

Pennsylvania Junior Emergency Service Program Compliance Manual

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A Guide for Junior Emergency Service Providers

Acknowledgement & Disclaimer

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This manual does not represent a complete or exhaustive explanation of the Act. If you have any questions or concerns about the Child Labor Act, please contact PA Department of Labor and Industry, Bureau of Labor Law Compliance.



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Section

1

PURPOSE OF THE JUNIOR EMERGENCY SERVICE PROGRAM COMPLIANCE MANUAL

- Establish a common standard for Junior Emergency Service Providers across the Commonwealth.
- Clarify and explain current laws affecting emergency service providers, 14 to 17 years old, and their sponsoring organizations.
- Provide emergency service organizations with a guide to developing and implementing a Junior Emergency Service Program (JESP).
- Create a mechanism to recruit youth 14 to 17 years old into the emergency services.
- Provide for the education and training of youth to become active responders and responsible members and leaders of the Commonwealth's emergency services.
- Serve as a reference for assistance in operating a Junior Emergency Service Provider program.



Section

2

OVERVIEW OF THE PENNSYLVANIA CHILD LABOR ACT (CLA)

- A. Minor** - Any individual under 18 years of age.
- B. Volunteer Emergency Service Organization** - A volunteer fire company, volunteer ambulance organization, volunteer rescue organization, a volunteer forest firefighting organization or a volunteer organization of emergency service personnel who are expected to respond to medical emergencies or large-scale disasters.
- C. Work Permit** – a transferrable work permit allowing employment of a minor.
- D. Time limitations and Age Restrictions of employment of minors.**
 - 1. No minor may be employed for more than five hours continuously without an interval of at least 30 minutes for a rest break. No period of less than 30 minutes shall be deemed to interrupt a continuous period of work.
 - a. Time spent at the volunteer organization socializing with other members is not counted as work hours.
 - b. Time attending meetings or “manning” the station should be considered work.
 - 2. Time restrictions – a minor may not be employed for more than six consecutive days.
 - 3. No individual under 14 years of age may be employed in a Volunteer Emergency Service Organization.
 - 4. Minors who are seventeen (17) years of age and have graduated high school are still covered by the Child Labor Act except for time limits.
- E. Hours of Employment – Ages 14 and 15**
 - 1. The minor may not be employed before 7 a.m. or after 7 p.m., except that during a school vacation period a minor shall be permitted to be employed until 9 p.m.
 - a. The Department of Labor and Industry (L&I) may promulgate regulations under this paragraph which establish a procedure for an employer that is not subject to the Fair Labor Standards Act to receive an extension until 10:00 p.m.
 - b. The work cannot interfere with regular school attendance.
 - 2. The minor may not be employed for more than three hours on a school day and no more than eight hours on a day when there is no school.

3. The minor may not be employed for more than 18 hours per week during a regular school week (i.e., maximum of 18 hours Monday – Friday school week plus 8 additional hours on Saturday and Sunday).
4. The minor may not be employed for more than 40 hours during a week when school is not in session.
5. A minor enrolled in summer school is subject to item 4 above.

F. Hours of Employment – Ages 16 or older

1. The minor may not be employed before 6 a.m. or after 12 midnight, except that during a school vacation period a minor shall be permitted to be employed until 1 a.m.
 - a. No night work.
2. The minor may not be employed for more than eight hours on a school day and no more than 10 hours on a day when there is no school.
3. The minor may not be employed for more than 28 hours per week during a regular school week.
4. The minor may not be employed for more than 48 hours during a week when school is not in session.
5. A minor enrolled in summer school is subject to items 1, 2 and 3 above.

G. Minors serving in volunteer emergency service organizations.

1. General Rule – An individual who is 14 years of age or older who is a member of a volunteer emergency service organization may participate in training and emergency service activities except as follows, a minor may...
 - a. NOT operate a truck, ambulance or other official fire vehicle.
 - b. NOT Operate an aerial ladder, aerial platform or hydraulic jack.
 - c. NOT use rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets or acetylene cutting units.
 - d. NOT operate the pump of a fire vehicle while at the scene of a fire.
 - e. NOT enter a burning structure under any circumstances including a training exercise.
2. General Rule – A minor may not engage in firefighting activities unless all of the following apply:
 - a. The minor is 16 years of age or older.
 - b. The minor has successfully completed a course of training equal to the standards for basic firefighting established by the State Fire Commissioner. The Pennsylvania Entry Level Fire Training curriculum allows junior firefighters to take training and participate in “Exterior” fire suppression activities. The minimum approved [Entry Level Training](#) classes are *Introduction to the Fire Service, Fire Ground Support, and Exterior Firefighter* (See Appendix B).

- c. The minor has successfully completed a course of training equal to the standards for basic firefighting established by the Department of Conservation and National Resources (DCNR). These classes are PA-130, Basic Wild land Firefighting and S-190, Introduction to Wildland Fire Behavior.

Permitted activities include but are not limited to:

- Attacking the fire with hose lines a part of exterior operations.
- Setting ladders
- Setting up Positive Pressure Ventilation as part of exterior operations.
- Exterior salvage operations.
- Establishing water supply.
- Assisting at vehicle extrication and other types of rescue, including use of air bags.

- d. The minor is under the direct supervision and control of the fire chief, an experienced line officer or a designated forest fire warden. The member must be under the direct supervision and control of the fire chief or a trained experienced officer over 21 years of age. Direct supervision means that the officer must be within speaking and touching distance of the junior member.
3. Minors under 16 years of age (14 years of age and less than 16 years of age) shall only be permitted to perform the following activities:
- a. **Engage in Training.** Participate in organized training activities, in which an adult member of the organization is present, observing the training activity, and supervising the junior member. Training activities involving entry into a hazardous atmosphere (Immediately Deadly to Life and Health – IDLH) are **excluded** from the permitted activities.
 - b. **First Aid.** Minors may provide first aid care to victims at the scene of an emergency and assist First Responders, EMTs, and paramedics as directed by the medical personnel. If they are going to perform medical treatment they must be trained accordingly. Junior members are **NOT** permitted to enter hazardous atmospheres to provide medical care.
 - c. **Cleanup service** at the scene of a fire (rolling hose, putting away tools and removing debris), outside the structure and the collapse zone only after the fire has been declared by the fire official in charge to be under control.
 - d. **Serving food and beverage** (canteen services) during fire incident and emergency operations.
4. An individual who is 14 years of age and less than 16 years of age may **not** do any of the following:
- a. Operating an aerial ladder, aerial platform or hydraulic jack.
 - b. Using rubber electrical glove, insulated wire gloves, insulated wire cutters, life nets or acetylene cutting torches.
 - c. Operating the pumps of any fire vehicle at the scene of a fire
 - d. Driving a fire truck, ambulance, or other official fire vehicle
 - e. Entering a burning structure.
 - f. Operate high pressure hose lines except during training activities.
 - g. A high pressure hose line is:

- 1) Any water hose used for fire suppression with a pressure greater than 150 psi.
 - 2) Any air hose with a pressure greater than 100 psi.
 - 3) Any hydraulic hose used for rescue tools with a pressure greater than 1,000 psi.
 - h. Ascend ladders except during training activities.
5. An individual who is more than 16 years of age and less than 18 years of age may **not** do any of the following:
- a. Operating an aerial ladder, aerial platform or hydraulic jack.
 - b. Using rubber electrical glove, insulated wire gloves, insulated wire cutters, life nets or acetylene cutting torches.
 - c. Operating the pumps of any fire vehicle at the scene of a fire
 - d. Driving a fire truck, ambulance, or other official fire vehicle
 - e. Entering a burning structure.

Exception for training only – interior fire attack is permitted if it is part of a Credit-earning course offered by a school district

H. Time Restrictions Exception:

1. A minor may continue serving in answer to a fire call until excused by the individual acting as chief of the fire company if the minor:
 - a. Is 16 years of age or older.
 - b. Is a member of a volunteer of a volunteer fire company; and
 - c. Answers a fire call while lawfully employed.
2. An individual who is 14 or 15 years of age may engage in training or firefighting activities permitted under this section until 10 p.m. before a school day if the minor:
 - a. Is a member of a volunteer fire company, and
 - b. Has the written consent of the minor's parent or legal guardian (See Appendix D)
 - c. Parental Acknowledgement (Consent) Form – Junior firefighter hours are not usually set, as work hours may vary depending on emergency calls and fire company activities. Indicate on the form that the employment will fall within the limits of the CLA.
3. Exception for Employment Outside of "Hours of Employment":
 - a. Sixteen and seventeen year old junior members of an emergency service organization, who begin operations at an emergency incident during legal hours, are permitted to continue activities until excused by the fire chief or officer-in-charge. These juniors will not be considered in violation of the "hours of employment" section of the PA Child Labor Law.
 - b. Example: A fire starts at 11 PM on a Saturday night during the school year. The fire department responds. Junior members are present on the fire scene operating under the supervision of an officer. The fire is not extinguished until 2 AM. The juniors are NOT in violation of the "hours of employment" section of the Child Labor Law. However, when the officer-in-charge releases them, they must go home. They may not respond to another alarm until the morning "hours of employment" start.

