

Student Learner Exemption Agreement for Hazardous Occupations (*Template*)

(Insert Name and Address of School)

With the Hazardous Occupation Exemption for Student Learners, students can perform duties declared hazardous by the Federal Child Labor Law. This agreement may only be executed in school-sponsored work-based learning programs that provide specific skills training. This agreement only applies to 16- and 17-year old student learners and to the specific duties as marked below.

CHECK THE HAZARDOUS DUTIES FOR WHICH THE EXEMPTION APPLIES:

- On a scaffolding, roof, superstructure, residential building construction or ladder above 6 feet.
- In the operation of power-driven woodworking machines.
- In the operation of power-driven metal forming, punching, or shearing machines.
- Slaughtering, meat packing, processing or rendering.
- In the operation of power-driven paper products and printing machines.
- Excavation operations.

The undersigned attest to the following ([29 CFR 570.50\(c\)](#)):

- 1) The student learner is enrolled in a youth vocational training program (Career & Technical Education courses or work-based learning such as a Capstone Experience) under a recognized state or local educational authority.
- 2) The work of the student learner in the occupation declared particularly hazardous is incidental to the training received (see <https://www.dol.gov/whd/regs/compliance/childlabor101.pdf>).
- 3) The work performed shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person (see <https://www.dol.gov/whd/regs/compliance/childlabor101.pdf>).
- 4) That safety instructions shall be given by the school and correlated by the employer with on-the-job training.
- 5) That the student has a schedule of organized and progressive work processes to perform on the job.

This agreement is between _____
Student's Name _____
Phone

Address _____

and _____
Employer Name _____
Phone

Address _____

This exemption may be revoked in any individual situation where it is found that reasonable precautions have not been observed for the safety of the enrolled minor.

The undersigned parties agree to enter into a student learner work-based program for the purpose of educating the student named above in the industry area of:

Work Experience (specify area) _____

The program will begin on _____ and be completed on _____.
Month/Day/Year *Month/Year*

Starting wage for the student learner will be \$ _____ per hour. The student will be employed in the following position _____.

Youth vocation training program in which the student is enrolled (specify area) _____

The parties agree to the following responsibilities in the implementation of this agreement:

The Student Learner agrees to:

- maintain the academic and attendance requirements established by the work experience program, the related classes, and work (see attached);
- observe company rules and other requirements identified by the employer, including confidentiality;
- participate in progress reviews scheduled with mentors/trainers, school personnel and/or parent or guardian.

The Student Learner's Parent or Guardian agrees to:

- assist the student in meeting the academic and attendance requirements of the program;
- ensure transportation to and from the work site is provided;
- participate in progress reviews scheduled with mentors/trainers, school personnel and/or the student learner.

The School District agrees to:

- assist the student learner in meeting the required academic and attendance requirements
- participate in progress reviews scheduled with mentors/trainers, the student learner, and/or student learner's parent or guardian;
- award credit toward graduation for the work-based instruction and related school instruction.

The Employer agrees to:

- provide a work-based learning experience for the length of the agreement;
- pay the student learner for all work performed during the program at no less than the minimum wage and for the hours specified;
- provide worker's compensation for the student learner for all hours worked;
- instruct the student learner in the competencies identified in the curriculum provided for this program or the training plan;
- comply with all applicable labor laws;
- authorize the mentor/trainer to attend training related to the program (if applicable);
- authorize the mentor/trainer to participate in progress reviews scheduled with the student learner, school personnel, and/or the student learner's parent or guardian.

The parties to this agreement shall also comply with the following assurances:

- A. No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any student learner work based program on the basis of race, color, religion, sex, national origin, age, handicap, political affiliation or belief, or sexual orientation.
- B. Student learners must be provided with adequate and safe equipment and a safe and healthful workplace in conformity with all health and safety standards of Federal and State law.
- C. No employer shall hire a student learner which will displace any currently employed worker (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits).
- D. No employer will hire a student learner when:
 1. Any other individual is on temporary layoff, with the clear possibility of recall, from the same or any substantially equivalent jobs, or
 2. The employer has terminated the employment of any regular employee or otherwise reduced its work force with the intention of filling the vacancy so created with a student learner.

Student:

_____	_____	_____
<i>Printed Name</i>	<i>Signature</i>	<i>Date</i>

Parent or Guardian:

_____	_____	_____
<i>Printed Name</i>	<i>Signature</i>	<i>Date</i>

Employer:

_____	_____	_____
<i>Printed Name and Title</i>	<i>Signature</i>	<i>Date</i>

School Administrative Representative:

_____	_____	_____
<i>Printed Name and Title</i>	<i>Signature</i>	<i>Date</i>

Work-based Learning Coordinator:

_____	_____	_____
<i>Printed Name and Title</i>	<i>Signature</i>	<i>Date</i>

This document is a template that may be used to support work-based learned opportunities for students enrolled in a school-sponsored work-based learning program wishing to participate in one of the exempt experiences outlined by federal youth labor laws. This agreement is valid only when signed by all parties. Additional signatures may be attached. Provisions of this agreement may not be altered without approval of all parties. The employer and the school will each maintain a copy of this form.