



DIR
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State of California
Department of
Industrial Relations



CHILD LABOR POCKET GUIDE

Know Your Rights as a Minor Working in Agriculture



About DIR

The Department of Industrial Relations (DIR) protects and improves working conditions for all workers in California and helps employers follow labor laws.

DIR HAS DIVISIONS WITH DIFFERENT FUNCTIONS:

Division	Description
Labor Commissioner's Office (LCO), also known as Division of Labor Standards Enforcement (DLSE)	LCO makes sure workers get paid what they earn. They fight against wage theft, protect workers who speak up, and help ensure honest employers aren't undercut by those who break labor laws.
Division of Occupational Safety and Health (DOSH), also known as Cal/OSHA	Cal/OSHA protects the health and safety of workers by responding to worker complaints, checking for unsafe conditions, and requiring employers to fix problems so accidents don't happen. Cal/OSHA also requires employers to provide protective heat illness prevention measures for outdoor and indoor workers.
Division of Workers' Compensation (DWC)	DWC helps workers who are hurt on the job get medical care and benefits. They also provide services to settle disagreements between workers and employers about workers' compensation claims.



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California labor laws protect all workers, regardless of immigration or citizenship status. DIR and its divisions will not ask you about your immigration status. They also will not report your immigration status to other government agencies.



Minimum Wage Requirements

In 2026, the state minimum wage is **\$16.90** per hour.

Your employer is required by law to pay you **at least** the state’s minimum wage, or the higher local minimum wage. They must also pay for any applicable overtime pay, whether you **get paid hourly or per piece rate**.

Piece rate means you get paid for each item you complete rather than for the time you work. Even if you are paid per piece, your earnings for the hours you work must still add up to at least minimum wage.

EXAMPLE:

	If you are paid by hour (\$16.90 per hour minimum wage):	If you are paid by piece rate for \$2 per item:
Work you completed	You work 5 hours, so you must earn at least: $5 \text{ hours} \times \$16.90 = \84.50	You completed 30 items in 5 hours. $30 \text{ items} \times \$2 = \$60$
What you are actually owed	Because you earned \$60 for your piece rate for 5 hours of work, but minimum wage requires you to get paid \$84.50 for five hours of work, your employer must pay you an extra \$24.50 to meet minimum wage. $\$84.50 - \$60 = \$24.50$ extra to meet minimum wage	



Minimum Wage Requirements

Additionally, most employees must be paid extra, or **overtime pay**, if they work too many hours. A normal workday is 8 hours, and a normal workweek is 40 hours. You must be paid overtime if you work more than that.

OVERTIME PAY RULES ARE THE FOLLOWING:

1.5× pay (time and a half) for:	2× pay (double time) for:
<ul style="list-style-type: none">• Hours over 8 (up to 12) in a day• Hours over 40 in a week• The first 8 hours on the 7th consecutive workday in a week	<ul style="list-style-type: none">• Hours over 12 in a day• Hours over 8 on the 7th consecutive workday

www.dir.ca.gov/dlse/Overtime-for-Agricultural-Workers.html

Your employer is required to provide every employee with an **itemized pay stub**. Pay stubs include your employer information, pay period dates, hours worked and wages paid. They also include any tax withholdings or benefit deductions.

If you have no past experience in your job, your employer can pay you as a **‘learner employee.’** This means you would earn 85% of the minimum wage for your first 160 hours. However, if you have experience in agricultural work, you won’t be considered a learner employee.



Minimum Wage Requirements

BELOW IS AN EXAMPLE OF WHAT YOU MAY SEE ON A PAY STUB FOR A PIECE RATE WORKER:

Employee First Name:		Employee Last Name:		Date:		
Bob		Johnson		1/20/XX		
Employee Address:				Deductions:		
1234 First Street, City, CA 12345				Amount:		
SSN or Employee ID:		XXXX-XX-6789		Federal W/H	\$60.45	
No. Of Pieces:		Piece-rate:	Amount:	FICA	\$47.99	
720		0.50/ft	\$360.00	Medicare	\$11.22	
864		0.25/ft	\$216.00	CA State W/H	\$10.04	
1440		0.10/ft	\$144.00	CA State DI	\$6.19	
Total Earned for Productive Work			\$720.00	401k	\$77.40	
		Hours	Rate/Hour	Amount:	Total Deduction:	
Productive		36.83*	\$19.55	\$720.00	\$213.29	
Non-productive		1.50*	\$15.00	\$22.50	Total Hours in Pay Period	
Rest Time		1.67	\$19.37**	\$32.35	Regular:	40.00
Vacation Time		0.00	\$15.00	\$0.00	Overtime:	0.00
Sick Leave Used		0.00	\$15.00	\$0.00	Double Time:	0.00
Overtime		0.00	\$9.69 **	\$0.00	Total	40.00
Double Time		0.00	\$19.37**	\$0.00	Available Sick Leave	24.00 hours
Total		40.00			Gross Earnings:	\$774.85
Gross Earnings			\$774.85	Total Deductions:	\$213.29	
				Net Earnings:	\$561.56	



Health and Safety Requirements

Employers are required to keep all workers safe.

