Student name: \_

Date:

# MODULE 29 List the steps in obtaining an employment certificate.

### **Objectives:**

- A. Evaluate regulations concerning employment certificates.
- **B.** List steps in obtaining a certificate.

#### **MODULE 29: INFORMATION SHEET**

<u>TO THE STUDENT:</u> Read and study this information sheet and then complete the student activities at the end of this module.

### **Obtaining an Employment Certificate**

To ensure that employers adhere to Child Labor Laws, the employment of the minor is permitted by the parent or guardian and that the minor is physically capable of performing the duties of specific employment, the Pennsylvania Department of Labor and Industry, in coordination with the Department of Education, have in place regulations concerning Employment Certificates. Employers are required to have on file Employment Certificates for the minors they employ.

Prior to applying for a certificate, a promise of employment from an employer must first be secured by the minor. The minor will then determine who the issuing officer is within the school district they reside and receive an application for an employment certificate, which may be known as "working papers."

Generally, an applicant who is between the age of 16 to 18 and participating in a bonafide Cooperative Education Program will apply for a transferable work permit classified for general employment. The transferable work permit allows the student to work any day during the year to a maximum of 8 hours a day and 44 hours per week. (Other child labor laws also apply—see *Excerpt of the Child Labor Law* on page 4.) When the minor receives the application (see *Application* on page 7) from the issuing office, subsection A must be completed and signed by the issuing officer. Subsection A contains the minor's date of birth and type of evidence of age accepted. There's also space provided in the upper right hand corner for the date of application, Certificate/Permit Number, and the date of issuance. One of the following proofs of age must be submitted and preference is in the order given.

- a. <u>A birth record</u> from the Vital Statistics Division. None of the options below will be accepted unless it's impossible to obtain a record of birth from the Vital Statistics Division.
- b. <u>A Baptismal Certificate</u> or Transcript of the record of Baptism. The certificate must include date of birth.
- c. <u>A passport</u> showing the age of the minor.
- d. <u>Any other documentary record of age</u>, other than a school record.
- e. <u>An Affidavit</u> of parent or guardian accompanied by a physician's statement of opinion as to the age of the minor.

Subsection B is to be completed by the parent, guardian or legal custodian. This section indicates the type of certificate/permit requested and includes the signature of the responsible adult and the adult's address. Application for the certificate must be made by the parent, guardian or legal custodian of the minor. The person responsible for the minor may appear in person and sign the work permit or may execute a statement (see *Attestation Document* page 8) before a notary public and attach form to the application.

Subsection C is to be completed by the employer. This section is a promise of employment and should identify the kind of industry and type of work in which the minor will be engaged. Also displayed and filled by the employer are the specific hours per day the student minor is anticipated to work. These hours must be consistent with current labor law.

Subsection D to be completed by a qualified physician or practitioner certifying that the minor is physically qualified for employment at the time of application or within the previous three hundred sixty five days.

The completed application is taken back to the issuing office where the issuing officer will complete the transferable work permit. (See *Transferable Work Permit* on page 9.)

The face side contains:

- a. Class of certification
- b. Number and date of issue
- c. Name, address and signature of the minor
- d. Physical characteristics of the minor
- e. Signature of the issuing officer and official title
- f. Name and address of school district

The back side of the permit contains:

- a. Employer instructions
- b. Note to the minor
- c. Classes of certification
- d. Note to the issuing officer

The original wallet size copy of the Transferable Work Permit will remain in the possession of the minor. The minor can use this card for multiple employers, if necessary. A new card need not be issued for each employer, although each employer will retain a copy for their records and follow the child labor law regulations noted on the back side of the transferable work permit.

## EXCERPT-CHILD LABOR LAW ACT OF 1915, P.L. 286, NO. 177

### Section 8

- a. Before any minor under the age of 18 becomes employed, the employer shall receive from the minor and keep on file an employment certificate.
- b. Any minor 16 years of age can receive a transferable work permit instead of an employment certificate, and the permit is valid until the age of 18.

### **Section 9**

Employment certificates and transferable work permits shall be obtained from the school district in which the minor resides, and will be issued by the superintendent or supervising principal of the district.

#### Section 10

Application for the Certificate must be made by the parent or guardian of the minor and the minor must appear personallybefore the issuing officer.