I. Duties of Employer.

1. Work permits and parental authorization, a minor must have all of the following:
 - a. A work permit (if the minor does not have a permit, they may not be employed or permitted to work in, about or in connection with an establishment; or in an occupation).
 - b. For individuals who are under 16 years of age, a written statement by the minor's parent or legal guardian acknowledging understanding of the duties and hours of employment and granting permission to work subject to provisions of 18 PA.C.S. Subsection 4904 (relating to unsworn falsification to authorities).
 - c. Verify the work permit (item 1.a.) and receive the verified statement (item 1.b.)
 - d. A printed abstract (see Appendix A) of the Sections of the Child Labor Act should be posted in a conspicuous place in the establishment (Section 8 – Hosting requirements).
 - e. Maintain records listing for each minor employed and a copy of the work permit, the original verified permission statement and a copy of the letter sent to the issuing officer announcing the employment of the minor.

J. Work Permit.

1. A work permit shall be issued on a wallet-sized document prescribed by L&I.
2. The work permit shall contain the following information related to the minor:
 - a. Name.
 - b. Sex.
 - c. Date and place of birth.
 - d. Place of residence.
 - e. Any physical work restrictions.
 - f. Signature of the minor
 - g. A number, the date of issuance and the signature of the issuing officer.
3. A work permit can be denied if it is the issuing officer's judgment that the applicant cannot maintain adequate academic achievement if permitted to work during the school year.

K. Administration of the Act.

1. The duties of Department of Labor and Industry include the authorization to obtain information to investigate alleged violations or to determine compliance with this act. This includes entering and inspecting an establishment, interviewing workers, inspecting and obtaining copies of any records, documents or information in any median that in any way relates to employment of minors or activities governed under this act.
2. The duties of the Department of Education are to supply and distribute to school districts all forms necessary for the enforcement of this act. School districts shall administer applications and issuance of work permits and notify L&I of any alleged violations of this act.

L. Penalties

1. Criminal Penalties for violation in connection with the Pennsylvania Child Labor Act as set by the L&I is:
 - a. A person that violates this act commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$500 for each violation.

b. A person that, after being sentenced, commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$1,500 for each violation or to imprisonment for not more than ten days, or both.

2. Administrative Penalties – L&I may impose an administrative penalty of not more than \$5,000 for each violation.

3. Workers' Compensation to a minor who is injured during illegal employment shall be paid 50% additional compensation of which is to be paid by the employer.

M. All Other Activities - junior members of an emergency service organization shall be permitted to participate in all other activities of their organization unless specifically prohibited by the current PA Child Labor Act.

N. Prohibited Activities - L&I may prohibit other activities that it deems hazardous to the health of minors through regulation. (For additional information see Appendix C)

1. Section 4(b) of the newly-enacted Child Labor Act (CLA) (Act of October 24, 2012, P.L. 1209, no. 151, effective January 22, 2013) requires the Department of Labor and Industry (Department) to publish a list of hazardous or otherwise prohibited establishments or occupations for minors.

2. This list is derived from three sources: (1) occupations and establishments expressly prohibited for minors under Section 4(a) of the CLA, (2) any occupation or establishment designated as hazardous and otherwise prohibited for minors under the federal Fair Labor Standards Act (FLSA) and regulations under that act, and (3) additional prohibited or hazardous occupations for establishments set forth in the Department's regulations. According to Section 29 of the CLA, the current regulations shall be those adopted under the former Child Labor Law until modified or deleted by the Department.

The following are prohibited activities designated as hazardous for all junior emergency service personnel:

- Juniors are not permitted to pilot (operate) or operate any water rescue boat or vessel.
- Junior are not permitted to operate any aerial device mounted on a fire apparatus.
- Juniors are not permitted to operate elevators or participate in elevator rescues.
- Juniors are not permitted to perform rescue operations in tunnels, shafts, or trenches.
- Juniors are not allowed to participate in emergencies at firework plants, retailers, or in support of public safety for a public display.
- Juniors are not permitted to perform emergency operations in or around mines, strip mines, or quarries.

- Juniors are not permitted to participate in the response to incidents involving paint products.
- Juniors are not permitted to participate in the response to incidents involving radioactive substances.
- Juniors are not permitted to perform rooftop ventilation or any other work on any roofs.
- Juniors are not permitted to operate acetylene torches, cutting or crushing equipment, or respond to structural collapse incidents.
- Juniors are not permitted to operate circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs.

The following are prohibited activities designated as hazardous for junior emergency services personnel less than 16 years of age:

- Juniors are not permitted to operate on sections of highway open to the public for vehicular travel such as automobile accidents on or next to public roads.
- Juniors are not permitted to participate in any firefighting/rescue (emergency) activities. Permitted activities only include training, first aid, clean up services and serving food and beverage as defined in Section G, Item 3 in this document.
- Juniors are not permitted to work requiring the use of ladders, scaffolds, or their substitutes.
- Juniors are not permitted on trucks, railcars and conveyors for the loading or unloading of goods.

O. Resources for Additional Information

1. [Pennsylvania Department of Labor and Industry - Child Labor Act](#) (PA L&I)
2. [Pennsylvania Fire and Emergency Services Institute](#) (PFESI)
3. [Department of Health, Bureau of EMS](#) (DOH-BOE)
4. [Pennsylvania Department of Education](#)
5. [PA State Fire Academy \(PSFA\)- Office of the State Fire Commissioner](#) (OSFC)
6. [Background Check Information](#)
7. [Volunteer Fireman Insurance Service](#) (VFIS)
8. [Provident Insurance](#)

P. Adoption & Promulgation of Rules & Regulations

1. No other rules or regulations of any State Agency concerning junior members of emergency service organizations shall be adopted or promulgated, except by amendment of the Child Labor Law.

Section

3

FREQUENTLY ASKED QUESTIONS (FAQS)

Question: Can 14-15 year old junior (minor) firefighters ride official vehicles to the scene of a fire?

Answer: Yes, all junior firefighters are permitted to ride official vehicles to the scene of a fire.

Question: Can junior (minor) firefighters participate in activities at the scene of an emergency located on or near a highway open to the public? **Answer:** Yes for junior firefighters 16 or 17 years of age. No for junior firefighters 14 or 15 years of age who are prohibited from working on a highway open to the public in any circumstances including at the scene of an emergency.

Question: What are the time restrictions for junior (minor) firefighters engaged in training or firefighting activities? **Answer:** A junior firefighter 14 or 15 years of age may engage until 10:00 p.m. before a school day if that minor is a member of a volunteer fire department and has the written consent of his or her parent or legal guardian. A 16 or 17 year old junior firefighter who is a member of a volunteer fire company may engage in training or firefighting activities until 12:00 a.m. or until 1:00 am during summer vacations. If a 16 or 17 year old minor answers a fire call while lawfully employed during the legal hours above, he or she may continue serving in answer of that call until excused by the fire chief.

Question: Can junior (minor) firefighters assist with the establishing a landing zone? **Answer:** Yes, only junior firefighters 16 and 17 years of age may assist with establishing a landing zone for a helicopter as long as they do not perform any other prohibited activity.

Question: Can junior (minor) firefighters who are 14 or 15 years of age use high pressure lines, (hydraulic, air and water)? **Answer:** Yes, but only during training activities. High pressure lines are defined as any water hose used for fire suppression with a pressure greater than 150 pound per square inch (psi), any air hose with a pressure greater than 100 psi and any hydraulic hose used for rescue tools with a pressure greater than 1,000 psi.

Question: Can junior (minor) firefighters who are 16 or 17 years of age use high pressure lines, (hydraulic, air and water) in excess of limits if properly trained? **Answer:** Yes for junior firefighters 16 or 17 years of age may operate high pressure lines if properly trained. Properly trained means the minor has successfully completed a course of training equal to the standard for basic firefighting established by the State Fire Commissioner and the Department of Conservation and Natural Resources. The minor must also be under the direct supervision and control of the fire chief, an experienced line officer or a designated forest fire warden.

Question: Can junior (minor) firefighters participate in forest fire fighting activities? **Answer:** Yes and No. The Child Labor Act adopted the prohibited occupations of the Fair Labor Standards Act (FLSA). The CLA prohibits all juniors age 14 or 15 from participating in forest fire fighting and forest fire prevention activities. This would include minors fighting grass, brush and field fires according to the Department of Conservation and Natural Resources (DCNR). Juniors of 16 and 17 years of age are permitted to clear fire trails and roads, construction, maintain and patrol fire lines, pile and burn slash, maintain firefighting equipment and act as a fire lookout of fire patrol as long as those tasks are not performed in conjunction with or support of fire firefighting efforts during an active forest fire. Remember they must be properly trained, under the direct supervision and control of the fire chief, an experienced line officer or a designated forest fire warden. Any uses of chain saws by minors are prohibited under both the CLA and FLSA. Recommendation, if the Department of Conservation and Natural Resources (DCNR) resources are engaged in firefighting activities, confirm status of junior firefighters to be used for fire suppression efforts before committing those personnel.

Question: Can junior (minor) firefighters operate certain types of power cutting tools? **Answer:** No, junior firefighters may not operate chain saws, band saws, guillotine shears, circular saws, reciprocating saws, wood chippers or abrasive cutting discs.

Question: If a junior (minor) firefighter has graduated from high school at age 17 are they still considered minors under the Child Labor Act? **Answer:** Yes, 17 year old junior firefighters who have graduated high school or who have been declared by the chief school administrator to have achieved their academic potential are still covered by the Child Labor Act. Graduation or termination of high school only provides release of the hour restrictions defined in the Child Labor Act. Everything else in the Act still applies to minors including permits until they reach 18 years of age.

Question: If a student is still in school but is 18 years of age, are they still considered a minor? **Answer:** No, under the CLA they are not considered a minor and are not bound by the CLA restrictions. However, you should consult with the educational institution regarding school attendance requirements.

