

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.**

<b>MODULE 29: INFORMATION SHEET</b>
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*TO THE STUDENT:* 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. A birth record 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. A Baptismal Certificate or Transcript of the record of Baptism. The certificate must include date of birth.
- c. A passport showing the age of the minor.
- d. Any other documentary record of age, other than a school record.
- e. An Affidavit 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 personally before 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.

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#### References:

“Child Labor Law”, Act of 1915, P.L. 286, No. 177, amended Dec. 21, 1998, P.L. 1242, No. 158.

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

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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 Application For Employment Certificate or Transferable Work Permit, 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**

PDE-4566 (12/89)  
 Class of certificate (mark one only)  
 General Employment \_\_\_\_\_  
 Vacation Employment \_\_\_\_\_  
 Issued to a minor between 16 and 18 years of age under the provision of the Child Labor Laws, as amended.

Number \_\_\_\_\_ Date issued \_\_\_\_\_

Name of Minor \_\_\_\_\_  
 Signature of Minor \_\_\_\_\_  
 Place of Residence \_\_\_\_\_ Zip \_\_\_\_\_

Description of Minor \_\_\_\_\_  
 Place of Birth (city) \_\_\_\_\_ (state) \_\_\_\_\_ (country) \_\_\_\_\_  
 Mo. Day Year

[sex] (color of eyes) \_\_\_\_\_ (color of hair) \_\_\_\_\_ (date of birth) \_\_\_\_\_  
 Other distinguishing characteristics and physical limitations \_\_\_\_\_

Issuing Officer \_\_\_\_\_  
 I hereby certify that all the requirements of law for issuing a Transferable Work Permit have been fulfilled, and that the above-named minor has signed this permit in my presence.

Signature of Issuing Officer \_\_\_\_\_  
 Official Title \_\_\_\_\_  
 School District Name and Address \_\_\_\_\_  
 Zip \_\_\_\_\_

**Employer Instructions**

A. Any employer, employing a minor having a Transferable Work Permit shall, within five days of commencement of such employment, provide the school district issuing that permit with the following information in writing:

1. Permit number
2. Name and age of employee.
3. Number and hours per day and week minor will work.
4. Character of employment.

B. Any employer, employing minors having Transferable Work Permits shall maintain a record of minors at their employ.

1. A photocopy of the Transferable Work Permit may be used for such records.
2. The Transferable Work Permit shall remain in the custody of the minor employee.

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**Note to Minor Holding this Permit:**

1. When applying for employment make sure the employer has access to the information contained on this permit.
2. Allow the employer to make a photocopy of this permit if he/she wishes.
3. The permit must be returned to you and you should carry it on your person when you are working.

**Class of Certificate**

1. **General Employment**—Entitles a minor, 16 to 18 years of age, to work during the entire year and at any time of day to a maximum of eight hours per day and 44 hours per week.
2. **Vacation Employment**—Entitles a minor, 16 to 18 years of age to work on any day except at such times when a minor is required to attend school. (Minors under 16 years of age may not be issued a Transferable Work Permit.)

**Note Issuing Officers:** Please mark the proper class of certificate (General or Vacation) on the face of this permit.



**MODULE 29: STUDENT ACTIVITIES**

*TO THE STUDENT:* 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.  

T   F
  
5. The original transferable work permit will remain in the possession of the employer.  

T   F
  
6. What are the two classes of Employment Certificates?
  - a.
  - b.

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

**Pennsylvania's Academic Standards for Reading, Writing, Speaking and Listening (RWSL)****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.