To prevent injuries on the job, they must:

- Have a written Injury and Illness Prevention Program and provide you access to it.
- Make sure the workplace is safe by identifying safety and health hazards and correcting them.
- Tell you about workplace hazards and train you how to work safely. The training must be provided to you in a language you understand.
- Call Cal/OSHA right away when there is a death or serious injury or illness in the workplace.
- Keep track of all workplace injuries and illnesses that require more treatment than first aid.



Report any hazards to your employer. Some hazards are visible and others are not. A visible hazard can be a broken tractor or tool. Chemicals in the air or hot weather are hazards that may not be visible.

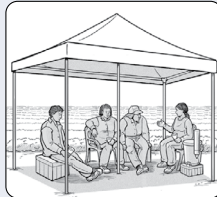
Health and Safety Requirements

Heat illness is dangerous and can kill. Employers are required to protect workers from outdoor and indoor heat.

TO PREVENT HEAT ILLNESS, THE LAW REQUIRES EMPLOYERS TO:



Provide workers with fresh water.



Provide access to shade.



When requested, allow cool-down rest breaks in addition to regular breaks.

www.dir.ca.gov/dosh/HeatIllnessInfo.html

You can report safety issues to Cal/OSHA and file a confidential complaint if you think a safety regulation has been broken, a condition is unsafe, or there's a serious danger.

www.dir.ca.gov/dosh/Complaint.htm

It is illegal for your employer to punish you for filing a complaint with Cal/OSHA.



Workers' Compensation

If you are injured or become ill because of your job, you have the right to medical care. You also have the right to wages lost while recovering.

EXAMPLES OF WORKSITE INJURIES CAN INCLUDE:



Getting burned by a chemical that splashes on your skin.



Getting hurt while operating equipment.



Hurting your back in a fall.

Tell your supervisor right away if you are injured or become ill. If your injury or illness develops over time (like tendinitis or hearing loss), report it as soon as you learn or believe it was caused by your job.

Your employer must give or mail you a claim form (DWC 1) within one working day after learning about your injury or illness. Use it to request workers' compensation benefits.

www.dir.ca.gov/dwc/iwguides.html



Work Requirements for Minors

All minors under 18 years of age employed in the state of California **must have a permit** to work.

Minors work with the permission of the school district. Permission may be denied or canceled at any time by school officials. Permits contain the maximum number of hours a minor may work in a day and week. The maximum hours minors are allowed to work depend on:

- Their age
- Whether school is in session
- Whether the work takes place during a school day or non-school day

A work permit form can be provided by your school district office or found on the Labor Commissioner's Office website.

www.dir.ca.gov/dlse/dlseformb1-1.pdf

Your employer is legally required to have a Permit to Employ and Work on file. It must be available for inspection by school and labor officials at all times.

Certain types of agriculture work are considered too hazardous for minors under the age of 16. Examples include operating a tractor, forklift, and other types of equipment.

However, student learners under the age of 16 may perform these kinds of hazardous jobs as part of a vocational agriculture program. The program must meet these criteria:

- The vocational agriculture training program is run by their school.
- The student is given a written agreement that says:

Work Requirements for Minors

- The work is secondary to their training.
- The work is intermittent and for short periods of time.
- They will be under close supervision.
- They will receive safety instructions.
- They have a schedule of organized and progressive work.



- The written agreement must have the student's name and be signed by the school and the employer.

Minors under the age of 12 may not be employed or permitted to work an agricultural job unless their parent or guardian owns, operates, or controls the premises.

Minors under 12 can't work in or go with a parent to a dangerous farm area. This is true even if their parent owns or runs the business. A dangerous farm area has moving machines, chemicals, water hazards, or work that's too risky for minors under 16.

If a minor under the age of 12 is employed in an agricultural occupation not owned by the parent or guardian, the Labor Commissioner's Office must be notified **immediately**.

www.dir.ca.gov/dlse/howtoreportviolationtobofoe.htm



What is Workplace Retaliation?

Retaliation happens when an employer treats you negatively or punishes you for standing up for your rights or participating in protected activities.

PROTECTED ACTIVITIES INCLUDE:

- Making complaints about **health or safety conditions** at work for yourself or your co-workers.
- Reporting or filing a complaint with a government agency related to your rights to safe and healthy working conditions.
- **Testifying** in a health and safety proceeding.
- Participating in an occupational health and safety committee.
- **Reporting** a workplace injury to your employer.
- Refusing to work when **the work would violate labor laws** or any workplace safety or health standard that would create a hazard to you or co-workers.