Question: Can a junior (minor) firefighter enter a burning structure? **Answer:** No, a minor may not enter a burning structure under any circumstances including a training exercise.

Question: What can 14-15 year old do? **Answer:** Minors under 16 years of age (more than 13 years of age and less than 16 years of age) shall only be permitted to participate and engage in organized non-hazardous training; first aid (if trained accordingly); clean up service (rolling hose, putting away tools and removing debris), outside the structure and the collapse zone only after the fire has been declared by the fire official in charge to be under control; and serving food and beverage (canteen services during fire incident and emergency operations).

Question: What is considered work time? **Answer:** Time that a minor is socializing after work or during other non-working times is not viewed as on-duty time for purposes of the Child Labor Act (CLA). This type of activity, however, may be viewed as on-duty work if the fire company is aware of the minor's presence on the premises during non-work time and does not object to the minor performing work during this time. Therefore, a fire company should take measures to ensure that minors are not working or allowed to perform work while they are socializing at the station. Time attending meetings or "manning" the station should be considered work.

Question: Is a home school or cyber school junior (minor) firefighter required to follow the same restrictions as those that attend a local public school? **Answer:** Yes, the time limitations for junior (minor) firefighters are the same.

Question: If a student is enrolled in cyber school and has a break in classes in the middle of the day are they able to run calls during that time frame, granted that they return as to not miss the next class?

Answer: The CLA defines "hours of employment" as hours outside school hours established by the appropriate school district. The definition of "hours of employment" thus restricts minors' work hours to those outside "school hours" established by the appropriate school district. The appropriate school district likely would be the school district that issued the minor the work permit. Therefore, the minor is not allowed to work during hours defined by the school district that issued the work permit to be its "school hours."

Question: Who needs required background checks? **Answer:** Act 153 of 2014 requires periodic background checks for both employees and volunteers who are directly involved with children. Under law, volunteers must obtain the clearances if they have direct volunteer contact, meaning they have care, supervision, guidance or control AND routine interaction with children. This is the standard that will apply to determine whether an adult volunteer must get the background checks every five years. The two main clearances are the Department of Human Resources child abuse clearance and the state police criminal background check. The fees for these checks are waived for volunteers and are reduced to \$8 each for employees. The volunteer clearances cannot be used for employment. For additional information go to www.osfc.pa.gov and click on the link "Background Checks for Volunteers".

If you have any questions or concerns about the Child Labor Act, please contact Labor & Industry, Bureau of Labor Law Compliance or the Office of the State Fire Commissioner.

Section

4

DEVELOPING A JUNIOR EMERGENCY SERVICES PROGRAM (JESP)

A. Steps in Developing a Junior Emergency Service Program (JESP)

<p><u>Step 1</u></p>	<p>There are some important questions to consider prior to establishing a JESP. These questions below will assist the organization to develop a foundation upon which you build your JSEP.</p> <ol style="list-style-type: none"> 1. Why does our organization want to have Junior Members and how will you benefit from having Junior Members? 2. Will our membership support our Junior Program? 3. Will our Municipality support our Junior Program? 4. Does our organization have a person interested in coordinating a JESP? 5. What do we want these junior members to function as part of our organization? 6. How will the junior members benefit from being part of our organization? 7. Does our organization have proper insurance coverage for junior members? 8. What are the required clearances needed to operate such a program?
<p><u>Step 2</u></p>	<p>If your organization welcomes the idea of a JESP program, the organization should select a liaison and an advisor/coordinator for the program. The Liaison will be responsible for coordinating activities, concerns, and accomplishments with your organization. The Advisor/Coordinator will be responsible for program development, program activities, and recruitment and retention of the Junior Members. Develop a job description for each position.</p>
<p><u>Step 3</u></p>	<p>Develop a committee (administrative and operational officers) to work with the Liaison and Advisor/Coordinator with program operation and activities. If appropriate, consult and involve your local elected officials and insurance provider in the planning phase of your program. Reach out to other local companies with an existing program to evaluate the strengths and opportunities of their existing program.</p>
<p><u>Step 4</u></p>	<p>Develop and share the purpose, mission, goals, and objectives of your JESP with your organization’s membership. These objectives should parallel the organization’s existing bylaws and SOGs. If warranted, develop an organizational structure for the program (i.e., Junior Officers, etc.). The JESP Advisor and Committee should be available for questions and concerns.</p>
<p><u>Step 5</u></p>	<p>Incorporate and adopt the JESP into the company’s existing by-laws and standard operating guidelines. This outlines the duties that Junior Members are expected to perform; the role of the Junior in the organization, and what the Junior can expect from the organization. It should be clear, concise, and again, parallel the organization’s existing by-laws and SOGs.</p>

<p><u>Step 6</u></p>	<p>Once officially incorporated into the fire department/company, implement the activities that should include, but is not limited to, fire prevention, organization service projects, community service, public relations, training, awards and recognition, and fire protection. This should be coordinated with all officers of the organization.</p>
<p><u>Step 7</u></p>	<p>The JESP Committee will need to develop a marketing and recruitment strategy. This may include presentations and displays at the local school district/clubs/non-profits, churches, youth groups/organizations, boy scouts, etc.; within the community to seek support of this initiative. Clearly define how the organization will deal with the Junior Member’s scholastic achievements. Failure to maintain grade point averages, etc. will limit further participation in the Junior Program. Contact the local media and ask for a story on your new JESP.</p>

B. Junior Emergency Services Program Advisor/Coordinator

1. Like any other part of a volunteer system, these programs are only as good as the people and procedures that will manage them. The careful selection of a JESP Coordinator or Advisor (position) is important.
2. This person needs to have an interest in helping youth to grow in the community and should be an adult member already actively involved in the organization.
3. The position should have a good rapport with youth, while maintaining control and discipline.
4. The position requires patience and sound governance to deal with minors who are participating in adult activities.
5. The position also needs to be knowledgeable of your organization’s operations, rules, functions, and the organization’s mission and goals.
6. The position should to be someone who will serve as a mentor to junior members of your organization.
7. The position will have to obtain all necessary background checks required by state law. Information on required background checks.

C. Duties of the Junior Emergency Advisor/Coordinator with the assistance of the Junior Program Committee will develop a program that will:

1. Introduce younger personnel to the fire service and their community, plus developing and interest to encourage youth to support an emergency service organization.
2. Establish and maintain a relationship with their parents or guardians. These individuals may have no experience or previous interaction with emergency services. Communications is vital to success of the program. Maintain parent’s phone number and email of parents/guardians.

3. Protect minor members from employment that might:
 - 1.) Interfere with their educational opportunities.
 - 2.) Interfere with parents/guardians rights to be more restrictive then the policies outlined (time, hours, etc.) defined in the Child Labor Act.
 - 3.) Be detrimental to their health and well-being.
 - 4.) Prohibit activities such as hazing, initiations that also reflect poorly on the your organization.
4. Provide opportunities for training and education in the function of your emergency service organization.
5. Obtain legal counsel for guidance on specific conditions and circumstances related to a program of this type.
6. Establish safety rules in compliance with the Federal and State Child Labor Laws and the applicable National Fire Protection Association standards.
7. Act at the intermediary between the members of the JESP and the rest of the organization.

D. Working with the Local School District/Municipalities

1. It is important to establish a good rapport with local school district officials. Part of compliance for a working minor is employment certificates (“working papers”) that are obtained from the school district. The school district issues employment certificates so students will be able to participate as Junior Members in your organization.
2. Be sure they understand the need for the approval of employment certificates for students as emergency response personnel.
3. Show the school district how your JESP provides opportunities for education and training relate to school courses and emergency service work. For example, high school chemistry can be related to the chemistry of fire and hazardous materials training. Physics is another course that can be related to technical rescue training and the rigging of ropes. Juniors will be learning technical and occupational skills in a controlled environment, that are not taught at home or in school.
4. Maintain academic standards for your JESP by juniors with support in areas that they are struggling, and acknowledgement of their academic successes. This relationship will also help with recruiting and marketing your JESP.

E. Emergency Service Organization’s Responsibilities

1. A copy of the Work Permit must keep on file. The minor is required to retain the original.
2. No person under the age of 18 shall be employed without a work permit.
3. Submit a letter to the school district acknowledging that the organization accepted the minor as a junior member. It also needs to include the junior’s duties and the number of hours they will be permitted to participate.

4. Work permit must be available for inspection by any authorized officer charged with enforcing the PA Child Labor Law.
5. Organization is required to complete the section for employer in the parental consent Form. Junior firefighter hours are not usually set, as work hours may vary depending on emergency calls and fire company activities. Indicate on the form that the employment will fall within the limits of the CLA.
6. In accordance with the PA Public School Code, your organization must post a list of the junior members. This list must include the following:
 - a. Their name.
 - b. Their age.
 - c. Home address.
 - d. Legal guardian's name(s).
 - e. Employment certificate issuance date.
 - f. Name of person issuing the employment certificate.
 - g. The hours that a junior member will participate in your organization's activities.
7. If a Junior Member quits or is discharged by your organization, the organization **must** notify the appropriate school official in writing. This **must be done within five (5) days** of the junior leaving the emergency service organization.
8. Posting Requirements:
 - a. The following items must be publicly posted in the emergency service organization's station.
 - 1) Abstract of the PA Child Labor Law – the abstract contains the maximum allowable hours that a minor may participate in the organization's activities. It also sets the window of hours when minors may participate in activities.
 - 2) List of all Minor Employees – the emergency services organization must post a list of minor employees containing the information required in item 6 listed above.
 - 3) Hours of Employment – See Abstract in Appendix A and D.

