

_____ (initial) I have verified my information is correct and have received the Basic Labor Rights Information Sheet

STATE OF CALIFORNIA DEPARTMENT OF EDUCATION
PERMIT TO EMPLOY AND WORK CDE Form B1-4 (REV. 02-14)

A work permit shall not be issued to a minor until the "STATEMENT OF INTENT TO EMPLOY A MINOR AND REQUEST FOR A WORK PERMIT—CERTIFICATE OF AGE" (CDE Form B1-1) form has been signed by the parent or guardian, foster parent, caregiver, or residential shelter service provider and filed with the issuing authority. California *Education Code (EC)* 49110(c)

(Print Information)

Permit Expiration Date <i>Work permits shall expire five days after the opening of the next succeeding school year. Full-time exempt work permits issued to 14 & 15 year olds shall expire no later than the end of the current school year. EC 49118 and 49130</i> _____ Date	Check Permit Type: <input type="checkbox"/> Full-time <input type="checkbox"/> Workability <input type="checkbox"/> Restricted <input type="checkbox"/> General <input type="checkbox"/> Work Experience Education, Vocational Cooperative Education, or Personal Attendant
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Minor's Information

Minor's Name (Print First and Last)	Social Security Number	
Home Phone	Age at Time of Issuance	Birth Date
Home Address	City	Zip Code

School Information

School Name	School Phone	
School Address	City	Zip Code

Maximum Work Hours Permitted

- Maximum number of work hours on a school day _____
- Maximum number of work hours on a non-school day _____
- Maximum weekly work hours while school is in session _____
- Maximum weekly work hours while school is not in session _____

Remarks or Work Limitations: _____

This permit is **valid only** at the business listed below:

Business Name	Business Address
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To be signed by minor

Minor's Signature	Date
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Certification

I hereby certify that, to the best of my knowledge, the information herein is correct and true. I hereby certify that I have a working knowledge of child labor laws and all laws pertaining to the issuance of work permits in California. EC 49110

Issuing Authority's Name and Title (Print)	Issuing Authority's Signature	Date
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Copy—District or County Superintendent; Parent or Legal Guardian; Employer

Special rules or provisions, which may be important to you, may not be included in these summaries. Where doubt remains, you should consult the Division of Labor Standards Enforcement for details on California laws or the Wage and Hour Division of the U.S. Department of Labor for details on federal laws

SUMMARY CHART

	Ages 16 and 17 Must have completed 7th grade to work while school in session. (EC 49112)	Ages 14 and 15 Must have completed 7 th grade to work while school in session (EC49112)	Ages 12 and 13
SCHOOL IN SESSION*	4 hours per day on any schoolday** [EC 49112, 49116, LC 1391(a)(4)] 8 hours on any non-schoolday or on any day preceding a non-schoolday. [EC 49112, LC 1391(a)(3)] 48 hours per week [LC 1391(a)(3)] WEE students and personal attendants*** may work more than 4 hours on a schoolday, but never more than 8. [EC 49116, LC 1391(a)(4)(A)]	3 hours per schoolday outside of school hours [EC 49112, 49116; LC 1391(a)(2)] 8 hours on any non-schoolday [LC 1391(a)(1)] 18 hours per week [EC 49116, LC 1391(a)(2)] WEE students may work during school hours and up to 23 hours per week. [EC 49116, LC 1391(a)(2)]	May be employed only during school holidays and vacations (usually construed to include weekends). May never be employed on any schoolday, either before, during, or after school. [EC 49111] Daily and weekly work hour maximums while school is in session are not specified in statute, but may not exceed the maximum allowed when school is not in session or the maximum stated on permit. [LC 1391] Not eligible for WEE programs. [EC 49113]
SCHOOL NOT IN SESSION	8 hours per day [LC 1391(a)(3)] 48 hours per week [LC 1391(a)(3)]	8 hours per day [LC 1391(a)(1)] 40 hours per week [LC 1391(a)(1)]	8 hours per day [LC 1391(a)(1)] 40 hours per week [LC 1391(a)(1)]
SPREAD OF HOURS	5 a.m. – 10 p.m. However, until 12:30 a.m. on any evening preceding a nonschoolday [LC 1391(a)(3)] WEE students, with permission, until 12:30 a.m. on any day [LC 1391.1] Messengers: 6 a.m. – 9 p.m. [LC 1297]	7 a.m. – 7 p.m., except that from June 1 through Labor Day, until 9 p.m. [LC 1391(a)(1)]	7 a.m. – 7 p.m., except that from June 1 through Labor Day, until 9 p.m. [LC 1391(a)(1)]

