



ADMINISTRATIVE PROCEDURE

CATEGORY: **Students, Employment**

SUBJECT: **Work Permits**

A. PURPOSE AND SCOPE

1. To define administrative procedures governing issuance of work permits, including entertainment permits, to minors under 18 years of age.
2. **Related Procedures:**
 Work Experience Education 4126
 Release of Student Information 6525

B. LEGAL AND POLICY BASIS

1. **Reference:** Board Policies F-1300, F-2200, H-3000, H-3500, H-8400; California Education Code sections 49100-49183 et seq., Federal Fair Labor Standards Act, child labor provisions.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Office of College, Career and Technical Education.
2. **All permits to employ and work,** except entertainment/theatrical, are issued by the Office of College, Career and Technical Education.
3. **Entertainment/Theatrical Permits.** Inquires regarding entertainment work permits (“Application for Permission to Work in the Entertainment Industry,” Form DLSE 277) should be directed to the California Department of Industrial Relations, Division of Labor Standards Enforcement, 7575 Metropolitan Drive, Suite 210, San Diego, CA, 92108, 619-220-5451.
4. **Regulations.**
 - a. High school graduates or minors who have passed the California High School Proficiency Examination (or equivalent). Minor who have graduated from high school or have received a California “Certificate of Proficiency” (or equivalent) are exempt from having to obtain work permits. However, the California Division of Labor Standards Enforcement requires that employers have evidence on their premises that a minor has met the above criteria. (Note: A copy of the minor’s high school diploma or California “Certificate of Proficiency” on file is acceptable in lieu of a work permit.
 - b. Pertinent regulations and restrictions governing employment of minors are found on Page 2 of the “Statement of Intent to Employ a Minor and Request for Work Permit” Form CDE B1-1, and the “Permit to Employ and Work” Form CDE B1-4. Additional information can be obtained from the Office of College, Career and Technical Education.
5. **Types of Work Permits.**
 - a. “Permit to Employ and Work” Form CDE B1-4, is required for employed minors under the age of 18. A minor must be enrolled in school to obtain a work permit. (See C.4.a. regarding persons who have graduated). A work permit may *not* be issued for a minor *under 14 years of age* for any employment, subject to the Child Labor Provisions of the Fair Labor Standards Act. Minors *12 and 13 years of age* may be employed on non-

school days only (i.e., Saturdays, Sundays, holidays, and vacation periods). A "Permit to Employ and Work" Form CDE B1-4 may *not* be issued for any child *under 12 years of age*. (Education Code section 49111)

- b. Temporary permit to employ: a signed copy of "Statement of Intent to Employ a Minor and Request for Work Permit" Form CDE B1-1, may be used while the work permit is being processed.
- c. "Application for Permission to Work in the Entertainment Industry" Form DLSE-277 is available at offices of production companies that employ minors, and on the California Industrial relations website (<https://www.dir.ca.gov/dlse/DLSE-Forms.htm>). When school is in session, this form requires the verification of the principal or designees of the student's attendance and scholastic record. During summer and vacation periods when school is not in session, the form may be submitted to the Office of College, Career and Technical Education for the required verification.

D. IMPLEMENTATION

1. Student, Employer, and Principal's Designee.

- a. After securing a specific offer of employment, student obtains "Statement of Intent to Employ a Minor and Request for Work Permit" Form CDE B1-1 from principal's designee or from the Office of College, Career and Technical Education for each potential employer. Student completes Minor's information section, and submits application form to principal's designee.
- b. Principal's designee completes School Information section and returns form to student.
- c. Student has employer complete and sign Employer's section, obtains signature of parent/guardian, and returns form to principal's designee.
- d. Principal's designee completes Authorized Work Permit Issuer section; makes copies for school files and for the student and submits the original form to the Office of College, Career and Technical Education.
 - (1) Student copy may be used as a *temporary work* permit for the employer while work permit is processed.
 - (2) A copy should not be distributed to students aged 12, 13, 14, or 15 unless job suitability for the age has been established by the Office of College, Career and Technical Education.

2. Office of College, Career and Technical Education.

- a. Checks "Statement of Intent to Employ a Minor and Request for Work Permit" Form CDE B1-1 for completeness, legal conformity to child labor regulations (federal, state, and local) and whether student is enrolled in work experience education.
- b. Processes "Permit to Employ and Work" Form CDE B1-4 issued by the California Department of Education (original only).

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- (1) For a student, issues permit by mailing directly to employer.
 - (2) High school graduates and minors who have passed the California High School Proficiency Exam or equivalent are exempt from the permit process as outline in Section C.4.a.
 - (3) For married and emancipated minors, may sign work permit application in lieu of parent/guardian upon proof of legal status.
 - (4) For students not enrolled in school, refers student to resident school for placement and enrollment.
 - (4) During summer and vacation periods when school is not in session, issues permit directly to minor, who is instructed to give it to his/her employer

E. FORMS AND AUXILIARY REFERENCES

1. "Application for Permission to Work in the Entertainment Industry," Form DLSE-277 (available from the California Division of Labor Standards Enforcement website at <https://www.dir.ca.gov/dlse/DLSE-Forms.htm>. (Attachment 1)
2. "Statement of Intent to Employ a Minor and Request for Work Permit" Form CDE B1-1, (available from the principal's designee, the Office of College, Career and Technical Education, or the California Department of Education's website at <http://www.cde.ca.gov/ci/ct/we/documents/b1-1frm.doc>. (Attachment 2)
3. "Permit to Employ and Work," Form B1-4, (available from the California Department of Education's Website at <http://www.cde.ca.gov/ci/ct/we/documents/b1-4frm.doc>. (Attachment 3)

F. REPORTS AND RECORDS

1. Monthly tallies and annual report
2. The school shall retain a copy of the "Statement of Intent to Employ a Minor and Request for Work Permit" and the "Permit to Employ and Work" until the end of the fourth year after the work permit was issued. Those files may be retained on a computer and if requested, can be printed for examination. (Education Code section 41020)

G. APPROVED BY



General Counsel, Legal Services
As to form and legality

SUBJECT: **Work Permits**

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H. ISSUED BY

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