Example: if your junior is employed at a fast food restaurant and works 15 hours that week; they may work an additional 13 hours within the 5-day work week (Mon.-Fri.) for a total of 28 hours.

9. Worker's Compensation: Inform your Emergency Service Organization/Municipality exactly what types of insurance coverage your organization needs to provide to your junior members – Accident and Sickness, General Liability, Officers & Directors Liability (Management Liability), etc., in order to have a successful junior program.
10. Effectively manage the JESP and prevent inappropriate initiations or hazing or other activities that could potentially harm the minor or your organization.
11. Maintain a relationship with the minor's parents or guardians. These folks may have no experience or interaction with emergency services and your procedures may be

intimidating. But having parents or guardians attend the membership interview and giving them a tour of your station, or sharing your safety and standard operating guidelines - this can alleviate their fears.

12. Communicate with the parents and guardians, phone numbers and email to allow for two way communications.

13. Understand that parents/guardians may have stricter restrictions on the participation of the minor. Get that information upfront and place on your junior member roster.

	Ages 14-15	Ages 16-18
Maximum Work Hours (Daily)	The minor may be employed for more than three hours on a school day and no more than eight hours on a day when there is no school	The minor may not be employed before 6 a.m. or after 12 midnight, except that during a school vacation period a minor shall be permitted to be employed until 1 a.m. The minor may not be employed for more than eight hours on a school day and no more than 10 hours on a day when there is no school.
Maximum Work Hours (Weekly) During School Session	The minor may not be employed for more than 18 hours per week during a regular school week.	The minor may not be employed for more than 28 hours per week during a regular school week
Maximum Work Hours (Weekly) During School Vacation	The minor may not be employed for more than 40 hours during a week when school is not in session.	The minor may not be employed for more than 48 hours during a week when school is not in session.
Start and Stop Times	The minor may not be employed before 7am or after 7pm. During School vacation period, a minor may be employed until 9pm.	The minor may not be employed before 6am or after 12midnight. During School vacation period, a minor may be employed until 1am.
Break Period	No minor may be employed for more than five hours continuously without an interval of at least 30 minutes for a rest break. No period of less than 30 minutes shall be deemed to interrupt a continuous period of work.	No minor may be employed for more than five hours continuously without an interval of at least 30 minutes for a rest break. No period of less than 30 minutes shall be deemed to interrupt a continuous period of work.
Exceptions	A minor who is 14 or 15 years of age may engage in training or firefighting activities permitted under this section until 10 p.m. before a school day if the minor and has written consent of the minor’s parent or legal guardian.	A minor who is 16 years of age or older may continue serving in answer to a fire call until excused by the individual acting as chief of the fire company answers a fire call while lawfully employed.

Section

5

SAMPLE DOCUMENTS FOR ADVISORS/COORDINATORS USE

The following items are strictly “samples”. They represent examples of language to be used to assist your organization to write junior program guidelines and documents to meet the qualifications of the Child Labor Act (CLA). Pick the example(s) that best fits your organization.

SAMPLE RULES AND REGULATIONS FOR JUNIOR MEMBERS

The (insert fire company name) has adopted these rules and regulations to govern our Junior Emergency Services Program. Our goal is prepare young people to be the safest and well-trained responders they can be and to provide the best opportunity for the future of our organization. These rules and regulations are to be strictly adhered to by all members of the (insert company name).

- Being accepted to Junior Membership is a privilege granted to those members between 14 and 18 years of age who wish to serve and protect the community.
- Prior to acceptance into the Department, he/she must obtain a work permit and shall have an application signed by a parent or legal guardian. All documents must then be on file.
- The juniors will be directly supervised by the regular fire department line officers, and a junior committee made up of two members of the regular fire department, assigned by the chief, to act as the “Liaison” and “Advisor/Coordinator”.
- Junior members shall obey the constitution, by-laws and all other company rules and regulations.

Duties of Junior Members

- Junior Members should make every effort to attend training sessions, work/service details and responses when permitted by the Child Labor Law and Fire Department/Company guidelines.
- Junior Members shall follow the established chain of command and work with their advisor/coordinator.
- Junior Members will assist with cleaning apparatus, equipment and after events.
- Junior Members can attend fund raising activities, if available.
- Junior Members may attend meetings, but do not have any voting privileges.
- All juniors will sign in and out when entering and leaving the stations.

- (OPTIONAL IF POINTS SYSTEM IS USED) Junior Members must maintain a minimum of (Insert Point Requirement) to maintain active status. The Advisor will work with junior members on the points system.
- Junior Members will serve a probationary period as described by the organization. At the age of 18, they are considered an adult and have the rights and privileges of a regular fire company member.

Responding to Alarms

- Juniors shall not answer fire alarms until given approval by the Fire Chief.
- Junior Members ages 14-15 shall only respond from their assigned station.
- Fourteen and fifteen year old junior members will only be permitted to participate in department training activities, monthly meetings, fund-raising, and community social events. They will not respond to any fire calls, nor be permitted to extinguish any fire of any type (Brush, Structural, Automobile, etc.).
- All juniors, if driving, must report to the station for all calls. If all of the apparatus has already responded when you arrive at the station, juniors are to stand-by at the station until either a senior member stops and gives them a ride to the scene, or wait until the department returns from the call to assist in clean-up duties.
- Junior members 16-17 may respond but are not permitted to use a blue courtesy light or hazard lights (four ways) while in route to the station for a call.
- All traffic laws shall be strictly obeyed. Permission to drive their personal vehicle directly to the scene of any alarm must be approved by the Fire Chief.
- Sixteen and Seventeen year old junior members will only be permitted to respond to fire calls after the successful completion of either the departments own orientation program or the (insert name) Fire School. A copy of the certificates from courses must be on file.
- Senior Members have priority for seating on a fire response. Juniors will be instructed by the officer or senior member in charge where they may ride on responding fire vehicles. If all positions are taken on the first responding unit, the junior must wait to respond on the second responding unit, if there is sufficient room to do so. If all positions are filled on all responding units, the junior may respond to the scene in a personal vehicle, in a safe manner, and park in an area that is out of the fire ground operational area.
- Juniors shall don full protective bunker gear before boarding any piece of fire apparatus that is responding to a call unless otherwise instructed by a line officer.

- Junior Members must be seated and seat belted in an enclosed vehicle.
- Junior Members are not permitted to leave school to answer an alarm or attend a training session or detail without written permission.
- Junior Members will not start, drive/operate or move any fire apparatus.

On The Scene

- Junior Members must report and receive permission to leave the Fire Scene by the Officer in charge.
- Junior Members should report to the (Insert Designated Area) in full protective gear and be assigned by the Officer in charge. Freelancing is prohibited.
- Junior Members may only operate equipment as directed by the officer in charge.
- Junior Members are not allowed to enter any burning structure.
- Junior firefighters responding to a mutual aid call into another department's jurisdiction shall stay with our apparatus until ordered by one of the line officers on the scene.

General Regulations

- Supervision of Junior Members is defined by the Fire Company By-Laws. On the scene of an incident the officer in charge/designee is responsible for direct supervision. All juniors will be governed in accordance with the Child Labor Law, Bureau of Labor Law Compliance and Commonwealth of Pennsylvania.
- No use of profanity, horseplay, wrestling, physical sports or fighting shall be tolerated on or about the station.
- Junior members shall be respectful to all members and the public. Officers should be addressed by their titles. Juniors may attend Fire Department meetings, but shall not be permitted to make or second any motions, nor shall they be able to vote on any issues. With approval, they may attend all drills and fire schools scheduled.
- Probation for juniors shall be from the date of acceptance to (insert time) as defined in the company by-laws. At that time, he/she shall have completed at least (insert duration) as a Junior member and completed the (insert course). With a majority vote from the membership at a regular company meeting, they shall be a regular junior member and off probation.
- Fire Department trustees shall process all applications for membership and recommend acceptance or rejection.
- Time restrictions: Juniors under age 16 are prohibited from engaging in fire department activities

while school is in session and between the hours of 7:00 pm and 7:00 am (10:00 pm and 7:00 am during summer vacation) and cannot interfere with school attendance. However, they may attend training classes as part of a training program after 7:00 pm during the school year. EXCEPTION: With Written Parental Consent the 7pm time is extended to 10pm, when turned in to the Company and a phone call to the guardian to confirm letter. During School Term Junior firefighters ages 14 and 15 years old are only allowed a total of 4 hours at the station on school days and 8 hours any other day.

- Time restrictions: Juniors age 16 and 17 years old on school nights: not to exceed 12:00 AM (Midnight) unless involved in a Company function. Non-school nights: not to exceed 1:00 am, Friday night into Saturday, Saturday night into Sunday, or Night proceeding into a school holiday.
- All Junior Members will maintain a good academic eligibility of (insert grade/point average). Parents or legal guardians shall be required to notify the fire company if the overall average drops below an overall **"C"** average. Those who have their grade average drop below a **"C"** average or has an **"F"**, regardless of the overall average, shall be suspended from **ALL** fire department activities*. The junior shall remain on suspension from all activities until the next grading period. The report card shall be presented to the fire company. A copy shall be kept on file in the respective junior's personnel file.
- A junior may be reinstated before the next grading period expires if he/she receives a note from the instructor or guidance counselor, in writing and signed, on **school district letterhead**, stating that the grade average has risen to a **"C"** average.
- The student member will submit their report card to the Advisor/committee within (time limit) after being issued. If the report card is not submitted, the Junior Member will not be permitted to participate in any company activities.
- All juniors shall be under suspension if enrolled in summer school program for failure to pass subjects during the normal school year for the duration of the summer program.
- Any equipment issued to a junior shall be kept in good repair and maintained to Fire Department guidelines. Special equipment or sizes shall not be purchased. He/she may use equipment that was personally purchased as long as a Chief Officer approves such equipment use.
- Juniors shall not be permitted to take any Fire Company issued firefighting equipment to school.
- Junior Members will attend training as identified by the department/company. No junior may enroll in any courses offered through the fire Department without the Chief or Training officer's approval.
- Junior firefighters are prohibited from using any tobacco products on Fire Company properties, fire ground operations, or any fire related public service activities. Juniors who are under the influence of alcohol, or has the smell of alcohol or any alcoholic beverages or controlled

substances in his/her possession and are on Fire Company property, fire ground, or any function held by the Fire Company may be immediately expelled. Any junior who is involved in illegal activity outside of the Fire Company shall be subject to expulsion from the Department.