### Section 11

Employment certificates are of two classes: General Employment and Vacation Employment. General Employment certificates entitle a minor 16 to 18 years of age to work the entire year. Vacation Employment certificates allow a minor 14 to 18 years of age to work any day except at such times and days when the minor is required to attend school.

#### Section 12

The official authorized to issue an employment certificate shall not issue the certificate unless the following papers are completed and filed:

- a. A statement signed by the employer stating the minor will be employed, the type of employment involved, and the hours of employment.
- b. A certificate of physical fitness.
- c. Proof of age.

### Section 14

The certificate of physical fitness required shall be provided by the examining physician or certified practitioners stating the minor has been thoroughly examined at the time of application or within the previous three hundred sixty five days and is physically qualified for employment.

### Section 15

One of the following proofs of age must be submitted:

- a. Birth certificate
- b. Baptismal certificate showing date of birth
- c. Passport showing age of minor
- d. Only if none of the above are obtainable, any other certified documentary record of age acceptable to the issuing officer
- e. Only if none of the above are obtainable, then a signed statement by a physician who is approved by the Board of School Directors stating that, after the examination, the minor has attained the age required by law for the occupation anticipated. A statement signed by the parent or guardian certifying the name, date and place of birth of the minor, and the unavailability of any other proofs of age.

### Section 17

- a. All employers shall require a minor to have a valid employment certificate or transferable work permit. The transferable work permit shall remain in the custody of the minor.
- b. Within five days of receiving an employment certificate, the employer shall notify the issuing officer in writing of it's receipt. Within five days of termination of employment, the employer will return the certificate to the issuing officer by mail or to the minor on demand.

### Section 17.1

- a. Employers employing minors having transferable work permits shall also, within five days of employment, provide the issuing officer with the following information in writing:
  - 1. The permit number
  - 2. The name and age of the minor employed.
  - 3. The number of hours per day and week the minor will work.
  - 4. The type of employment.

- b. A record of minors with transferable work permits at the work site will be maintained by the employer which contains for each minor:
  - 1. Name of the school district issuing the permit.
  - 2. Minor's birthdate.
  - 3. Date of permit issue.
  - 4. Permit number
  - 5. Occupation of the minor
  - 6. A photocopy of the transferable work permit
- c. Within five days of termination of employment of a minor with transferable work permit, the employer will notify the issuing officer in writing.
- d. School districts shall maintain the records required in subsection A for two years.

### Section 18

- a. All forms used for issuing employment certificates shall be supplied by the Secretary of Education.
- b. All transferable work permits shall be issued on wallet sized forms supplied by the Secretary of Education.

References:

Child Labor Law, Bureau of Labor Law Compliance, Department of Labor & Industry. 6/01.

<sup>&</sup>quot;Child Labor Law", Act of 1915, P.L. 286, No. 177, amended Dec. 21, 1998, P.L. 1242, No. 158.

ORTRA	SFERABLE WORK PERMIT	CERTIFICATE Date of Application						
E-4565 (10/91)	tor Englise Work PEnnin	Date Issued						
To be completed by issuing officier	*							
me of Minor	Sex	Signature of Issuing Officer						
	Color of Hair							
	Color of Eyes							
Distinguishing Physical Characteristics:	School Di	trict - Name and Address						
x (a. 21.4		x						
e of Residence								
1 A.	1							
Date of Birth Evidence of ag	e accepted and filed. Evidence shall be requ	ired in the order designated. Cross out all but the one accepted.						
		b. Baptismal certificate or transcript c. Passport						
d. Other o	focumentary evidence	e. Affidavit of parent or guardian accompanied by physician's						
		statement of opinion as to the age of the minor						
To be completed by parent, guardian or lega	It custodian in presence of issuing officer	1 ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) (						
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	Aark only one	an employment certificate as indicated below:						
General Employment Certificate								
	I ransterat	ble Work Permit (in lieu of General Employment Certificate)						
Vacation Employment Certificate	Transferat	ble Work Permit (in lieu of Vacation Employment Certificate)						
nature of Parent, Guardian or Legal Custodian	Name and	Address of Parent, Guardian or Legal Custodian						
Contraction of Person Contraction		Address of Farence, Guardian of Legal Custodian						
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#### Attestation Document

This form may be used as stated in the following excerpt of the Child Labor Law, as amended: Section 10 ". . . In lieu of the personal appearance of the parent, guardian, legal custodian, or next friend of the minor, such person may execute a statement before a Notary Public or other person authorized to administer oaths attesting to the accuracy of the facts set forth in the application . . ."

