

INTEGRATED SERVICE LEARNING

Whenever State and Federal standards overlap or appear to contradict, the more protective standard always applies.

Minors Under Age 12**Agriculture****California Law**

Minors under age 12 may not be employed in or accompany parent/guardian into an “agricultural zone of danger,” which includes water hazards, chemicals, moving equipment or any agricultural occupation prohibited to minors under 16 unless activities are on or in connection with premises the parent/guardian owns, operates, or controls.

Minors age 12 and 13 years old may not be employed in any occupation declared hazardous in Federal regulation to minors under 16 in agriculture or in any occupation determined by State law or regulation to be hazardous.

Federal Law

Minors under age 12 may not be employed in occupations declared hazardous in Federal regulation for minors under 16 in agriculture.

Minors age 12 and 13 years old may not be employed in occupations declared hazardous in Federal regulation for minors under 16 in agriculture.

Occupational Restrictions**California Law**

Minors 12 and 13 years old may be employed as personal attendants, in household occupations, or as newscarrers. In the entertainment industry on permits issued by the Labor Commissioner: Minors 12 and 13 years old may not be employed or permitted to work: in occupations permitted only to minors who are at least 14 years old; in any hazardous occupation prohibited to minors under 16; in any hazardous occupation prohibited to 16 and 17 year olds or enrolled in a Work Experience Education program.

Federal Law

Minors 12 and 13 years old may not be employed in firms subject to the Fair Labor Standards Act, except certain agricultural firms.

INTEGRATED SERVICE LEARNING (continued)**Minors 14 and 15 Years Old****Occupational Restrictions****California and Federal Law**

Minors age 14 and 15 years old **may be employed** in occupations expressly permitted in retail, food services, and gasoline service establishments. Office and clerical work; cashiering, selling, modeling, art work, advertising, window dressing, comparative shopping; price marking and tagging; assembling orders, packing and shelving; bagging and carry-out; errands and deliveries by foot, bike, or public transportation; clean-up work (may use vacuums and floor waxers, but not power mowers or cutters); kitchen work for the preparation and serving of food and beverages (may use machines such as dishwashers, toasters, dumbwaiters, popcorn poppers, coffee grinders, and milkshake blenders); cleaning, packing, wrapping, labeling, weighing, pricing, and stocking vegetables and fruits. Cooking is prohibited unless performed in plain view of customers and if it is not the sole duty. In office or clerical work in transportation, warehousing and storage, communications and public utilities, and construction if such work is not performed on trains, motor vehicles, aircraft, vessels or any other form of transportation or at a construction site. In any other occupation not prohibited to this age group by State or Federal law or regulation.

Minors age 14 and 15 years old **may not be employed or permitted to work** in any occupation declared hazardous in federal regulations for 16 and 17 year olds or in occupations in mining, manufacturing, or processing including any duties in related workrooms, or in occupations involving hoisting apparatus, power-driver machinery, operation of motor vehicles or as helpers on vehicles, public messenger service, or in any occupation, except clerical as described above, involving the transportation of persons or property by any means; warehousing and storage, communications, public utilities, construction (including demolition and repair); or in occupations in the gasoline, retail, or food service industries involving maintenance or repair of the establishment, machines, or equipment; work in or about boiler or engine rooms; operating or maintaining food slicers, grinders, choppers, or bakery mixers; outside window washing from window sills or any work on scaffolds, ladders, etc.; cooking except at lunch counters, snack bars, etc.; any work in freezers or meat coolers; or loading or unloading from trucks, railcars or conveyors.

California Law

Solely under California law, minors age 14 and 15 years old **may not be employed** or permitted to work:

INTEGRATED SERVICE LEARNING (continued)

In door-to-door sales of newspapers or magazine subscriptions, candy, cookies, flowers or other merchandise door-to-door unless minors work in pairs as a team; one adult supervisor for 10 or fewer minors; within sight or sound of the supervisor once every 15 minutes; returned to home or rendezvous point daily; work performed within 50 miles of minor's residence; and employer, transporter, supervisor registered with DLSE if work is over 10 miles from minors' home.

In any occupation determined to be hazardous in State law or regulation, including for example: any business, exhibition, or vocation injurious to the health or dangerous to the life or limb of the minor;

Construction work of any kind including work on any scaffolding;

Delivering goods, packages, papers (except newspapers), etc. from motor vehicles;

Gas station work except duties listed above (see Federal list);

Machine-related duties including any occupation in close proximity to moving machinery or hazardous or unguarded belts or gearing or in proximity to functioning parts of unguarded or dangerous moving equipment. Minors may not adjust or repair belts or oil, wipe, or clean machinery or assist in these activities;

Machines-operation or assistance involving for example machines for laundry or washing; mixing or grinding; paper cutting, power punching or shearing; wire or iron straightening; corrugating rolls; calendar rolls in paper and rubber manufacture; paper cutting; leather burnishing; stamping leather, paper and washer and nut manufacture; steamboilers, metal and woodworking; and drill presses or printing presses of any kind;

Manufacturing of any kind, including industrial homework;

Manufacture or use of dangerous dyes, gases, or use of dangerous acids, or manufacture or packing of paints, colors, tobacco, or lead;

On any vessel or boat engaged in navigation or commerce within State's jurisdiction;

In close proximity to vessels or aircraft or functioning blades or propeller;

Any wandering, mendicant, or begging business; in any activity in or on that portion of an establishment primarily designed for on-site consumption of alcohol;

To sell alcoholic beverages for off-site consumption unless constantly supervised by a person 21 or older;

INTEGRATED SERVICE LEARNING (continued)

To sell lottery tickets unless constantly supervised by a person 21 or older.