- Juniors shall not be permitted to drive Fire Company vehicles at any time.
- Junior Members will be on their best behavior and be respectful while representing this department/company.
- Juniors are not permitted to possess a key to the quarters or are not permitted to be in the quarters without a senior member, trustee, officer, parent or guardian, or if expressly permitted by an officer.
- Junior members under the age of sixteen are not permitted to sleep in the bunkroom, except under special circumstances, and then only with the expressed permission of the fire chief and/or president.
- Junior Members must comply with applicable Pennsylvania Child Labor Law provisions. If found non-compliant, the member is subject to reprimand by the department/company.
- Juniors are covered by the Fire Company insurance policy at all functions.
- Where junior firefighter rules do not prevail, Fire Department rules will prevail. This version of the Junior Rules and Regulations shall immediately supersede any and all versions prior.
- Failure by any member of the junior fire department to abide by these rules listed above will result in suspension and possible expulsion from the junior fire department.
- All rules and regulations governing juniors are subject to change at any time.

SAMPLE

SAMPLE JUNIOR MEMBER RULES AND REGULATIONS

XYZ FIRE COMPANY
JUNIOR FIREFIGHTER RULES AND REGULATIONS

I _____ have received a copy of the rules and regulations set forth by the XYZ Volunteer Fire Company. I have read and understand the rules and regulations set forth by XYZ Volunteer Fire Company regarding junior members. By my signature, I attest that I will follow these rules and regulations and understand the consequences if I do not abide by them.

(Junior Member Signature)

(Date)

(Parent or Legal Guardian Signature)

(Date)

SAMPLE

(Fire Company Officer Signature)

(Date)

If junior member is under the age of 16, please sign below **IF** you permit your child

(Junior's Name)

to be at the fire station past the normal hours of 7pm to 10pm during the school year.

(Parent or Legal Guardian Sign & Date)

*XYZ FIRE COMPANY
STATION 100 ADDRESS
CITY, PA 00000*

JUNIOR MEMBER ROSTER

NOTE: Specific addresses, parent/guardian names, telephone numbers, working permit numbers are on file in the Chief's office. **Review of this information is by appointment only.**

Brown, Julie	14	Home Address, City	Date Issued	Issued by	Parent's name consent for extended hours
Bobb, William	17	Home Address, City	Date Issued	Issued by	Parent's name
Lane, Archie	16	Home Address, City	Date Issued	Issued by	Parent's name
Westly, Jill	15	Home Address, City	Date Issued	Issued by	Parents Name No parental consent for extended hours

SAMPLE



ABSTRACT OF THE CHILD LABOR ACT HOURS PROVISIONS



ABSTRACT OF THE CHILD LABOR ACT HOURS PROVISIONS

MUST BE POSTED IN A CONSPICUOUS PLACE WHERE ANY PERSON UNDER AGE 18 IS EMPLOYED

This summary is for general information, and is not to be considered in the same light as official statements contained in the Act or its regulations.

Minors under 16 must have a written statement by the minor's parent or guardian acknowledging the duties and hours of employment and granting permission to work.

HOURS OF EMPLOYMENT—AGES 14 & 15*

HOURS OF EMPLOYMENT

During School Term: Maximum three hours on school days, eight hours on any other day, and 18 hours per school week (Monday—Friday), and only at a time that does not interfere with school attendance. Plus eight additional hours on Saturdays and Sundays.

Exception: Students 14 and older, whose employment is part of a recognized school work program, may be employed for hours, when combined with school hours, not exceeding eight in a day.

During School Vacations: Maximum eight hours/day, 40 hours/week.

WORK TIME

Employment prohibited after 7 p.m. and before 7 a.m.

Exceptions: During school vacations, minors may be employed until 9 p.m. Minors at least age 11 may be employed in newspaper delivery from 5 a.m. to 8 p.m., except during school vacation, then until 9 p.m. Members of volunteer fire companies may participate in training and firefighting activities until 10 p.m. with written parental consent.

HOURS OF EMPLOYMENT—AGES 16 & 17* **

HOURS OF EMPLOYMENT

During School Term: Maximum eight hours a day and 28 hours per school week (Monday—Friday). Plus eight additional hours on Saturdays and Sundays.

During School Vacations: Maximum 48 hours/week; 10 hours/day; a minor may refuse any request to work greater than 44 hours/week.

WORK TIME

Employment prohibited before 6 a.m. and after 12 a.m.

Exceptions: During school vacations, minors may be employed until 1 a.m. Members of volunteer fire companies may continue serving in answer to a fire call until excused by chief.

- * Minors employed as sports attendants are not subject to the Act's hours and work time restrictions.
- **EXCEPT: A) Minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code are not subject to the Act's hours of employment or work time restrictions.
B) Special rules apply to young adults, 16 and 17 years of age, employed during a school vacation as a counselor by a summer resident camp operated by a religious or scout organization.

MAXIMUM EMPLOYMENT: NOT MORE THAN six CONSECUTIVE DAYS (except newspaper delivery).

30 MINUTE MEAL PERIOD REQUIRED ON OR BEFORE five CONSECUTIVE HOURS OF WORK.

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance."

Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance:

Altoona District Office 1130 12 th Ave. Suite 200 Altoona, PA 16601 814-940-6224 or 877-792-8198	Harrisburg District Office 1301 Labor & Industry Building 651 Boas St. Harrisburg, PA 17121 717-787-4671 or 800-932-0665	Philadelphia District Office 110 North 8 th St. Suite 203 Philadelphia, PA 19107 215-560-1858 or 877-817-9497
Pittsburgh District Office 301 5 th Ave. Suite 330 Pittsburgh, PA 15222 412-565-5300 or 877-504-8354	Scranton District Office 201 B State Office Building 100 Lackawanna Ave. Scranton, PA 18503 570-963-4577 or 877-214-3962	

Auxiliary aids and services are available upon request to individuals with disabilities.



CHILD LABOR ACT HOURS RULES FOR PERFORMANCES BY MINORS

Child Labor Act Hours Rules for Performances By Minors

This summary is for general information, and is not to be considered in the same light as official statements contained in the Act or its regulations.

Age	Max. hours (24-hour period) at place of employment (does not include hours at minors' residences)	Max. work hours (24-hour period) (including work time at minors' residences)
Infants < 6 mos.	2	Not Applicable
6 mos.—1 year	4	2
2—5 years	6	3
6—8	8	4
9—15	9	5
16—17	10	6

- Live performances—maximum number: three/day or 10/calendar week (Sunday—Saturday).
- Meal periods of half hour—one hour are not counted toward maximum hours/non-work time at place of employment.
- Non-work time at place of employment includes education, rest and recreation.
- Work days for minors may not begin before 5 a.m., and must end by 10 p.m. on evenings preceding school days or by 12:30 a.m. on evenings preceding nonschool days.
- 12 hours must elapse between time of dismissal and time of call on the following day.
- Age 14—17 may work during school hours with permission from school authorities for up to two consecutive days, but may not work in excess of eight hours in 24-hour period.
- Performances rules do not apply to minors who have graduated from high school or who are exempt from compulsory attendance under the Public School Code.

For further information on the Child Labor Act, please consult the Department of Labor & Industry's website at www.dli.state.pa.us and click on "Labor Law Compliance."

