

Presented By:
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Learning Support Unit
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Virtual Training Protocol

- 1. Training is being recorded.
- 2. Mute your microphone to prevent audio feedback and ambient noise.
- Ask questions in the Chat Box; it will be monitored and referred to throughout the training. Address questions to a specific facilitator by typing @speaker's name. Host can see all chats.
- Any questions that are not responded to during the presentation because of time limits will be addressed/shared in a follow-up email with other materials if necessary
- During the presentation, interactive polls questions will be launched periodically to check for understanding and to raise engagement level. Polls are anonymous; you are encouraged to participate. Results will be shared immediately.
- 6. All training materials are available in the downloadable electronic handbook.

 9.24.2020 Work Permit Training Handbook

2

Objectives of Training

- Understand the most likely two-step process of issuing a work permit
- Become more familiar with the forms related to the work permit process such as the Form B1-1, Form B1-4, Form B1-6, and Form B1-8
- Attain general knowledge of the California Child Labor Laws
 CA Ed Codes that govern the process of issuing and managing work permits to minors
- Understand the procedures for obtaining an Entertainment Industry Work Permit
- This is not a Work Permit Certification Course; For participate in a certification course go to www.cawee.org

Purpose of Work Permits

- California Department of Education
 - Minors employed in the state of California must have a Permit to Employ and Work (commonly referred to as a "work permit"). Work permits are typically issued by the school where the student is enrolled. Work permits indicate the duties and location where the work will be done as well as the number of hours a minor may work. In most cases it is a two-step process, the minor along with the parent/guardian and employer fill out the B1-1 form and submit to the school local to the minor's address. The school district reviews the B1-1 form and issues the B1-4 (Work Permit).

Work permits are always at the discretion of the school district.

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CDE "Work Permits for Students"

CDE WORK PERMIT FOR STUDENTS

- Work Permit forms
- FAQs
- Child Labor Laws Pamphlet
- Letter of Authorization (to issue work permits)
- POC: Erle Hall | ehall@cde.ca.gov | 916-323-2564

5

Purpose of Work Permits

- Protect Minors
 - Prioritize Compulsory Education Laws & School Attendance
 - Worker's compensation
 - Minimum wage
 - Hazardous occupations
 - Working hours
 - Employer deducting taxes and following labor laws

Compulsory Attendance

- Each person between the ages of 6 and 18 years is subject to compulsory full-time education unless exempted EC 48200.
- Exemptions: Private school, tutor, AND
 - A pupil with a work permit for not more than 5 consecutive days in the entertainment or allied industries
 EC 48225.5
 - Can take five absences per year
 - Receives instruction from a studio teacher
 - District shall accept the work and grades

7

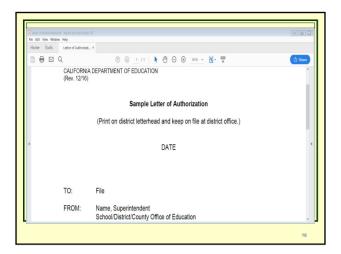
Work Permits (Non-Entertainment)

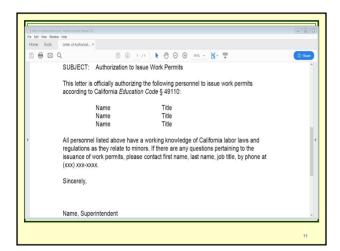
- A minor having a work permit cannot be out of school and unemployed for 10 days or more while school is in session EC 49100
- Pertains to minors 14-18 who are allowed to work during school hours
- Children who hold work permits are exempted from full-time attendance but are subject to compulsory attendance in part-time classes EC 48230
- HS graduates/certificate of proficiency Permit N/A

8

Who can issue work permits?