RETALIATION OR PUNISHMENT CAN LOOK LIKE:

- Cutting your hours.
- Sending you home early.
- Suspending or firing you.

If you were retaliated against for filing a Cal/OSHA complaint for issues such as exposure to chemicals such as pesticides, operating near unsafe machinery, and heat illness, you may file a retaliation complaint with the Labor Commissioner's Office.

www.dir.ca.gov/dlse/rci_osh_a_complaint.htm



Workplace Know Your Rights Act



Effective January 1, 2026, your employer is required to provide written notice to each current employee of specified workers' rights, including:

- Specified labor laws.
- Workers' compensation.
- Notice requirements related to immigration enforcement inspections.
- Protection against unfair immigration related practices against a person exercising protected rights.
- The right to organize a union or engage in collective action in the workplace.
- Employee rights under the Fourth Amendment to the United States Constitution to be free from unreasonable searches and seizures.

If employers are notified of an upcoming immigration inspection, they must also inform workers within 72 hours of receiving that notice. It must include:

- The name of the immigration agency doing the inspection.
- The date the employer received the notice.
- Details of what the inspection will look at, such as employment forms or paperwork.



Workplace Know Your Rights Act

IMMIGRATION RELATED THREATS

Immigration-related threats in retaliation for exercising a right are unlawful. **Employers cannot:**

- Refuse to honor documents that appear genuine.
- Misuse E-Verify. E-Verify is a system that lets employers check if someone is allowed to work in the United States at the time of hire.
- Threaten to call immigration authorities.
- Report you or your family's perceived immigration status or engage in any other unfair immigration-related practice in retaliation for exercising your rights.

PROTECT YOURSELF BY TAKING THESE IMPORTANT STEPS:

- 1. Take Notes:** Write down what happened with a timeline, include who was involved and present, when and where the threat took place.
- 2. Gather Supporting Evidence:** Collect text messages, voicemails, emails, and identify any witnesses; note their names and contact information.
- 3. Know and Abide by Your Employer's Rules:** An employer may fire an employee for many reasons, but they cannot violate your rights or retaliate against you for exercising your rights.
- 4. Get More Information:** A worker organization may help you understand your rights and what you can do next.



Workplace Know Your Rights Act

5. Get Help: Report immigration threats to the Labor Commissioner’s Office. It is important to report the incident as soon as possible; otherwise, the Labor Commissioner’s Office may not be able to enforce your rights if you wait more than one year from the date the threat took place.

www.dir.ca.gov/dlse/Filing_your_complaint.htm

WHISTLEBLOWERS GET PROTECTION

A whistleblower is a worker who tells the government, police or their boss about something wrong. A whistleblower can also be a worker who says no to doing something illegal.

An employer may not:

- Make, adopt, or enforce any rule, regulation, or policy preventing an employee from being a whistleblower.
- Retaliate against an employee who is or is perceived to be a whistleblower.
- Retaliate against an employee for refusing to participate in an activity that would result in a violation of state or federal statute.
- Retaliate against an employee for having exercised their rights as a whistleblower.

Whistleblowers and workers who file complaints are protected from discrimination and retaliation. You can file a retaliation complaint with the Labor Commissioner’s Office.

www.dir.ca.gov/dlse/HowToFileRetaliationComplaint.htm

Contact DIR



Questions on workplace health and safety, heat illness prevention, and wildfire smoke protection.

833-579-0927
Monday – Friday
9 am – 7 pm PT
www.dir.ca.gov/dosh



Questions on paid sick leave, retaliation protections, how to file a wage claim or retaliation complaint.

833-526-4636
Monday – Friday
8 am – 5 pm PT
www.dir.ca.gov/dlse



Questions on workers' compensation benefits for workplace injuries and illnesses and how to receive assistance.

909-383-4341
9 am – 4 pm PT
Monday – Friday
www.dir.ca.gov/dwc

Resources

Minor Work Permit Form
www.dir.ca.gov/dlse/dlseformb1-1.pdf

Health Illness Prevention Guidance
www.dir.ca.gov/dosh/HeatIllnessInfo.html

Guides for Injured Workers
www.dir.ca.gov/dwc/iwguides.html

File a Wage Claim
www.dir.ca.gov/dlse/HowToFileWageClaim.htm

File a Retaliation Claim
www.dir.ca.gov/dlse/HowToFileRetaliationComplaint.htm

Laws that Prohibit Retaliation
www.dir.ca.gov/dlse/howtofilelinkcodesections.htm

File a Workplace Safety Complaint
www.dir.ca.gov/dosh/Complaint.htm

Report a Labor Law Violation
www.dir.ca.gov/dlse/HowToReportViolationtoBOFE.htm

Community Based Organizations
www.dir.ca.gov/dlse/Agriculture-Community-Based-Organization-List.htm

All Workers Are Protected! You Have Rights!