Address inquiries and complaints to one of the offices of the Bureau of Labor Law Compliance:

Altoona District Office
1130 12th Ave.
Suite 200
Altoona, PA 16601
814-940-6224 or 877-792-8198

Harrisburg District Office
1301 Labor & Industry Building
651 Boas St.
Harrisburg, PA 17121
717-787-4671 or 800-932-0665

Philadelphia District Office
110 North 8th St.
Suite 203
Philadelphia, PA 19107
215-560-1858 or 877-817-9497

Pittsburgh District Office
301 5th Ave.
Suite 330
Pittsburgh, PA 15222
412-565-5300 or 877-504-8354

Scranton District Office
201 B State Office Building
100 Lackawanna Ave.
Scranton, PA 18503
570-963-4577 or 877-214-3962

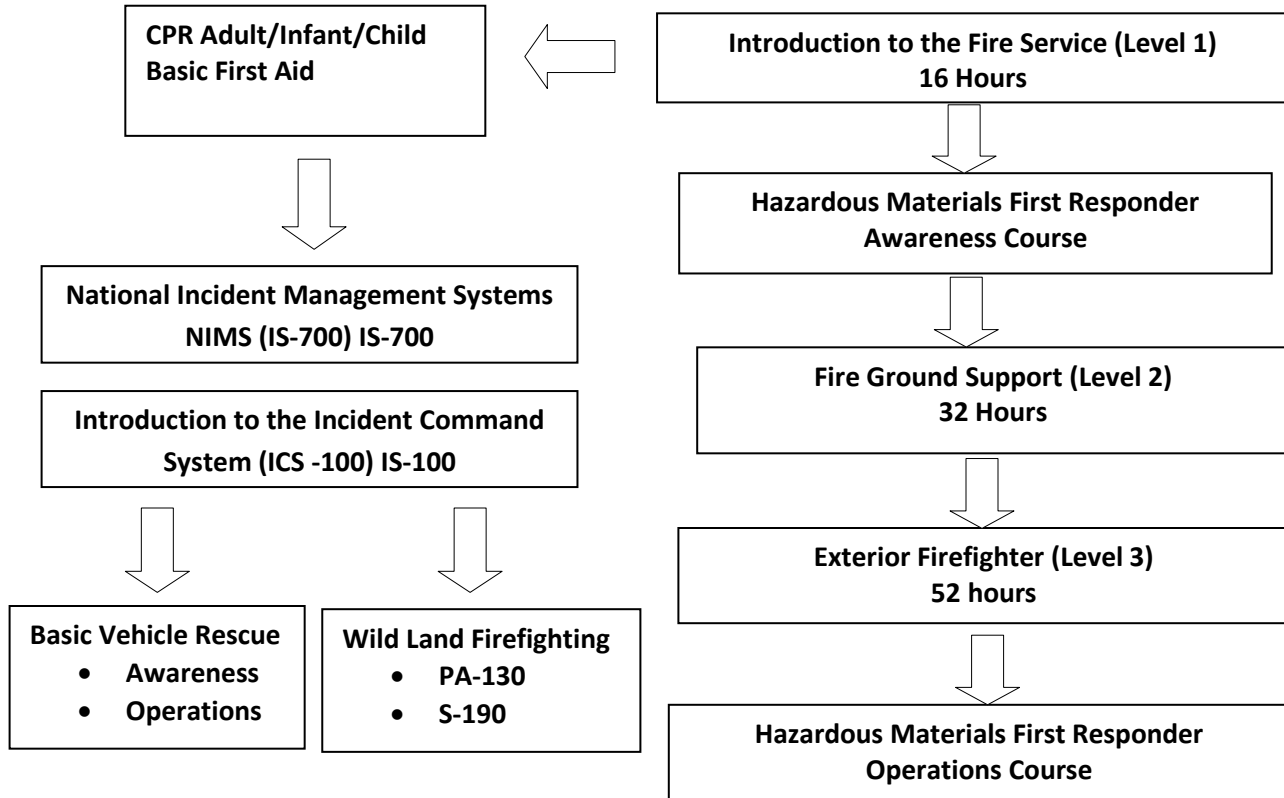
Email the Bureau of Labor Law Compliance at: RA-LI-SLMR-LLC@pa.gov

Appendix

B

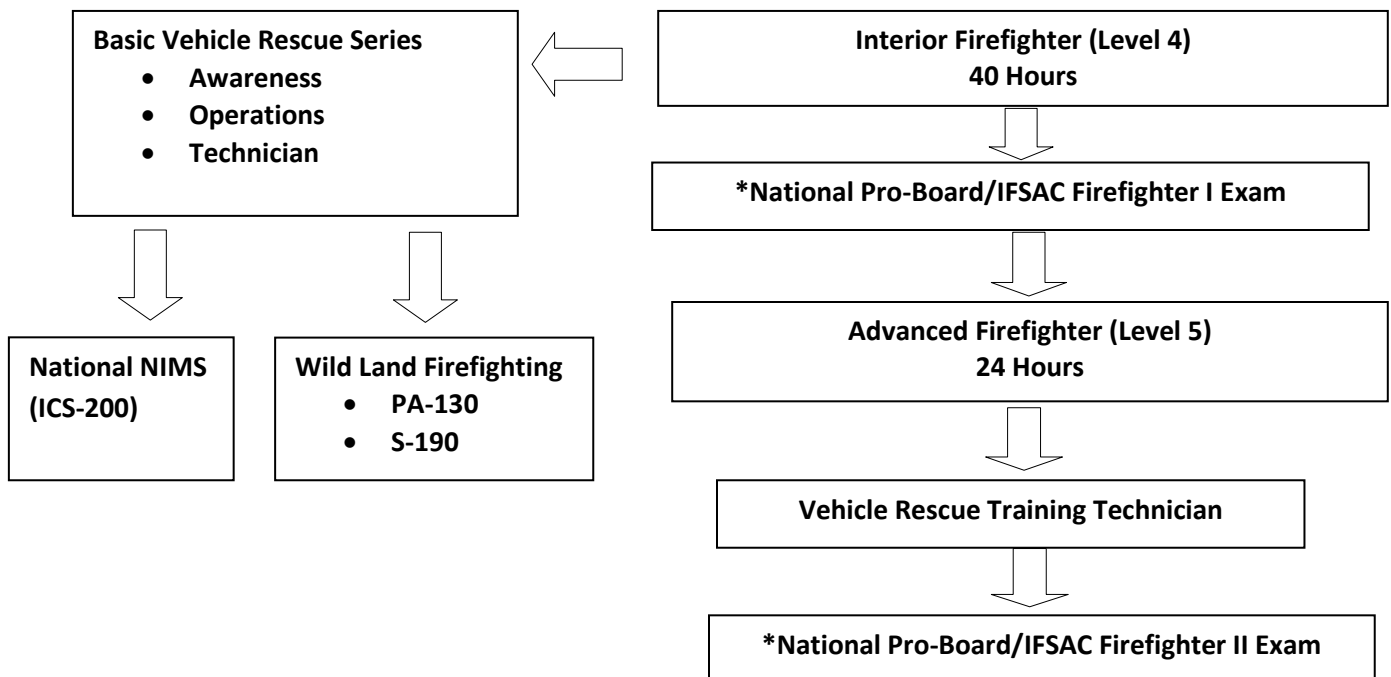
**JUNIOR MEMBER FIRE SERVICE
PROFESSIONAL DEVELOPMENT TRAINING
PATHWAY**

Professional Development Entry Level Fire Training Pathway



Training above is available for firefighters under 18 years of age

Training below is available for firefighters over 18 years of age





HAZARDOUS OR OTHERWISE PROHIBITED OCCUPATIONS FOR MINORS

NOTICE

DEPARTMENT OF LABOR AND INDUSTRY

Section 4(b) of the newly-enacted Child Labor Act (CLA) (Act of October 24, 2012, P.L. 1209, no. 151, effective January 22, 2013) requires the Department of Labor and Industry (Department) to publish a list of hazardous or otherwise prohibited establishments or occupations for minors in the Pennsylvania Bulletin. This list will also be posted on the Department's website.

This list is to be derived from three sources: (1) occupations and establishments expressly prohibited for minors under Section 4(a) of the CLA, (2) any occupation or establishment designated as hazardous and otherwise prohibited for minors under the federal Fair Labor Standards Act and regulations under that act, and (3) additional prohibited or hazardous occupations for establishments set forth in the Department's regulations. According to Section 29 of the CLA, the current regulations shall be those adopted under the former Child Labor Law until modified or deleted by the Department.

Prohibited Occupations under the Child Labor Act, Act 151 of 2012

Prohibited Occupations for all Minors in Entertainment

- An acrobatic act that is hazardous to the minor's safety or well-being, including high-wire or trapeze acts. (Child Labor Act, §§ 5(b)(4)(iv), 5(k))
- Use of/or exposure to dangerous weapons or pyrotechnical devices. (Child Labor Act, § 5(b)(4)(v))
- Activities that have a high level of inherent danger including activities involving speed, height, a high level of physical exertion and highly specialized gear or spectacular stunts. (Child Labor Act, § 5(b)(4)(iii))
- An act that constitutes sexual abuse or sexual exploitation of minors. (Child Labor Act, § 5(b)(4)(i))

- Boxing, sparring or wrestling, except for a bona fide athletic or recognized amateur competition or activity or non-contact portrayal. (Child Labor Act, § 5(b)(4)(ii))
- Working with partners hand to hand or head to head. (34 Pa. Code § 11.1)
- Bicycle or unicycle acts. (34 Pa. Code § 11.1)
- Assisting performers in animal act, conducting an animal into a ring or on stage, or riding an animal when the animal exceeds half the weight of the child performer. This paragraph shall not necessarily apply to performances with trained seals. (34 Pa. Code § 11.1)

Prohibited Occupations for all Minors

- **BRICKMAKER:** Manufacturing bricks, tile and kindred products. Working in the brick-making industry on horizontal or vertical pug mills (mixers) (34 Pa. Code § 11.54). Manufacturing of clay construction products – exception: may work in storage or shipping, in offices, laboratories and storerooms and in the drying departments of plants manufacturing sewer pipe. For silica brick and silica refractories, office work is permitted. Prohibition does not include non-structural bearing clay products: ceramic floor and wall tile, mosaic tile, glazed and enameled tile, faience, and similar tile, nor shall the term include non-clay construction products such as sand-lime brick, glass brick, or non-clay refractories, except silica refractories. (29 CFR § 570.64)
- **CRANE OPERATOR:** Operating, tending, riding upon, working from, repairing servicing, or disassembling cranes, hoists, derricks, high lift trucks including fork lifts, and elevators. (34 Pa. Code § 11.32, 29 CFR § 570.58)
- **ELECTRICAL WORKER:** Installing and removing electrical wiring.* Installing, removing, reading and testing electric meters.* (34 Pa. Code §§ 11.31, 11.35, 11.38)
- **ELEVATOR OPERATOR:** Operating, managing (34 Pa. Code § 11.32), tending, riding upon, working from, repairing, servicing or disassembling passenger or freight elevators, hoisting or lifting machinery. (34 Pa. Code § 11.32, 29 CFR § 570.58) Exception: riding inside unattended automatic operation passenger elevator, and 16 and 17 year old minors may ride upon a freight elevator operated by an assigned operator. (29 CFR § 570.58.)

