



Federal and State Labor Laws for Youth Work-Based Learning

Your Guide to
Understanding the
Opportunities Available
in Work-Based Learning

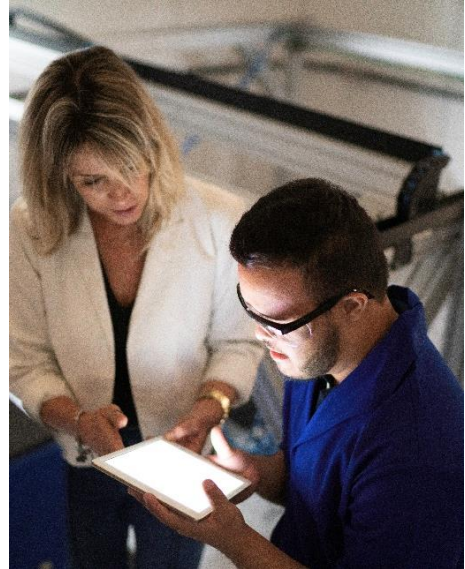
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WBL Work-Based Learning

It's All About Opportunity

This guide is designed to identify the federal and Oklahoma state laws that govern youth in the workplace pertaining to the following:

- Age
- Work hours
- Permitted jobs
- Exceptions that create more opportunities when employers and students participate in work-based learning



What you need to know about labor laws:

- Both federal and state labor laws apply to youth in the workplace.
- When federal and state laws are different, the most restrictive law must be followed.
- The laws are designed to protect Oklahoma youth from exploitation and danger, not remove them from the workplace.
- Regulations for 14- and 15-year-old workers are more restrictive than for 16- and 17-year-old workers.
- Individuals 18 years of age are considered adults in the regulations.
- 17 occupations are identified as Particularly Hazardous for the employment of minors between 16 and 18 years of age (these occupations are referred to as “Hazardous Occupations” or HO in this document). See Appendix D for the list of HOs.
 - Exemptions exist for students in occupational training programs for eight of the 17 HOs.
 - No HO exceptions exist for 14- and 15-year-old students.
- Jobs in agriculture differ slightly from nonagricultural jobs.

There are far more opportunities than restrictions, especially for students enrolled in Work-Based Learning programs!

Opportunities for 14- and 15-Year-Old Youth

All Oklahoma students who are 14 and 15 years of age must obtain a work permit (also known as employment certificate) before getting a job or participating in work-based learning. See Appendix A.

Work hours

- Maximum of 3 hours in a school day, but not during school hours
- Maximum of 18 hours in a school week
- Maximum of 8 hours on a non-school day
- Maximum of 40 hours in a non-school week
- One hour cumulative rest period for 8 consecutive hours worked or a 30-minute rest period for 5 consecutive hours worked
- The hours are between 7 a.m. and 7 p.m. (except from June 1 through Labor Day, when evening hours are extended to 9 p.m.)

Permitted jobs

The jobs listed below are general occupations that are identified by regulations as appropriate for minors 14 and 15 years old. Most of the occupations listed below have specific regulations attached to them. Further clarification can be found in Appendices B and C.

- Clerical work
- Work of intellectual or artistic creative nature
- Cooking with electric or gas grills (non-open flame)
- Cashiering, selling, modeling
- Price marking
- Bagging and carrying out customers' orders
- Errand and delivery by foot, bicycle, public transportation
- Clean-up work (not including power-driven lawn maintenance equipment)
- Kitchen work
- Stocking products



Opportunities for 16- and 17-Year-Old Youth

Work hours

- No restrictions on the hours or times once a minor reaches 16 years of age
- May work during school hours

Permitted jobs

- Any non-hazardous occupation
- List of HOs is provided in Appendix D

Exemptions

16- & 17-year-old students involved in work-based learning internships or apprenticeships are allowed to work in HOs #5, #8, #10, #12, #14, #16, #17 under certain conditions (See Appendix D).



