



Minnesota Child Labor Program Exemption: *Manufacturing* (Form 1)

Hiring 16 and 17-year-old student-learners

Minnesota's child labor laws prohibit the use of certain potentially hazardous equipment by employees younger than the age of 18. A 16- or 17-year-old may use certain potentially hazardous equipment if they are a student-learner in a school-work training program

A "student-learner" is 16 or 17 years old, a student of an accredited school and a part-time employee. The student-learner obtains both related instruction and employment training under a bona fide training agreement between the school and the employer.

The employer, the school and the minor's parent or guardian must enter into a school-work training agreement. The agreement must be kept on file by both the school and the employer.

Student-learner requirements

The student must be enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local educational authority or in a course of study in a substantially similar program conducted by a private school.

Student-learner is employed under a written training agreement which provides:

- a. that the work of the student-learner in the occupations declared hazardous shall be incidental to the training,
- b. that such work shall be intermittent and for short periods of time, and under the direct and close supervision of a qualified and experienced person,
- c. that work on hazardous equipment will be limited to 20% of a shift and no more than one hour per day
- d. that safety instruction shall be given by the school and correlated by the employer with on-the-job training, and
- e. that a schedule of organized and progressive work processes to be performed on the job has been prepared.

Tools and equipment student-learners can use up to 20% of a shift and no more than one hour per day: With direct and close supervision

Acetylene torch
Cleat bender (power-driven)
CNC router and milling function machines
Deburring machine
Flanging machines
Hydraulic press
Iron worker

Laser cutting machine
Pipe threader
Planer
Plasma (handheld or computerized)
Press brake
Punch press
Router with table

Saws (double rip saw, single rip saw, up-cut chop saw, table saw, band saw, sawzall, skill saw, reciprocating saw, portaband)
 Shaper
 Shears, including power shears, jump shears

Sheet metal brake
 Tapering machine
 Tenoner, single end
 Tube bender
 Welders (robotic, MIG, TIG, spot, wire feed, wire)

Equipment allowed for minors age 16 and older, regardless of student-learner status:

Assembly, hand	Grinder (hand, bench, table)	Packaging, hand
Cleat bender, manual	Hammer drill	Parts washing machine
Drill, cordless	Impact guns, corded and cordless	Sander; belt, profile or edge sander
Drill, radial	Lathe (turning function machines)	Vacuum
Drill press		

Prohibited equipment for all minors under 18 years old:

Forklift Jib hoist Walk behind lift Overhead crane Skyjack

Age and hours of work:

By state law, 16- and 17-year old high school students may not work after 11 p.m. on evenings before school days or before 5 a.m. on school days.

Qualified supervision:

Must be provided under the direct and close supervision of a qualified and experienced person.

1. Safety

- Physical plant/Environment (e.g. accessible to students, noise, lighting, aisles open, ventilation, cleanliness, protective safety gear)
- Equipment/machines (e.g. machine guarding, hazardous occupation orders prohibiting use of specific equipment/machines, safe operating conditions)
- Training (e.g. identify who provides orientation safety training, safety training for operation of specific equipment, the person who is responsible for day-to-day supervision while operating equipment)
- Meet all MN OSHA requirements: www.dli.mn.gov/mnosha.asp

2. Rules and regulations

- Employer complies with Federal FLSA and State Child Labor Laws
- Employer complies with Occupational Safety and Health Administration (OSHA)
- Employer provides documentation for workers’ compensation and liability insurance
- Rate of pay and scheduling of work hours are identified

Youth Skills Training Program approval

By signing below, the employer and school district are attesting that all of the above requirements will be met for any student-learner participating in this work-based learning experience.

Employer:

Signature of employer

Please print name

Title

Date

Education:

Signature of education supervisor

Please print name

Title

Date

Approved:

John Aiken, Director Labor Standards and Apprenticeship
Minnesota Department of Labor and Industry

Date



Training Agreement (Form 2)

Program Name: _____

Employer Name: _____ **Address:** _____

Contact Person: _____ **Title:** _____

Email: _____ **Telephone Number:** _____

Student: _____ **School** _____ **Age:** _____

Email: _____ **Telephone Number:** _____

Parent/Guardian: _____ **Telephone Number:** _____

Email: _____

School Coordinator: _____ **Title:** _____

Email: _____ **Telephone Number:** _____

Dates: Work will begin on _____ and end on _____

Hours: The hours of work will be from _____ to _____ on _____ (days of the week)

Wage Rate: Starting wages for the student will be \$ _____ per hour (must be at least minimum wage)

YST Program Participants agree to the following:

- The work of the student learner in an occupation declared hazardous under Minnesota Rules 5200.0910 to 5200.0920 will be incidental to the student-learner's training, intermittent and only for short periods of time.
- The work of the student-learner will occur with direct and close supervision of a qualified and experienced person.
- Safety instruction will be provided by the school and reinforced by the employer at the work site.
- A schedule of organized and progressive work processes to be performed on the job has been prepared.
- Both the school and the employer are required to maintain a copy of this agreement.
- **By signing this form, each individual attests that the above statements are true and correct.**

Participants agree to the following responsibilities in the implementation of this agreement:**Employer/Supervisor agrees to:**

- Provide on the job training and qualified supervision for the entire length of the agreement.
- Provide student with safety training, safe equipment and a safe workplace that conforms to all health and safety standards.
- Ensure that work declared hazardous is incidental to training, intermittent and only for short periods of time.
- Provide a student wage scale prior to start date and pay the student at least minimum wage for all hours worked.
- Provide evidence of worker's compensation and liability insurance coverage for the student for all hours worked.
- Instruct student in technical skills, employment skills, and safety requirements as identified on the Work Process form.
- Assess student progress and adapt work process as necessary.

Employer's Signature: _____ **Date:** _____

Worksite Supervisor's Signature: _____ **Date:** _____

Student agrees to:

- Comply with guidelines established by employer and school for the Youth Skills Training Program.
- Commit to the occupational and educational program.
- Assume the dual role of employee and student at the worksite.
- Maintain satisfactory performance in the work-based and school based environments.

Student's Signature: _____ **Date:** _____

Parent/Guardian of Student agrees to:

- Provide consent for student to participate in the Youth Skills Training Program.
- Support the student in meeting the academic, training and attendance requirements of the program.
- Meet with employer, school and other partners during the establishment of the program.

Parent/Guardian's Signature: _____ **Date:** _____

School agrees to:

- Coordinate school and work based learning activities.
- Assist with the selection of students for the program.
- Maintain contact with parents.
- Coordinate with the Department of Labor and Industry, employers and appropriate agencies.
- Provide related technical and employment training to the student.
- Provide student with orientation and safety instruction prior to employment.
- Promote YST Programs to local business and industry.

School Coordinator's Signature: _____ **Date:** _____

Copies of this agreement should be distributed to the student, parent/guardian, and employer. The original needs to be kept on file at the school and a copy kept on file at the employer.