- **EXCAVATOR:** Working within tunnels, shafts prior to completion of all driving, sinking and shoring operations and trenches more than four feet in depth.* (34 Pa. Code § 11.66, 29 CFR § 570.68)
- **EXPLOSIVES MANUFACTURING:** Including handling or storing explosives. (34 Pa. Code § 11.43) Exception for retail establishments. (29 CFR § 570.51) Must be at least 360 feet from point of handling/storage of 200 pounds of explosives, amount of distance increases with greater pounds of explosives. (34 Pa. Code § 11.43)
- **FOREST FIREFIGHTING:** Including forest fire prevention activities. Exceptions for 16 and 17 year olds: as long as tasks are not performed in conjunction with/support of fire fighting efforts. May clear fire trails/roads, construct/maintain/patrol fire lines, pile/burn slash, maintain fire fighting equipment and act as fire lookout or fire patrolman. (29 CFR § 570.54)
- **FOREST SERVICE/MILL WORKER:** Including timber tract management, logging, lath mill, shingle mill, cooperage stock mill and saw mill operations. Exceptions for 16-17 year olds: work in offices, repair/maintenance shops, living quarters, repair/maintenance of roads, railroads or flumes; work on telephone lines not involving the use of power-driven machinery, handling/use of explosives, felling/bucking of timber, and collecting or transporting of logs or work on trestles; work related to forest marketing/forest economics, feeding/care of animals, peeling fence posts, pulpwood, chemical wood, excelsior wood, cordwood, etc, when not done in conjunction or location with logging occupations. For permanent saw mill, lath mill, shingle mill or cooperage stock mill operations, 16 and 17 year olds may straighten/mark/tally/pull lumber on dry chain or dry drop sorter, clean-up lumber yard, piling/handling, shipping of cooperage stock, other than operating/assisting with power-driven equipment; clerical work; clean-up work outside shake and shingle mills, except when mill is operational; split shakes manually from precut/split blocks and pack shakes into bundles, except inside mill building/cover; manually loading bundles of shingles/shakes into trucks/railroad cars with doctor's note. (29 CFR § 570.54)
- **MEAT PROCESSING:*** Operation of power driven food chopping, meat grinding, slicing or processing machines, and any occupation on the killing floor, in curing/hide cellars. Except for 16 and 17 year old minors working as messengers, runners, and hand truckers, which require entering such workrooms infrequently and for short periods of time. All occupations in recovery of lard and oils, except packaging and shipping, all occupations involved in tankage or rendering of dead

animals; boning, pushing or dropping of any suspended full, half or quarter carcass; hand lifting or hand carrying any full, half or quarter carcass of beef, horse, or buffalo; and, any hand lifting or hand carrying of full or half deer or pork carcass. Killing and processing of rabbits and small game in areas physically separated from killing floor permitted for 16 and 17 year olds. (34 Pa. Code § 11.65, 29 CFR § 570.61)

- **MOTION PICTURE (FILM) PROJECTIONIST.** Exception, 17 year old minor may work as apprentice of a motion picture projectionist. (34 Pa. Code § 11.45)
- **MOTOR VEHICLE:** Driving a motor vehicle and being an outside helper on public roads/highways, in or about any mine, in or about excavation operations, and around sawmill/logging operations. Exception for occasional driving for licensed 17 year olds with state approved driver education course, if vehicle does not exceed 6,000 pounds and has restraining device, driving is during daylight, within 30 mile radius of employer, and limited to 2 trips per day away from employer location. May not drive for urgent, time-sensitive transporting and deliveries, including pizza delivery, may not tow, drive route deliveries/sales, may not provide transportation for hire of property/goods/passengers, limit of three passengers. Outside helper is any individual other than driver, whose work includes riding on a motor vehicle outside the cab for purpose of assisting in transporting/delivering goods. (29 CFR § 570.52)
- **PAINT, ACIDS, AND POISON MANUFACTURER:** In any capacity in the manufacture of paint, color or white-lead, poisonous dyes, or compositions using dangerous lead or acids. (Child Labor Act, § 4(a)(3))
- **ROOFER:** All occupations.* (34 Pa. Code § 11.63; 29 CFR § 570.67)
- **SPRAY COATER:** Spray coating with substances containing lead, benzol or ground siliceous material.* (34 Pa. Code § 11.58)
- **WELDER:** Acetylene or electric welding.* (34 Pa. Code § 11.33)
- **WOODWORKING:** Using power-driven woodworking machines, including supervising/controlling operation of machines, feeding/assisting with feeding materials into machines; setting up, adjusting, repairing, oiling or cleaning power-driven woodworking machines, off-bearing from circular saws and guillotine-action veneer clippers.* Exception, 16-17 year olds may place material on moving chain/hopper for automatic feeding. (34 Pa. Code § 11.46; 29 CFR § 570.55)

- **WRECKING AND/OR DEMOLITION WORKER:** All occupations, including shipbreaking. (34 Pa. Code § 11.64, 29 CFR § 570.33)

All minors are also prohibited from working:

- **IN ESTABLISHMENTS WHERE ALCOHOLIC BEVERAGES ARE PRODUCED, SOLD OR DISPENSED:** Except in part of establishment where alcohol is not served, or hotels, clubs, or restaurants where alcohol is served and the establishment has a Sunday sales license issued by the Liquor Control Board, and minor is serving food, clearing tables and/or related duties, but minor may not serve or dispense alcohol. Performing arts students engaged in uncompensated exhibitions may perform at a licensed establishment, under proper supervision in accordance with the Liquor Code. (Child Labor Act, § 4(a)(1))
- **ON BOATS:** Pilot, fireman or engineer on any boat or vessel. (Child Labor Act, § 4(a)(1))
- **ON MACHINERY:** Including repairing, cleaning or oiling machinery in motion (34 Pa. Code § 11.46; 29 CFR §§ 570.65, 570.58, 570.55, 570.59, 570.63; HO 5, HO 8, HO 10, HO 12), and operating or assisting in the operation of the following: emery wheels,** metal plate bending (34 Pa. Code §§ 11.51, 11.55), forming, punching, hammering, bending, rolling and shearing machines* (29 CFR § 570.59), punch presses** (34 Pa. Code § 11.49, 29 CFR § 570.59), wire-stitching, stapling machines* (34 Pa. Code §§ 11.34, 11.46, 29 CFR § 570.59), circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs.* (29 CFR § 570.65)
- **ON BAKING MACHINERY:** Operating, assisting, setting up, adjusting, repairing, oiling or cleaning dough/batter mixer, bread dividing, rounding or molding machine, dough brake, dough sheeter, bread slicer/wrapper machine or cake cutting band saw, and setting up/adjusting cookie or cracker machine. Except for 16 and 17 year olds setting up, adjusting, repairing, oiling and cleaning lightweight, small capacity, portable counter-top power-driven food mixers comparable to models intended for household use. Except for 16 and 17 year olds operating pizza-dough rollers constructed with safeguards to prevent fingers, hands, clothing from being caught on the in-running point of rollers, which have completely enclosed gears, and have microswitches that disengage machinery if the backs/sides of rollers removed. Exception does not apply to setting up, adjusting, repairing, oiling or cleaning of pizza-dough rollers. (29 CFR § 570.62;

34 Pa. Code § 11.47)

- **IN METAL INDUSTRIES:** Working in rolling mills* (34 Pa. Code § 11.37; 29 CFR § 570.59), handling bull ladles (34 Pa. Code § 11.56) and working around furnaces. (34 Pa. Code § 11.53)
- **IN MINES:** Dangerous occupations in or around any mine, including all work performed in any underground working, open-pit, or surface part of any coal-mining plant, that contribute to the extraction, grading, cleaning or other handling of coal. Exceptions for 16-17 year olds: slate/refuse picking at picking table/chute in a tippie or breaker at a coal mine, work in office or repair/maintenance shops on the surface. (34 Pa. Code § 11.59; 29 CFR § 570.53) For other mines all occupations prohibited, except may work in above-ground office, warehouse, supply house, change house, laboratory, repair/maintenance shops, in living quarters, outside mine in surveying, repair/maintenance of roads, general clean-up, track crew work for sections of railroad track when mining activities not being performed, work in or about surface placer mining operations other than place dredging operations and hydraulic placer mining operations. At metal mills other than in mercury-recovery mills or mills using cyanide process may operate jigs, sludge tables flotation cells, drier-filters, may perform hand-sorting at picking table/belt, general clean up. (29 CFR § 570.60) Exception, 14 and 15 year old minors may work in office and perform clerical duties. (29 CFR § 570.34)
- **IN QUARRIES:** Most occupations, including drilling, shot firing or assisting in loading or tamping holes, face cleaning, attaching blocks to chains for cable hoisting, assisting/operating steam, air or electric shovels. (34 Pa. Code § 11.37)
- **IN THE PRINTING AND PAPER INDUSTRY:** Operating or assisting with balers, compactors, and power-driven paper-products machines. Operating power driven paper cutters, circular or band saws, corner cutter/mitering machine, corrugating and single/double facing machine, envelope die-cutting press, guillotine paper cutter/shearer, horizontal bar scorer, laminating/combing machine, sheeting machine, scrap paper baler, paper box compactor, vertical slotter, platen die-cutting press, platen printing press, punch press involving hand feeding of machine, operating or assisting with any compactor designed or used to process materials other than paper.* Exception for 16 and 17 year olds loading materials into scrap paper balers and paper box compactor which cannot be operated while being loaded, machine must meet applicable ANSI standard, there is an on-off switch with key-lock or other system and control maintained by employee over 18, on-off switch in off position when machine not in operation and employer

posted notice. (29 CFR § 570.63.)