- Superintendent of a school district or Chief Executive Officer of a charter school/County Superintendent
- Person holding a services credential with a specialization in pupil personnel services OR a certificated work experience education teacher or coordinator AND authorized by the superintendent/CEO
- If district or charter does not employ such a person superintendent/CEO may authorize another person to issue permits during their absence EC 49110(e)



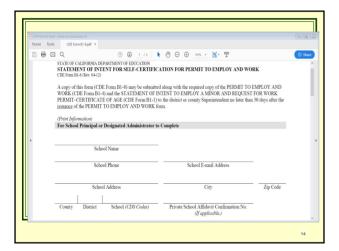


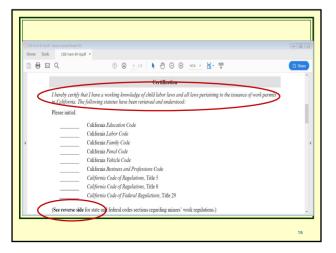
Who can issue work permits? Principal/designee of a public or private school If principal chooses not to, may be issued by the district/county superintendent or designee Private school principal or other person having charge of a private school if designated by the district or county superintendent EC 49110.1

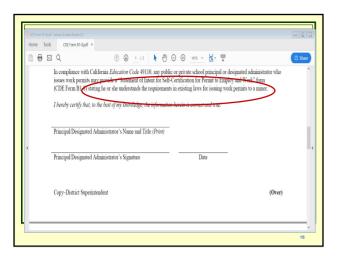
■ Would include a home school

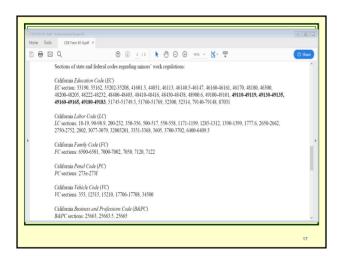
Principal Issued Permits

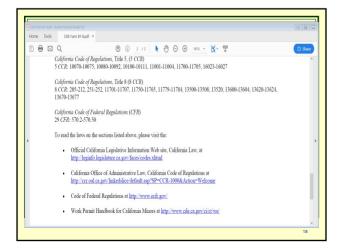
- Principal must provide a self-certification that he/she understands the requirements for issuing work permits
- Shall submit a copy of each application and permit to the superintendent
- Superintendent can revoke principal-issued permit if pupil is ineligible EC 49110





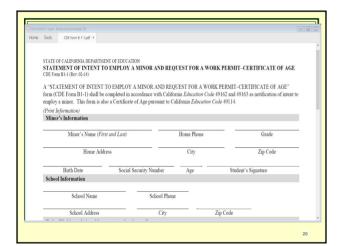


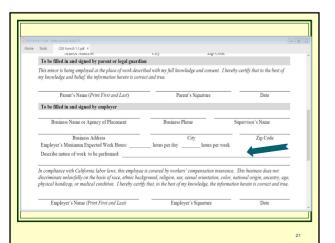


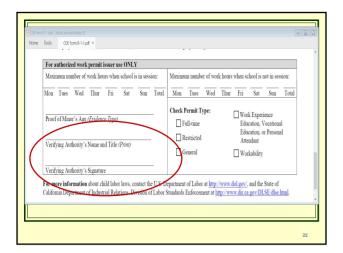


Process: CDE Form B1-1

- Minor/parent and employer complete
 "Statement of Intent to Employ a Minor and Request for a Work Permit – Certificate of Age" CDE Form B1-1
- Foster parent, caregiver, or residential shelter provider
- Employer indicates maximum work hours per day/week
- Employer describes nature of work
- Authorized work permit issuer completes bottom of form
- Indicates maximum number of hours/day and per week for when school is and is not in session
- Describes Proof of Age







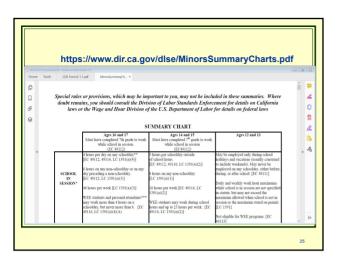
Process CDE Form B1-4

- Issuing Authority completes CDE Form B1-4 "Permit to Employ and Work"
- Indicates maximum hours/day and week when school is and is not in session
- Lists work limitations
- Certifies to a working knowledge of child labor laws and work permit laws EC 49110

23

How to Determine Hours and Appropriate Job?