- Apprentices – The identified 8 exemptions apply when the following criteria are met:
 - Apprenticeship is in a recognized apprentice trade
 - Hazardous work is incidental to their training
 - Hazardous work is intermittent and for short periods of time
 - Hazardous work is under direct and close supervision
 - Apprentice is registered with the Department of Labor or state apprenticeship agency
- Student-learners – The identified 8 exemptions apply when the following criteria are met:
 - Student-learner is enrolled in a course of study and training in a cooperative vocational training program
 - Student is employed under a written agreement which provides the following:
 - The hazardous work is incidental to their training

- The hazardous work is intermittent and for short periods of time
- The hazardous work is under direct and close supervision
- Safety instruction shall be given at school and work
- A schedule of organized and progressive work process to be performed
- The agreement is signed by employer, school, student, and parent or guardian

There are more opportunities than you may think!

For more information, contact your local technology center or high school and start the conversation.

Or go to www.okcareertech.org/wbl to learn more and talk to someone about your next steps.



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Appendix A

Oklahoma Work Permit Instruction Guide

Schools

In accordance with Title 40, Section 79 of the Oklahoma Statutes, the issuing officer is the principal, headmaster, or equivalent administrative officer of the school. If the minor is being home-schooled, the parent or guardian becomes the issuing officer. In accordance with Title 40, Section 79 of the Oklahoma Statutes, the issuing officer is prohibited to issue a work permit to minors UNDER 14 years.

Employers

Before employment begins, employers are responsible for having 14 and 15 year old minors obtain an Employment Certificate of Age and Schooling (work permit) from their school's issuing officer. Minors 16 years of age and older are not required under state law to get a work permit.

Work Permit Process

Principals will download **Form 600** (Application to Secure Certificate of Age and Schooling for Employment) and **Form 601** (Employment Certificate of Age and Schooling) from the Oklahoma State Child Labor website located at www.ok.gov/odol/Employment_Issues/Child_Labor/. The principal will go to "School District Reporting Site" where they will enter their Username and Password. The appropriate documents will be on the "Systems Menu" screen.

1. The principal will print Form 600 and give to the student.
2. The student section, employer section, and parental or guardian section will need to be completed on the Form 600.
3. The student then returns the completed Form 600 to the principal.
4. The principal will complete Form 601; then print, sign and give one copy of the form to the student to take to the employer.
5. The principal will send one copy of the Form 601 to the Oklahoma Department of Labor and retain one copy with Form 600 in the school district's records for five years.

Questions?

Oklahoma State Department of Education
School Personnel Records
(405) 521-3335

Oklahoma Department of Labor
Child Labor Unit
(405) 521-6591

Appendix B

Code of Federal Regulations

Title 29 → Subtitle B → Chapter V → Sub chapter E → Part 570.33 – 570.50

§570.33 – Occupations that are prohibited to minors 14 and 15 years of age

§570.34 – Occupations that may be performed by minors 14 and 15 years of age

§570.35 – Hours of work and conditions of employment permitted for minors 14 and 15 years of age

§570.37 – Work-study program

§570.50 – General – Identifies the exceptions for apprenticeships and student-learners

Appendix C

For Oklahoma regulations dealing with the employment of 14- and 15-year-old students, click on the link to the right: [Title 40 Labor](#). Scroll through the document until you come to the following regulations and select the topic you wish to learn more about.

