

Are You Planning On Going To Work?

If You Are Under 18 Years Of Age You Will Need A Work Permit.

To Obtain A Work Permit You Must Have:

- 1. Proof of age** - Birth Certificate, Baptismal Record, Driver's License, or State issued Identification Card. Birth records may be obtained from the register of deeds in the county of birth. Baptismal records may be secured from the pastor of the church in which the baptism took place.
- 2. Letter from the employer** stating the intent to employ the minor along with the job duties, hours of work and time of day the minor will be working.
- 3. Letter from the minor's parent, guardian or court-ordered foster parent** while the minor is under their care and supervision consenting to the employment. As an alternative, the parent, guardian or foster parent may countersign the employer's letter.
- 4. The minor's social security card.**
- 5. Statutory permit fee is \$10.00.** The employer is required to pay the permit fee. If the minor advances the fee, the employer shall reimburse the minor not later than the minor's first paycheck.
- 6. Address of school that the minor attends or the name of the school district.**

You may apply for a work permit at your school office or call (608) 266-6860 for information on where in your area you may apply for a work permit.

Your work permit will be revoked if you do not attend school on a regular basis, if you are working in a prohibited employment, or if you are employed while you are underage for that employment.

See the Employment of Minors Guide (ERD-4758-P) for more information on working before you are 18 years of age.

Minimum Age to Permit a Minor to Perform Work:

Minors must be at least fourteen years of age to be employed or permitted to work in **most** gainful occupations. However, Wisconsin law permits younger minors to be employed or permitted to work as follows:

12 years of age:

- Agriculture
- Street trades (delivering newspapers, selling products door-to-door or on the street)
- Work in parents' business (business must be a sole proprietorship and wholly owned by one or both parents)
- Caddies on golf courses if they use a caddy cart (non-motorized)
- Domestic work in and around the home of the employer if not in connection with or part of a trade or business
- Sideline officials at high school football games
- Ball monitors at high school football games or practices (as young as 11 allowed)
- Official for athletic events sponsored by private, nonprofit organization in which the minor would be eligible to participate or in which the participates are the same age or younger than the minor
- Work in school lunch programs for the school attended by the minor

Other

- Participation in a court ordered juvenile restitution project at any age
- Street trades for a private nonprofit organization or a private or public school at any age to perform fund raising
- Public Exhibition (theatrical performances, modeling, performing music, or singing) at any age
- Employment in domestic or farm work performed outside of school hours in connection with the minor's own home or the family farm

Work Permits

Most Wisconsin employers hiring or permitting minors between the ages of 12 and 17 to work must possess a valid work permit for each minor before work may be performed. The work permit establishes a minor's proof of age and insures that the employer, parent/guardian, and minor are aware of the child labor laws and regulations.

Employers hiring married minors, high school graduates, minors living independently and minors working for their parents in the parents' business must also have work permits. The only exceptions to the permit requirement are:

- Minors employed in agriculture
- Minors working in or around a home and not in connection with the employer's business
- Volunteer work for a nonprofit organization, not as an employee
- Public entertainment or exhibition
- Street trades for fundraising for nonprofit organizations, private or public schools
- Apprentices under Wis. Stat. ch. 106.

Work permits may be obtained from one of the state's child labor permit officers, most of whom are located in school offices.

The permit officer will refuse to issue a work permit or street trades permit if the minor seems physically unable to do the work or if such refusal would seem to be in the best interest of the minor. A permit officer can not issue a work permit for employment prohibited by state child labor regulations.

The following information must be provided to the permit officer before a work permit/street trades can be issued:

- Proof of age (Birth certificate, baptismal certificate, Wisconsin ID card or driver's license)

- Employer's written intent to hire, including job duties to be performed, and the hours and time of day to be worked
- Written consent of parent or guardian
- Social security card
- Payment of \$10.00 permit fee (Employer must reimburse for this cost no later than the minor's first paycheck)

Street Trade Permits:

Persons who engage minors to sell, offer for sale, solicit, collect, display or distribute newspapers or magazines, other products or services on any street, in any public place, or door-to-door must obtain a street trades permit for each minor. The permits may be obtained from any work permit officer. Persons who engage minors in fundraising for nonprofit organizations, public or private schools need not obtain a street trades permit provided no an employer-employee relationship exists between the parties.