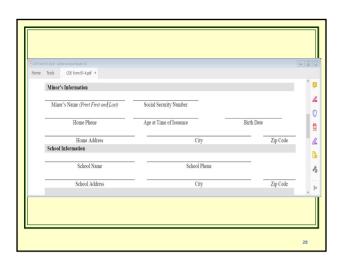
- A certifying official must determine what kinds of jobs a minor can perform based on age and determine how many hours can be worked
- Federal and state law set the requirements for minor age and hours and list the types of jobs minor can and cannot perform
- CA Div of Labor Standards Enforcement



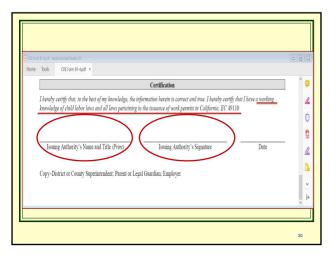
CDE B1-4

- Once a certifying official has determined the information and documents provided are appropriate and the proposed job and hours are suitable for the minor
- Completes CDE Form B1-4
- "Permit to Employ and Work"

| CDE Forn | n B1-4 pdf - A | dobe Aprobat Resider DC | | | - E 8 |
|----------|----------------------------|--|--|--|-------|
| Home | Tools | CDE Form B1-4.pdf × | | | |
| | A work A WOF caregiv | FC ALFORAGA GERARIMENT OF EDICATION IT TO EMPLOY AND WORK COEF FROM B1-4 (REV. 02-14 permit shall not be issued to a minor until the "STATEM FERMIT—CERTIFICATE OF AGE" (CDE From B1-1 rt, or residential shelter service provider and filed with the reformation) | ENT OF INTENT TO EMP) form has been signed by the | he parent or guardian, foster parent, | ^ = 4 |
| (| succee & 15 y | Legitration Date remains said supire free days after the opining of the next image school year. Full-tile-time creamys work permits issued to 14 are olds shall expire no later than the end of the current school C 4918 and 49130 Date | Check Permit Type: Full-time Workability Restricted General | Work Experience Education, Vocational Cooperative Education, or Personal Attendant | G A |







Age of Minor EC 49111

- Work permit may be issued to any minor 12-18 to be employed
 - On a regular school holiday
 - During school vacation
 - When minor moves into area w/in 10 days of end of semester

21

Work on Schooldays

- Minor who has completed 7th grade can work outside of school hours
 - Not to exceed 3 hours 14-15 year old
 - Not to exceed 4 hours 16-17 year old EC 49112(a)

32

13 yr old

- Minor 13 yrs old/completed 6th grade
 - Been identified as likely to drop out
 - Employment program sponsored by district and on district premises
 - Program serves to foster appreciation of the importance of education in future employment
 - Max 2 hours/day 4 hours/week EC 49112(b)

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16 and 17 year olds

- Minor 16 or older can work 8 hours on a schoolday that precedes a non-school day
- So would pertain to working after school at night EC 49112(c)
- None of this applies to newspaper delivery EC 49112(d)

34

Work Experience Education

- Work permit for minor 14-18
- Regularly enrolled in high school or been assigned to a vocational course
- Will work part time in a work experience education course under EC 51760-51769
 "Work Experience Education"

35

Certificate of Age

- Issued by person authorized to issue work permits
- Minor presents evidence of age
- Must be accompanied by parent/guardian
- Certificate of Age serves as a permit to employ a minor who is not legally required to attend school EC 49114

Maximum Hours

- When school is in session
 - 14-15 yr old 3 hrs/day 18 hrs/week
 - Unless employed in a school supervised and administered work experience and career exploration program - 23 hours/week (can be during school hours)
 - 16-17 yr old 4 hrs/day UNLESS employed in personnel attendance occupations

