

Child Labor Laws & Student Learners

STATE OF WISCONSIN
DWD
Department of Workforce Development

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Prohibited / Hazardous Employment

- Work prohibited to ALL minors is listed, alphabetically in the Administrative Code (Wis. Admin. Code § DWD 270.12). It includes such items as:
 - Coal mines
 - Hoists & hoisting apparatuses
 - Lifeguards
 - Meat processing
- It is important to read each section; there are always exceptions.

Prohibited / Hazardous Employment

- Work prohibited to minors under the age of 16 only is listed, alphabetically at Wis. Admin. Code § DWD 270.13. It includes such items as:
 - Construction
 - Hospitals and nursing homes
 - Loading and unloading
 - Manufacturing, mining, & processing occupations
- Certain sections have exceptions and clarifications.

Prohibited / Hazardous Employment

Resources:

- Guide to Wisconsin's Child Labor Laws:
http://dwd.wisconsin.gov/dwd/publications/erd/pdf/erd_17231_p.pdf
- Manufacturing & Construction Equipment & Wisconsin's Child Labor Laws:
http://dwd.wisconsin.gov/dwd/publications/erd/pdf/erd_17607_p.pdf

Student Learner Exemption

See Wis. Admin. Code § DWD 270.14(3).

A "student learner" is a

- student of an accredited school who is
 - employed on a part-time basis to obtain both scholastic credit and
 - employment training
- under a bona fide written school-work training program agreement.

Student Learner Exemption

A student learner is permitted to do some work that is otherwise prohibited if the student learner is performing service within a bona fide school-work training program

- sponsored by an accredited school
- authorized and approved by
 - the state department of public instruction,
 - the technical college system board, or
 - the department's youth apprenticeship program.

Student Learner Agreement Must Include

- Any work otherwise prohibited under § DWD 270.12- 270.13 is incidental to student learner's training, and shall be intermittent and for short periods of time (5% or less of the total work hours).
- The student learner shall be under the direct and close supervision of a qualified and experienced person.
- That safety instructions will be given by the school and correlated by the employer with on-time job training.
- A schedule of organized and progressive work processes to be completed on the job.

Student Learner Exemption – Some work NEVER Allowed

- Bakery machines.
- Manufacture of brick, tile, and similar products
- Coal mining & other mining
- Explosives
- Hoists and hoisting apparatuses (**except** those that are allowed to all minors)
- Logging, saw mill, lath mill, shingle mill, or cooperage stock mill
- Motor vehicle driver or outside helper (except as allowed for ALL 17-year-olds).
- Radioactive and ionizing radiations substances
- Strikes & lockouts
- Wrecking, demolition, and shipbreaking
- Gun clubs (for minors under 16)
- Manufacturing , mining, or processing occupations for minors under 16.

Hoists and Hoisting Apparatuses

- 16/17 year old may operate floor jacks , service jacks, hand jacks drive on lifts, arm lifts, (and some automation and signal elevators see DWD 270.12(12)) used in conjunction with repairing or servicing motor vehicles.

17 Year Olds May Operate an Automobile If:

- The driving is only occasional and incidental to the minor's employment,
- The driving is restricted to daylight hours,
- The driving takes place within a 30-mile radius of the minor's place of employment,
- The motor vehicle does not exceed 6,000 pounds gross vehicle weight,
- The minor has completed driver's education and has a valid license

17 Year Olds May Operate an Automobile If (Cont.):

- The minor has no records of any moving violations at the time of hire,
- The vehicle has seatbelts for all occupants, and the employer has instructed the minor that the belts must be used when driving and riding,
- The driving does not involve towing of vehicles; route delivery or sales; transportation for hire of property, goods, or passengers; urgent time sensitive deliveries, transporting more than 3 passengers who are employees of the employer.

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