Posting Requirement

All employers of minors except those hiring minors for domestic or agricultural work are required by law to display an informational poster, ERD 9212-P, entitled "Hours and Times of Day Minors May Work in Wisconsin" in places where minors are employed or are permitted to work.

Employment Generally Prohibited To Minors

State law prohibits the use of minors to perform hazardous work. A complete listing of the work listed as hazardous can be found in the Wisconsin Administrative Code, §§ DWD 270.12 – DWD 270.13. In some instances the hazard involves the entire worksite while in other instances a particular machine or activity is listed as hazardous. The following list contains some of the more common hazards:

Hazardous to all minors:

- Adult bookstores
- Use of bakery machines
- Erection of or operation of amusement rides at carnivals, amusement parks, ski hills, and traveling shows
- Any work with asbestos, actinolite, amosite, anthophyllite, chrysotile, crocidolite, or tremolite
- Work in any confined space
- Mining
- Operation, set-up, or cleaning of meat and food slicers
- Excavations involving a trench four feet deep or greater
- Any work in a facility that manufactures or stores explosives
- Selling, serving, dispensing or giving away liquor
- Set-up, operation, or cleaning of power driven metal forming; punching or shearing machinery
- Operation of motor vehicle on public roads as a regular job duty
- Any work with radioactive substances and ionizing radiations
- Operation of power driven circular saws, band saws, chain saws or guillotine shears
- Roofing operations
- Slaughtering, meat packing, processing or rendering
- Any work at an employer experiencing a strike or lockout or participating as a picketer in a strike or lockout
- Work in logging, including sawmill, lath mill, shingle mill or cooperage-stock mill operation
- Cleaning, set-up or operation of most power driven woodworking machines
- Any work involving wrecking, demolition or shipbreaking

Hazardous to minors under age 16 years :

- Agriculture (certain power-driven equipment and some jobs are prohibited unless employed on own home farm outside school hours for parent or guardian, or on another farm with permission of parent or guardian if primarily for exchange purposes)
- Airports (in or about landing strip, taxi, or maintenance apron)
- Gun clubs (skeet and trap loaders)
- Operation of any power driven machines (other than office machines)

- Personal care of patients in hospitals and nursing homes
- Work in rooms where manufacturing, processing, storage, or warehousing takes place
- Communications and public utilities work (other than office work)
- Transportation of people or property by air, rail, or motor vehicle
- Street carnivals and traveling shows

Meal Periods

Minors may not be permitted to work more than 6 consecutive hours without a 30-minute duty free meal break. Meal periods should be near the usual times of 6 a.m., 12 a.m., 6 p.m. and 12 p.m.

Employment-Related Injury

Employers who employ minors without a work permit may be assessed an amount equal to the workers compensation settlement for any work-related injury the minor experiences. If the minor was injured while performing prohibited work, the employer may be required to pay the minor an amount equal to twice the workers compensation settlement in addition to the settlement.

Penalties

An employer who commits one of the following acts may be required to forfeit not less than \$25 nor more than \$1,000 for each day of the first offense:

- Employing or permitting a minor to work in a job in violation of a department order
- Hindering or delaying the department or school attendance officers in the performance of their duties
- refusing to admit or locking out the officer from any place required to be inspected.

For the second or subsequent violations within 5 years, the employer may be fined not less than \$250 nor more than \$5,000 for each day of the second or subsequent offense, or imprisoned not more than 30 days, or both.

An employer who employs a minor in violation of the hours or time of day limitations set by department regulation shall be liable for an amount equal to twice the regular rate of pay for all hours worked in violation per day or per week, whichever is greater.

A parent or guardian permitting a minor under his or her responsibility to be employed or to work in violation of any order of the department may be required to forfeit not less than \$10 nor more than \$250 for each day of the first offense. For a second or subsequent violation within 5 years, the offender may be required to forfeit not less than \$25 or more than \$1,000 for each day.

This pamphlet highlights portions of the Wisconsin's child labor laws and regulations in effect on the publication date. The complete child labor regulations are in Wisconsin Administrative Rules Chapter DWD 270. Additional information on the employment of workers, including minors is contained in "A Summary of Wisconsin's Labor Standards".

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Parental Consent to Accompany Work Permit Application

I, _____, Parent to, _____ give consent
for my child to work as described in the letter accompanying their work permit application.

Parent Signature: _____

Date: _____