- §40-71. Restrictions on employment of children under sixteen. 198
- §40-72.1. Occupations prohibited for children under sixteen. 198
- §40-74. Educational qualifications required of child before employment. 199
- §40-75. Hours of employment of children - Rest periods. 199
- §40-76. Night work. 200
- §40-77. Schooling certificates - Duties of employers. 200
- §40-78. Evidence of age of child - Certificate of physical fitness. 201
- §40-79. Age and schooling certificates - Proof of age. 202
- §40-80. School attendance certificate to be presented - Duplicate of schooling certificate - Blank form - Form of certificate. 202
- §40-88. Penalties for violating this chapter. 204
- §40-89. Enforcement of chapter - Administrative penalties. 204

Appendix D

The FLSA lists 17 Hazardous Occupations that are prohibited for youth under 18 years of age. Title 29 → Subtitle B → Chapter V → Sub chapter E → Part 570.50 – 570.68

Below is a list of occupations banned for individuals under the age of 18. There are exceptions for numbers 5, 8, 10, 12, 14, 16, and 17 if the person is between 16 and 18 years of age and is enrolled in a course of study and training in a cooperative vocational training program or registered apprenticeship (§570.50 (b), (c)).

1. Manufacturing or storing of explosives
2. Driving a motor vehicle or working as an outside helper on motor vehicles (More information on Hazardous Occupation #2, driving on the job and distracted driving)
3. Coal mining
4. Forest fire fighting and forest fire prevention, timber tract, forestry service, and occupations in logging and sawmilling
5. Using power-driven woodworking machines (More information on woodworking)
6. Exposure to radioactive substances and ionizing radiation
7. Using power-driven hoisting apparatus
8. Using power-driven metal-forming, punching and shearing machines
9. Mining, other than coal
10. Using power-driven meat-processing machines, slaughtering, meat and poultry packing, processing, or rendering
11. Using power-driven bakery machines
12. Using balers, compactors, and power-driven paper-products machines (More information on using balers, compactors, and paper-products machines)
13. Manufacturing brick, tile, and related products
14. Using power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs (More information on power tools)
15. Working in wrecking, demolition, and ship-breaking operations
16. Roofing and work performed on or about a roof (More information on roofing)
17. Trenching or excavating

To read the regulations in Title 29 Code of Federal Regulations in their entirety, click on the links below to learn more.

[§570.50](#) - General

[§570.51](#) – Occupations in or about plants or establishments manufacturing or storing explosives or article containing explosive components (Order 1) (HO#1)

[§570.52](#) – Occupations of motor-vehicle driver and outside helper (Order2) (HO#2)

[§570.53](#) – Coal mine operations (Order 3) (HO#3)

[§570.54](#) – Forest fire fighting and forest fire prevention occupations, timber tract occupations, forestry service occupations, logging operations in the operation of any sawmill, lath mill, shingle mill, or cooperage stock mill (Order 4) (HO#4)

[§570.55](#) – Occupations involved in the operation of power-driven woodworking machines (Order 5) (HO#5)

[§570.57](#) – Exposure to radioactive substances and to ionizing radiations (Order 6) (HO#6)

[§570.58](#) – Occupations involved in the operation of power-driven hoisting apparatus (Order 7) (HO#7)

[§570.59](#) – Occupations involved in the operation of power-driven metal forming, punching, and shearing machines (Order 8) (HO#8)

[§570.60](#) – Occupations in connection with mining, other than coal (Order 9) (HO#9)

[§570.61](#) – Occupations in the operation of power-driven meat-processing machines and occupations involving slaughtering, meat and poultry packing, processing or rendering (Order 10)

[§570.62](#) – Occupations involved in the operations of bakery machines (Order 11) (HO#11)

[§570.63](#) – Occupations involved in the operation of balers, compactors, and paper-products machines (Order 12) (HO#12)

§570.64 – Occupations involved in the manufacture of brick, tile, and kindred products (Order 13) (HO#13)

§570.65 – Occupations involving the operation of circular saws, band saws, guillotine shears, chainsaws, reciprocating saws, wood chippers, and abrasive cutting discs (Order 14) (HO#14)

§570.66 – Occupations involved in wrecking, demolition, and shipbreaking operations (Order 15) (HO#15)

§570.67 – Occupations in roofing operations and on or about a roof (Order 16) (HO#16)

§570.89 – Occupations in excavation operations (Order 17) (HO#17)