37

Revocation/Expiration

- If evidence is shown to the satisfaction of the issuing authority that the schoolwork or health of the minor is being impaired by the employment, that authority may revoke the permit EC 49116(c)
- Work permits expire five days after the opening of the next school year EC 49118

38

Horseback Riding

 No permit needed for horseback riding exhibitions, contests or events specified in Labor Code 1308(b)(3) EC 49119

Permit to Work Full Time 14-16

- May be issued to 14-16 year old who has graduated from elementary school and
 - Permit expires at end of current school year AND
 - Sworn statement that parent cannot work through illness/injury, or that because of death/ desertion family needs minor's earnings and no other option OR
 - Minor unable to reside with family, needs \$ OR
 - Foster child with social worker OK emancipation

40

Permit to Work Full Time 14-16

- Person issuing permit signs a statement that he/she has investigated and found earnings of minor are necessary to support the family or the minor and there are no other options.
- Also signs a statement that he/she has authorization from social worker, probation officer, or CPS worker EC 49130

41

Permit to Work Full Time 14-16

- Documents required
 - School records: age, grade, attendance
 - Evidence of age
 - Employer statement that job is available and describing nature of the work
 - Physician statement that minor is fit EC 49133
- Issuer notifies person in charge of part-time continuation classes which minor will attend

Additional Requirements *

- No permit shall be issued until the minor accompanied by his parent or guardian, appears before the person authorized to issue the permit and makes application therefor EC 49132
- The parent shall make oath that the minor's name, address, birthplace, and age are true and correct EC 49134

43

*AB 908

- Signed by Governor Newsom 9/11
- Permit can be issued without personal appearance if
 - School is physically closed due to pandemic
 - Application is complete and submitted electronically
 - Minor and parent attend video conference
 - Any documents can be submitted electronically
 - Work permit shall not be denied based on grades or attendance if school physically closed for an extended time due to natural disaster, pandemic, or other emergency

44

Work for Parent

- Work permit not required if:
 - Work is for or under control of parent
 - On premises owned or controlled by parent
 - Subject to other labor laws and compulsory education EC 49141

Permit to Work Full Time

- May be issued to a minor 16-18 without the restrictions pertaining to 14-16 year olds
- EC 49131

46

Employers EC 49160-49165

- Cannot employ a minor without a permit
- Keep permits on file during term of job
- Send written notice of intent to employ
- Have permits open to inspection

47

Action Against Employer

- If inspection by supervisor of attendance, probation officer, or other finds violation
- Report violations to Labor Commissioner within 48 hours
- Failure to produce permit = illegal employ
- \$100-\$400 fine, 60 days county jail
- False statements \$100 fine/30 days

Entertainment Work Permits

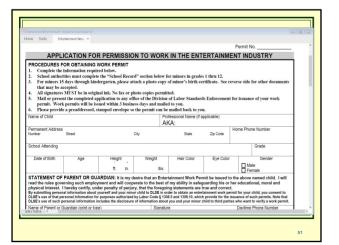
- Issued by the Division of Labor Standards Enforcement
- Employer submits an "Application for Permission to Work in the Entertainment Industry"
- School Official Completes "School Record" portion, affixes stamp

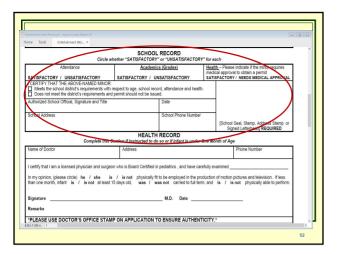
49

"Entertainment Industry"

- any organization, or individual, using minor's services
 - Motion pictures of any type
 - using any format (theatrical film, TV program
 - by any medium (theater, television,)
 - photography; recording; modeling; theatrical productions; publicity; rodeos; circuses; musical performances; and any other performances where minors perform to entertain the public