STATUTE

PENALTY

EC 49111, 49112, 49116
LC 1297
LC 1391

Misdemeanor. Fine, imprisonment, or both. EC 49182]
Misdemeanor. Fine, imprisonment, or both [LC 1303]
Fine, imprisonment, or both. [LC 1391(c)]
Third and subsequent violations, Class A, violation, fine \$5,000 - \$10,000 [LC 1288] Misdemeanor [LC1303]
\$5,000 - \$10,000. [LC 1288] Misdemeanor.[1303]
Class A violation \$5,000 - \$10,000. [LC1288] (Minor must be a ward or apprentice.) Misdemeanor [LC 1392]

Permits shall be subject to cancellation by school officials or the Labor Commissioner if the conditions for the legal issuance of the permit or certificate of age do not exist or did not exist at the time the permit or certificate was issued. A permit to work shall be revoked by the issuing authority when he is satisfied that the employment of the minor is impairing the health or education of the minor, or that any provision or condition of the permit is being violated, or that the minor is performing work in violation of any provision of law. [LC 1300; EC 49164]

With few exceptions, all employees are entitled to one day's rest in seven. [LC 551, 552] Days of rest may be accumulated, provided, that in each calendar month the employee receives the equivalent of one day's rest in seven. [LC 554] A violation of Sections 551, 55 and/or 554 is a misdemeanor. [LC 553] School attendance is not considered work time.

*Statutes governing work hours for 14- and 15-year-olds use the phrase, "while school is in session", for the three-hour day, 18-hour week. California provides no precise definition of this phrase. However, the phrase is also used in federal regulations from which California's standard is derived. [29 CFR 570.35(a)] The U.S. Department of Labor considers the phrase "when school is in session" to mean the scheduled schooldays of the public school system in the county where the minor resides. A school week under federal standards is any week during which school is in session for at least one day. Thus, school is considered in session during any week that has at least one scheduled schoolday. Since the school session is derived from the schedule for the county's public schools, school may be considered in session for a minor who attends a private school that is closed during the summer if the public schools are in session at that same time.

**A "schoolday" is any day that the minor is required to attend school for 240 minutes or more. [LC 1391(b)]

***"Personal attendant" is defined in IWC Order 15-2001, Section 2(J). Also see "Household Occupations" in Chapter 7 of this booklet.

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KNOW YOUR RIGHTS!

Congratulations on your new job. You are now a worker—that means you need to know your rights!



laborcenter.berkeley.edu/rights

For more information and details about these laws scan the QR code.



Make sure your boss pays you correctly, on time, and doesn't make you pay for extras, like uniforms. You should be paid for training time. You have the right to sick leave, breaks, a safe workplace, and more.



Don't get paid in cash!

You could get scammed! Your employer has to give you a pay stub showing your hourly wage, the hours you worked, your available paid sick leave, taxes, and other deductions.

EARNINGS STATEMENT						
EMPLOYEE NAME	SSN	EMPLOYEE ID	CHECK NO.	PAY PERIOD	PAY DATE	
		63254123	76236	06/28/20 - 07/04/20	07/06/20	
INCOME	RATE	HOURS	CURRENT TOTAL	DEDUCTIONS	CURRENT TOTAL	YEAR-TO-DATE
Regular	22.00	40.00	880.00	FICA MED TAX	12.76	344.52
				FICA SS TAX	54.56	1473.12
				FED TAX	131.20	3542.40
				CA ST TAX	52.80	1425.60
				SDI	8.80	237.60
Sick Leave: Hours Available 24.00						
YTD GROSS	YTD DEDUCTIONS	YTD NET PAY	CURRENT TOTAL	CURRENT DEDUCTIONS	NET PAY	
23760.00	7023.24	16736.76	880.00	260.12	619.88	

Minimum wage!

\$16.00 in 2024; increases every January 1.

Many cities have higher minimum wages.

Some special rules or exceptions may apply, depending on your job.

TIPS:

Workers earning tips have the same minimum wage as other workers. Tips do NOT count toward your minimum wage. Your employer cannot take your tips.

"SHOW UP" (OR "REPORTING TIME") PAY:

If you show up for your scheduled shift and your employer sends you home because there isn't enough work or gives you less than half of your usual or scheduled hours, you may be entitled to partial payment for the cut hours.

GET YOUR CHECK ON TIME:

If your check is late, you are entitled to an additional payment. If you are fired you should receive your final paycheck on your last day of work.

Special minimum wage for fast-food workers!



\$20 per hour

YOU ARE AN EMPLOYEE, YOU HAVE RIGHTS!

If your employer sets your wages and hours and tells you how your job should be done you are an **EMPLOYEE**, not a self-employed “independent contractor.” Some employers try to say their workers are independent contractors, not employees, because it saves them money on payroll taxes. It’s illegal to hire anyone under age 18 as an independent contractor.

Independent contractors do not have the labor protections like minimum wage, overtime pay, sick leave, and more.

Wage theft is illegal!

When an employer doesn’t pay you everything you are owed, that’s wage theft and it’s illegal.