- **AROUND RADIOACTIVE SUBSTANCES:** In all occupations involving exposure to radioactive substances,^{***} or ionizing radiation.^{***} (34 Pa. Code § 11.62; 29 CFR § 570.57)
- **ON RAILROADS AND RAILWAYS:** Section hand (34 Pa. Code § 11.41), track repairing, gate-tending, switch-tending, brakeman, fireman, engineer, motorman, or conductor. (Child Labor Act, § 4(a)(1))
- **ON RIVETS:** Heating and passing rivets, except for 16 and 17 year old minors 10 feet or less from ground or on a scaffold equipped with guardrails and board in accordance with Chapter 47, Subchapter G (34 Pa. Code §§ 47.221 et seq). (34 Pa. Code § 11.52)
- **IN TANNERIES:** All occupations in the tanning process. (34 Pa. Code § 11.40)

* EXCEPT APPRENTICES, STUDENT LEARNERS, AND GRADUATES OF AN APPROVED VOCATIONAL, TECHNICAL OR INDUSTRIAL EDUCATION CURRICULUM WHICH PREPARED THEM FOR EMPLOYMENT IN THE SPECIFIC OCCUPATION.

** EXCEPT APPRENTICES, STUDENT LEARNERS, LABORATORY STUDENT AIDES AND GRADUATES OF AN APPROVED VOCATIONAL, TECHNICAL OR INDUSTRIAL EDUCATION CURRICULUM WHICH PREPARED THEM FOR EMPLOYMENT IN THE SPECIFIC OCCUPATION.

*** EXCEPT LABORATORY STUDENT AIDES AND GRADUATES OF AN APPROVED VOCATIONAL, TECHNICAL OR INDUSTRIAL EDUCATION CURRICULUM WHICH PREPARED THEM FOR EMPLOYMENT IN THE SPECIFIC OCCUPATION.

Additional Prohibited Occupations for Minors Under 16

- **AMUSEMENT PARK RIDE ATTENDANT, OPERATOR, OR DISPATCHER.** (29 CFR §570.33(e); U.S. DEP'T OF LABOR, WAGE AND HOUR DIV., FACT SHEET No. 7)
- **BAKER.** (29 CFR § 570.33(h))
- **BOILER OR ENGINE ROOM WORKER:** Including work in connection with maintenance/repair of establishment, machines or equipment. (29 CFR § 570.33(d))
- **COOK:** Except with gas and electric grills that do not involve cooking over an open flame and with deep fat fryers that automatically lower and raise the baskets. (29 CFR §§ 570.33(h), 570.34(c))
- **CHICKEN CATCHER:** Catching and cooping of poultry in preparation for transport or for market. (29 CFR § 570.33(l))
- **CONSTRUCTION WORKER:** In any capacity. Also includes repairs and

maintenance of a building or its equipment. (29 CFR § 570.33(n)(4))

- **HOISTING APPARATUS:** Operating, tending, setting up, adjusting, cleaning, oiling, or repairing. (34 Pa. Code § 11.32; 29 CFR § 570.33(c))
- **INDUSTRIAL HOMEWORKER:** Manufacturing in a home of any materials or articles for an employer, a representative contractor, or a contractor. (34 Pa. Code § 11.84; 43 P.S. § 491-3(f))
- **LIFEGUARD:** At a natural environment such as a lake, river, ocean beach, quarry, and/or pond. Exception for minors at least 15 years old and certified to be a lifeguard: may work at a traditional swimming pool or water amusement park. (29 CFR § 570.34(l))
- **PUBLIC MESSENGER:** In any capacity. (29 CFR § 570.33(m))
- **STRIKES OR LOCKOUTS:** Prohibited to work in an establishment where a strike or lockout is in progress, unless the minor was legally certified to work in an establishment prior to the declaration of a strike or lockout. (34 Pa. Code § 11.60)
- **SWITCHBOARD OPERATOR:** In a telephone exchange. (29 CFR § 570.33(n)(3), 570.34(a); U.S. DEP'T OF LABOR, WAGE AND HOUR DIV., FIELD OPERATIONS HANDBOOK, 33b08)
- **TOBACCO STRIPPER OR SORTER.** (Child Labor Act, § 4(a)(1))
- **TRANSPORTING:** Transportation of persons/property by rail, highway, air, water, pipeline, or other means. (29 CFR § 570.33(n)(1))
- **WINDOW CLEANER:** At outside window washing that involves working from window sills, and all work requiring the use of ladders, scaffolds or their substitutes. (34 Pa. Code § 11.61; 29 CFR § 570.33(g))
- **YOUTH PEDDLING:** Selling goods and services and promotional activities, except at the employer's place of business. (Child Labor Act, § 4(a)(4); 29 CFR § 570.33(j))

Minors Under 16 are also Prohibited from Working:

- **IN ESTABLISHMENTS WHERE ALCOHOLIC BEVERAGES ARE PRODUCED, SOLD OR DISPENSED:** Except for continuing-care retirement homes, ski resorts, bowling alleys, golf courses, amusement parks and other similar recreational establishments where alcoholic beverages are served as long as the minor is not handling or serving alcohol, and not working in an area where alcohol is served or stored. Performing Arts students engaged in uncompensated exhibitions may perform at a licensed establishment, under proper supervision in accordance with the Liquor Code. (Child Labor Act, § 4(a)(1))

- **ON COAL DREDGES:** Any work on coal dredges. (34 Pa. Code § 11.50)
- **IN FREEZER OR MEAT COOLERS:** In any capacity, except to enter freezer momentarily to retrieve items for kitchen work. (29 CFR § 570.33(i))
- **ON HIGHWAYS:** Sections of highways open to the public for vehicular travel. (34 Pa. Code § 11.41a)
- **IN MANUFACTURING:** Any manufacturing or mechanical process. (29 CFR § 570.33(a))
- **ON MACHINERY:** Any operating, tending, setting up, adjusting, cleaning, oiling, or repairing any power-driven machinery, including, but not limited to, lawn mowers, golf carts, all terrain vehicles, trimmers, cutters, weed eaters, edgers, food slicers, food grinders, food choppers, food processors, food cutters, and food mixers. May operate office equipment, vacuum cleaners and floor waxers. (29 CFR § 570.33(e))
- **IN PATTERN MAKING SHOPS:** In any capacity. (34 Pa. Code § 11.68)
- **IN THE PRINTING INDUSTRY:** On blueprint machines. (34 Pa. Code § 11.69)
- **FOR PUBLIC UTILITIES:** In any capacity, except office work such as filing, typing and the cleaning and dusting of an office. (29 CFR §§ 570.33(n)(3), 570.34(a))
- **ON SCAFFOLDING.** All work requiring the use of ladders, scaffolds, or their substitutes. (Child Labor Act, § 4(a)(3); 34 Pa. Code § 11.61; 29 CFR § 570.33(g))
- **ON TRUCKS, RAILCARS, AND CONVEYORS:** Loading or unloading goods, except for loading/unloading of personal non-power driven hand tools and personal protective equipment that minor will use as part of employment; and personal items to and from motor vehicles. (29 CFR § 570.33(k))
- **IN TUNNELS:** In any capacity. (Child Labor Act, § 4(a)(3))
- **IN WAREHOUSING AND STORAGE:** In any capacity. (29 CFR § 570.33(n)(2))

Appendix

D

**PARENTAL ACKNOWLEDGEMENT OF
MINOR'S DUTIES AND HOURS OF
EMPLOYMENT**



PARENTAL ACKNOWLEDGEMENT OF MINOR'S DUTIES AND HOURS OF EMPLOYMENT

(Must be completed for minors under 16 years of age)*

(This section to be completed by the employer.)

The undersigned parent or legal guardian of _____, age _____, (name of minor)

hereby acknowledges and understands that this minor's employment with

_____, commencing _____, will consist of the following duties and hours: (name of employer) (date)

(This section to be completed by the employer.)

Duties of minor (e.g., cashier, food service, lifeguard, sales clerk, etc.)

Hours of work:

Table with 2 columns: Day (Sunday-Saturday) and Time (m.-m.)

Other/additional hours (include explanation):

(additional sheet(s) attached)

(To be signed by minor's parent or legal guardian.)

I hereby acknowledge that I understand the above duties and hours to be worked by the above-named minor for this employer and grant permission for this employment. This statement is made subject to the provisions of 18 Pa. C.S. § 4904 (relating to unsworn falsifications to authorities).

(Printed name of parent or legal guardian) Parent of _____ (Name of minor) Legal guardian

(Signature of parent or legal guardian)

(Date)

* This form is required to be completed by the parent or legal guardian of a minor employee under 16 years of age pursuant to Section 8(a)(2)(ii) of the Child Labor Act, and the original copy must be kept by the employer at the workplace along with other records of the minor's employment required by Section 8(d).

Auxiliary aids and services are available upon request to individuals with disabilities.