   |                |                   |

*In compliance with California labor laws, this employee is covered by workers' compensation insurance. This business does not discriminate unlawfully on the basis of race, ethnic background, religion, sex, sexual orientation, color, national origin, ancestry, age, physical handicap, or medical condition. I hereby certify that, to the best of my knowledge, the information herein is correct and true.*

|   |                      |      |
|---|----------------------|------|
| Employer's Name ( <i>Print First and Last</i> ) | Employer's Signature | Date |
|---|----------------------|------|

**For authorized work permit issuer use ONLY**

|   |      |     |      |     |     |     |       |   |      |     |      |     |     |     |       |
|---|------|-----|------|-----|-----|-----|-------|---|------|-----|------|-----|-----|-----|-------|
| Maximum number of work hours when school is in session: |      |     |      |     |     |     |       | Maximum number of work hours when school is not in session:   |      |     |      |     |     |     |       |
| Mon   | Tues | Wed | Thur | Fri | Sat | Sun | Total | Mon   | Tues | Wed | Thur | Fri | Sat | Sun | Total |
| Proof of Minor's Age ( <i>Evidence Type</i> )           |      |     |      |     |     |     |       | <b>Check Permit Type:</b><br><input type="checkbox"/> Full-time<br><input type="checkbox"/> Restricted<br><input type="checkbox"/> General<br><input type="checkbox"/> Work Experience Education, Vocational Education, or Personal Attendant<br><input type="checkbox"/> Workability |      |     |      |     |     |     |       |
| Verifying Authority's Name and Title ( <i>Print</i> )   |      |     |      |     |     |     |       |   |      |     |      |     |     |     |       |
| Verifying Authority's Signature                         |      |     |      |     |     |     |       |   |      |     |      |     |     |     |       |

**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>.

## 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 employee) prevails.
- Generally, minors must attend school until age 18 unless they are 16 years or older and have graduated from high school or received a state Certificate of Proficiency.
- Employers of minors required to attend school must complete a "Statement of Intent to Employ Minor and Request for Work Permit" (form B1-1) for the school district of attendance for each such minor.
- Employers must retain a "Permit to Employ and Work" (form B1-4) for each such minor.
- Work permits (B1-4) must be retained for three years and be available for inspection by sanctioned authorities at all times.
- A work permit (B1-4) must be revoked whenever the issuing authority determines the employment is illegal or is impairing the health or education of the minor.

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

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

For more complete 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" sections of telephone directories.

- Minors younger than 16 years are allowed to work only in limited, specified occupations that exclude baking, manufacturing, processing, construction, warehouse, and transportation occupations.
- In addition to safety regulations, labor laws applicable to adult employees also generally apply 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 baby-sitting, 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 one day during the week.

| Ages            | Hours of Work   |
|-----------------|---|
| 16 - 17         | <p><i>When school is in session:</i> Daily maximum of 4 hours, Monday through Thursday. May work up to 8 hours on any non-school day or on any day that precedes a non-school day. May be permitted to work up to 48 hours per week. Students in Work Experience Education or cooperative vocational education programs may be permitted to work a maximum of 8 hours on a school day.</p> <p><i>When school not in session:</i> May work up to 48 hours per week but no more than 8 hours in any one day.</p> <p>Work must be performed no earlier than 5 a.m. or later than 10 p.m. except that work may extend to 12:30 a.m. on nights preceding non-school days. Students in Work Experience Education or cooperative vocational education programs may be authorized to work until 12:30 a.m. on nights preceding school days with specified written permission.</p> |
| 14 - 15         | <p><i>When school is in session:</i> On school days daily maximum 3 hours. On non-school days may work 8 hours. Weekly maximum of 18 hours. Students in Work Experience Education and career exploration programs may work up to 23 hours per week.</p> <p><i>When school is not in session:</i> Daily maximum 8 hours and weekly maximum 40 hours.</p> <p><i>May not work during public school hours</i> except students in Work Experience Education or career exploration programs.</p> <p>Work must be performed no earlier than 7 a.m. nor later than 7 p.m. any day of the week. From June 1 to Labor Day work hours may be extended to 9 p.m.</p>  |
| Younger than 14 | <p>Labor laws generally prohibit nonfarm employment of children younger than 14. Special rules apply to agricultural work, domestic work and the entertainment industry.</p>  |