Some examples of wage theft:

- You are paid less than you were promised
- You are made to do any work before clocking in, after clocking out, or during your breaks
- Your employer makes paycheck deductions (besides those required by the government) without your permission. Common illegal deductions are for things like:
 - Equipment
 - Uniforms
 - Things you accidentally break
 - Cash register shortages caused by mistakes

If you accidentally drop a tray of dishes, take a bad check, or have a customer walk out without paying a check, your employer cannot deduct the loss from your paycheck!

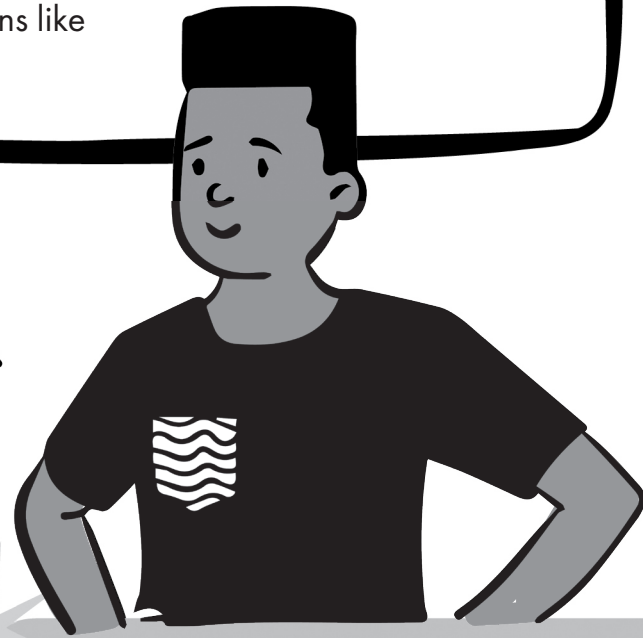
Hours you can work

Teens cannot legally work too late, too early, or too many hours per day or per week. There are rules for the school year and more flexible rules for the summer. Some school districts may have stricter rules than the general California law.

Scan the QR code to learn more.



laborcenter.berkeley.edu/rights



You have the right to breaks and sick leave

BREAKS

All employees are entitled to:

- A 10-minute *paid* rest break for every 4 hours of work
- An unpaid, uninterrupted 30-minute break for every 5 hours of work

PAID SICK LEAVE

- Most workers are entitled to at least five days or 40 hours of paid sick leave (whichever is more) each year. After that, you can take unpaid leave if you are still sick.
- Your employer cannot punish or fire you for using paid sick leave, and cannot require you to find your own replacement while you are out.

IS YOUR JOB DANGEROUS?

Your employer is required to provide:



- A safe and healthy workplace



- Training on chemicals and other hazards



- Protective uniforms and equipment



- Workers' compensation if you are hurt on the job

Report problems to Cal/OSHA, the government agency in charge of workplace safety. Your call to Cal/OSHA is confidential and you don't even have to give them your name.

There are programs to help you if you get hurt on the job, if you become unemployed, disabled or sick and cannot work, or if you need to care for a family member or new baby.

You can refuse to do a task that could get you injured or even killed.

Some jobs are off-limits because they are too dangerous for teens.

Jobs teens are not allowed to do:

- Drive a motor vehicle on public streets as a main part of the job (with some exceptions)
- Drive heavy equipment
- Use powered equipment like a circular saw, box crusher, meat slicer, or bakery machine
- Work in wrecking, demolition, excavation, or roofing, logging or a sawmill
- Prepare, serve, or sell alcoholic drinks
- Work where exposed to radiation.

Also, 14 or 15 year old workers cannot:

- Do any baking
- Cook over an open flame
- Work in dry cleaning or a commercial laundry
- Do building, construction, or manufacturing work
- Load or unload a truck, railroad car, or moving belt.

Scan the QR code to learn more.



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KNOW YOUR RIGHTS AND GET HELP!



You have the right to join a labor union!

Unions are organizations where workers join forces to improve their working conditions. Through their union, workers negotiate as one with their employer on wages, benefits, health and safety, and other workplace rights. Employees are entitled to work together on common issues, even if they don't have a union.

It is illegal for employers to punish or fire you for joining or forming a union.

Employers CANNOT take your rights

Employers get to decide many things at work, but they cannot violate your rights or punish you for standing up for those rights!

It is illegal for an employer to fire you, cut your hours, give you a worse shift or bad assignment, or punish you in any other way for exercising any of your rights such as refusing to work off the clock, taking paid sick leave, reporting harassment, or insisting on a safe workplace. It is illegal for an employer to call ICE to get back at workers who report workplace violations; employers face high fines for this.



Where to go for help

It can be confusing to figure out how to report an employer for violating your rights. Try to find a trusted adult, like a parent, teacher, or school counselor, to help you exercise your rights.

Scan the QR code to find out where to make a complaint and to find organizations that can help you!

SCAN TO LEARN MORE!



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