The application referred to in the above law is the <u>Application For</u> <u>Employment Certificate</u> or <u>Transferable Work Permit</u>, Form PDE 4565.

When this form is used in lieu of personal appearance, the completed form shall be attached to the application form PDE-4565 and transmitted to the responsible Work Permit Issuing Officer of the public school district in which the minor, so named on the application, resides.

I attest that the information contained on the Application For Employment or Transferable Work Permit, Form PDE-4565 made out in the name of \_\_\_\_\_\_\_\_ is true and accurate.

(Minor's Name)

Signature of Notary Public or other person authorized to administer oaths Signature of parent, guardian legal custodian or next of friend

Signature

Date

Signature

Date

Application for the employment certificate must be made by the parent, guardian, or legal custodian of the minor for whom such employment certificate or Transferable Work Permit is requested.

In lieu of the personal appearance of the person responsible for the minor, such person may execute a statement before a Notary Public or other person authorized to administer oaths attesting to the accuracy of facts contained on the application PDE-4565. The PDE-4565A is the official form to be used for said purpose and shall be attached to the application PDE-4565.

TRANSFERABLE WORK PERMIT Employee Instructions           Number         Any employeer instructions           Number         Any employer, employed a minor having a Transferable Work Permit	under the provision of the	2. Name and age of amploye.     3. Number and hours per day and weak minor well work.     4. Character of amployment.	Zip	Mao. Day Year	Mole to Minor Molding this	the micromation contained on this perveit.		1. General Emphyrmeel - Enclides a menor, 16 to 18 years of age, to work during the estima wave and all and on some of age. to work	hours per day and 44 hours per week.	on any day except at such times when a menor is required to work school (Minors under 16 years of age may not be issued a Transferable	Zip
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PDE 4566 (1289) Class of certificate (mark one only) General Employment Vacation Employment	Issued to a mimor between 15 and 18 years of age Child Labor Laws, as amended. Name of Mimor	Signature of Minor Place of Readence	Place of Buth	(Clty)	Other distinguishing characteristics and physical h		Issung Officer I hereby certify that all the requirements of Is Transferable Work Permit have been luitilied, and the minor has signed this permit in my presence.	Signature of Issuing Officer	Official Tifle School District Name and Address		

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#### **MODULE 29: STUDENT ACTIVITIES**

<u>TO THE STUDENT:</u> After reading and studying the above Information Sheet, complete these activities to demonstrate your understanding.

#### Answer the following questions.

- 1. What's the purpose of an Employment Certificate?
- 2. At what age is an Employment Certificate no longer required?

3. List five proofs of age allowed when applying for an Employment Certificate. Which is the most acceptable? The least?

- a. b. c. d. e.
- 4. The minor must have a physical at the time of application for a certificate.
  - Т Г
- 5. The original transferable work permit will remain in the possession of the employer.

т г

6. What are the two classes of Employment Certificates?

a.

b.

12

7. A promise of employment is the first step in obtaining an employment certificate. What are the others? Include all requirements listed on the application.

#### MODULE 29: STANDARDS ADDRESSED IN THIS MODULE

#### Pennsylvania's Academic Standards for Career Education and Work

#### 13.2.11. Career Acquisition (Getting a Job)

- D. Identify sources of health, safety and regulatory practices and their effect on the work environment.
  - Child Labor Laws
  - Employee Right to Know
  - Fair Labor Standards Act
  - Hazardous occupations
  - Material Safety Data Sheets (MSDS) information
  - Occupational Safety and Health Administration (OSHA) regulations
  - Student work permits

#### <u>Pennsylvania's Academic Standards for Reading, Writing, Speaking and</u> <u>Listening (RWSL)</u>

- 1.1.11. Learning to Read Independently
  - E. Establish a reading vocabulary by identifying and correctly using new words acquired through the study of their relationships to other words. Use a dictionary or related reference.