



Complying With Child Labor Laws: Information for Employers

1 Prior to permitting the minor to work, employers must possess a valid Permit to Employ and Work.

- The minor's school issues the permit. In typical circumstances, after an employer agrees to hire a minor, the minor obtains from their school a form with the title "Statement of Intent to Employ Minor and Request for Work Permit" ("Application"). (EC 49162)¹
- The application is completed by the minor and the employer and signed by the minor's parent or guardian and the employer. (EC 49163)
- After returning the completed and signed application to the school, school officials may then issue the Permit to Employ and Work. (EC 49110–49113 and 49130)



2 Employers must have a Permit to Employ and Work on file and available for inspection by school and labor officials at all times. (LC 1299², EC 49161 and 49164)

- Permits to Employ and Work are issued on the same form. Permits are always required, even when school is not in session. Permits are issued for specific employment at a specified address. (EC 49115 and 49163)
- Permits contain the maximum number of hours a minor may work in a day and week, the range of hours during the day that a minor may work, any limitations, and any additional restrictions imposed at the school's discretion.
- Permits issued during the school year expire five days after the opening of the next succeeding school year and must be renewed. (EC 49118)



¹Education Code (EC)

²Labor Code (LC)

- Permits to Employ and Work may be denied or canceled at any time by school officials or the Labor Commissioner, whenever the conditions for the issuance of the certificate or permit do not exist, no longer exist, or never existed. (LC 1300 and EC 49164)
- School officials who determine that school work or health of the minor is impaired by the employment may revoke the permit. (EC 49116)

3 Employers have additional recordkeeping and training obligations when employing minors.

- Employers must keep a record for three years of the minor employee’s names, date of birth, and addresses, and maintain for minor employees the same payroll and timekeeping records required for all employees. (LC 1299 and 1174–1175)
- In 2020, California passed a bill that expanded the definition of a mandated reporter. Under the law, a California employer with five or more employees that employs minors must provide training on identification and reporting of child abuse and neglect to the following classes of mandated reporters: All human resources employees, and all adults whose duties require direct contact with and supervision of minors in the performance of the minors’ duties in the workplace. (AB 1963)³



4 Minors must be paid at least the same prevailing minimum wage as any adult.

- Minors are protected from wage theft, and employers cannot take tips or deduct wages illegally. (LC 1196, IWC Orders Section 4)⁴

Table of Key Limitations

	Workers Age 16 and 17	Workers Age 14 and 15
When school <u>is</u> in session	4 hours per day on a school day or 8 hours on a non-school day. Limited to 48 hours per week.	3 hours per school day outside of school hours or 8 hours on a non-school day. Limited to 18 hours per week.
When school <u>is not</u> in session	8 hours per day. Limited to 48 hours per week.	8 hours per day. Limited to 40 hours per week.

³ Assembly Bill (AB)

⁴ Industrial Welfare Commission (IWC)

For More Information on Child Labor Law:
www.dir.ca.gov/dlse/MinorsSummaryCharts.pdf

Contact the Labor Commissioner’s Office:
 Call (833) 526-4636 or visit www.dir.ca.gov/dlse for local office locations and phone numbers.