8 CCR 11751





Procedure

- Minor/parent obtains application form
- Parent/Guardian completes requested information
- School Official fills out "School Record" section
 - When school is in session
 - When school is not in session, either
 - the minor's recent report card or
 - letter from the principal indicating that the minor is "satisfactory" in all academic subjects, health, and attendance
- Homeschooled minors parent completes application and attaches a current private school affidavit

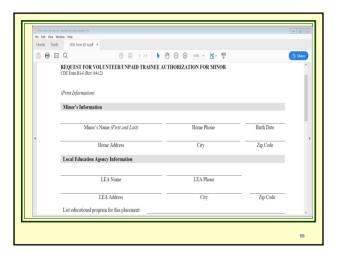
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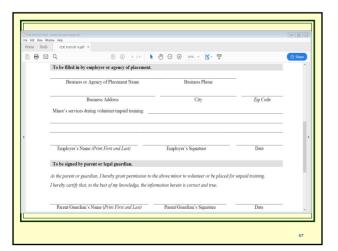
Education Verification

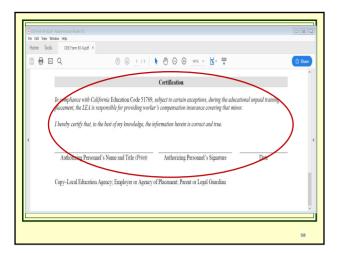
- Charter School CS or Charter Authority
- Private School Principal
- Tutor School district or county office
- Independent Study School/district/county

Volunteer/Unpaid Trainee

- Pertains to various work-based learning under Ed Code 51760 et. al.
- Can include work-based learning or vocational education off school grounds
- LEA provides worker's comp EC 51769
- CDE Form B1-6







SB 1428

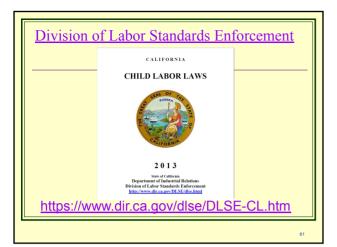
- Adds Ed Code 49120
- Usually a pupil's grades and attendance are considered when issuing work permits
- The bill prevents denial of a work permit on the basis of grades/attendance:
 - For government employment/training program
 - During summer recess or vacation

59

AB 1025

Schools_employees and volunteers_Activity Supervisor Clearance Certificate

- If the pupil activity is sponsored by the school district, the minor is not required to have a work permit (29 USC 203(s)(1)), however they shall have a Certificate of Age (29 CFR 570.9). In California we do not issue Certificates of Age, thus you are to issue a work permit in its place.
- So now, minors who coach or referee sports for a school district not only must have a work permit, but also must obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing.
- EC 49024. (a) Prior to assuming a paid or volunteer position to supervise, direct, or coach a pupil activity program sponsored by, or affiliated with, a school district, all non- certificated candidates shall obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing pursuant to subdivision (f) of Section 44258.7.





Resources and References CDE Work Permit for Students Work Permits for Students - Work Experience Education (WEE) (CA Dept of Education) Child Labor Law Pamphlet (Excerpt) Entertainment Industry Defined and Summary Chart https://www.dir.ca.gov/dise/ChildLaborLawPamphlet.pdf#page=39 US Department of Labor, Wage and Hour Division, Fair Labor Standards Act-Presentation for Teens 2020 11A Fair Labor Standards Act ChildLaborTeenAudience.pptx

S Act-

California Association of Work Experience Educators

Professional Organization that provides training to work experience coordinators and School-to-Career specialists.

Provides Work Permit Certification Training California Association of Work Experience Educators Homepage

Labor Laws

64

Q&A

Thank you for participating in this training.

Please complete this brief survey below: Work Permit Training September 24 2020



65

Future Trainings: Registration Required

Student Discipline Investigations and Expulsion Panels (two-part, same day)

October 1, 2020

https://ocde.k12oms.org/1249-187979

Maintenance & Access of Student Records Training February 11, 2021

https://ocde.k12oms.org/1249-187980