Compliance with these standards does not justify noncompliance with any occupational prohibition for 16 and 17 year olds.

Federal Law

Minors 14 and 15 years old **may be employed** in any gas station to dispense gas and oil, perform courtesy service, or clean, wash or polish cars. NOTE: Under State law, minors must be at least 16 to perform these activities. Under Federal law regulations, minors 14 and 15 years old **may not be employed** in any gas station in work that involves the use of pits, racks, or lifting apparatus, or the inflation of any tire, mounted on a rim equipped with a removable retainer ring. NOTE: Under State law, minors must be at least 18 to perform these actions. (Under both State and Federal law, minors must be at least 16 to perform maintenance or repair on machines of any kind, such as automobiles, but does not include any work with machines prohibited to 16 and 17 year olds).

Exemptions

For minors 14 and 15 years old limited exemption includes training in some otherwise restricted occupations (but not in any occupation declared hazardous in Federal regulation for minors under 18) permitted in bona fide Work Experience Education programs with a valid permit. Also see hours of work for these training programs.

Agriculture

For minors 14 and 15 years old **may not be employed or permitted to work** in the occupations declared hazardous for all other minors under 16. **May not be employed or permitted to work** in agricultural occupations declared hazardous in Federal regulation for minors under 16:

Operating a tractor of over 20 PTO horsepower, or connecting or disconnecting an implement or any of its parts to or from such a tractor.

Operating or assisting to operate (including, starting, stopping, adjusting, feeding, or any other activity involving physical contact associated with the operations) any of the following machines: Corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, or mobile pea viner; Power post-hole digger, power post driver, or nonwalking type rotary tiller.

INTEGRATED SERVICE LEARNING (continued)

Operating or assisting to operate (including starting, stopping, adjusting, feeding or any other activity involving physical contact associated with the operation) any of the following machines: Trencher or earthmoving equipment; Forklift; Potato combine or Power-driven circular, band or chain saw.

Working on a farm in a yard, pen, or stall occupied by a Bull, boar, or stud horse maintained for breeding purposes or Sow with suckling pig, or cow with newborn calf (with umbilical cord present)

Working with a ladder or scaffold (painting, repairing or building structures, pruning trees, picking fruit, etc.) from a height of over 20 feet.

Driving a bus, truck or automobile when transporting passengers or riding on a tractor as a passenger or helper.

Working inside: a fruit, forage, or grain storage designed to retain an oxygen deficient or toxic atmosphere; an upright silo within 2 weeks after silage has been added or when a top unloading device is in operating position; a manure pit: or a horizontal silo while operating a tractor for packing purposes.

Handling or applying (including cleaning or decontaminating equipment, disposal or return of empty containers, or serving as a flagman for aircraft applying agricultural chemicals classified under Federal Insecticide, Fungicide, and Rodenticide Act (7USC 135 et seq.) as Category I of toxicity, identified by the word, "poison," and the "skull and crossbones" on the label; or Category II of toxicity, identified by the word, "warning," on the label.

Handling or using a blasting agent including but not limited to dynamite black powder, sensitized ammonium nitrate, blasting caps, and primer cord; or

Transporting, transferring, or applying anhydrous ammonia.

Limited Exemptions: Training in some occupations permitted in bona fide training programs.

Sports Attendants

Minors age 14 and 15 years old may be employed in "sports-attending services" at professional baseball games until 10:00 p.m. on any night preceding a school day, or until 12:30 a.m. on any night preceding a non-school day. Minors age 14 and 15 years old may work up to 5 hours per day and up to 18 hours per week as a sports attendant when school is in session. May work up to 8 hours a day or a maximum of 40 hours per week when school is not in session.

INTEGRATED SERVICE LEARNING (continued)

Minors 16 and 17 Years Old

California Law

Minors age 16 and 17 years old may not be employed in gas stations, in any work using pits, racks, lifting apparatuses, or inflating any tire mounted on a rim with a removable retaining ring; in or on that portion of an establishment primarily designed for on site consumption of alcohol; to sell alcoholic beverages for off-site consumption unless constantly supervised by a person 21 or older; or to sell lottery ticket unless constantly supervised by a person 21 years or older.

Exemptions

Limited exemptions for minors age 16 and 17 years old are training in bona fide Work Experience Education and apprenticeship training programs. Student learners and apprentices (who must be at least 16 years of age) may be trained within specified limits in otherwise prohibited occupations involving: power-driven woodworking machines; power-driven metal-forming, punching, and shearing machines; slaughtering or meat-packing and processing; power-driver paper-products machines; power-driven circular saws, band saws, and guillotine shears; roofing; and excavation. Training not available in any other occupations prohibited to minors under 18.

Sports Attendants

Minors age 16 and 17 years old may be employed in “sports-attending services” at professional baseball games until 10:00 p.m. on any night preceding a school day, or until 12:30 a.m. on any night preceding a non-school day. Minors age 16 and 17 years old may work up to 5 hours a day and up to 18 hours per week as a sport attendant when school is in session. They may work up to 8 hours a day or a maximum of 48 hours per week when school is not in session.