

### HOURS OF WORK-SUMMARY CHART

	Ages 16 & 17 Must have completed 7th grade to work while school in session. (EC 49112)	Ages 14 & 15 Must have completed 7th grade to work while school in session (EC 49112)	Ages 12 & 13
<b>SCHOOL IN SESSION*</b>	<p>4 hours per day on any schoolday** [EC 49112; 49116; LC 1391]</p> <p>8 hours on any non-schoolday or on any day preceding a non-schoolday. [EC 49112; 49116; LC 1391]</p> <p>48 hours per week [LC 1391]</p> <p>WEE students &amp; personal attendants*** may work more than 4 hours on a schoolday, but never more than 8. See text. [EC 49116; LC 1391, 1392]</p>	<p>3 hours per schoolday outside of school hours [EC 49112, 49116; LC 1391]</p> <p>8 hours on any non-schoolday</p> <p>18 hours per week [EC 49116; LC 1391]</p> <p>WEE students may work during school hours &amp; up to 23 hours per week. See text. [EC 49116; LC 1391]</p>	<p>May be employed only during school holidays and vacations (usually construed to include weekends). May never be employed on any schoolday, either before or after school. [EC 49111] See text.</p> <p>Daily and weekly work hour maximums while school is in session are not specified in statute, but may not exceed the maximum allowed when school is not in session or the maximum stated on permit. [EC 49111; LC 1391, 1392] See text.</p> <p>Not eligible for WEE programs. [EC 49113]</p>
<b>SCHOOL NOT IN SESSION</b>	<p>8 hours per day [LC 1391, 1392]</p> <p>48 hours per week [LC 1391]</p>	<p>8 hours per day [LC 1391, 1392]</p> <p>40 hours per week [LC 1391]</p>	<p>8 hours per day [LC 1391, 1392]</p> <p>40 hours per week [LC 1391]</p>
<b>SPREAD OF HOURS</b>	<p>5 a.m. – 10 p.m. However, until 12:30 a.m. on any evening preceding a nonschoolday [LC 1391]</p> <p>WEE students, with permission, until 12:30 a.m. on any day [LC 1391.1]</p> <p>Messengers: 6 a.m. – 9 p.m.</p>	<p>7 a.m. – 7 p.m., except that from June 1 through Labor Day, until 9 p.m. [LC 1391]</p>	<p>7 a.m. – 7 p.m., except that from June 1 through Labor Day, until 9 p.m. [LC 1391]</p>

#### PENALTIES

EC 49111, 49112, 49116 Misdemeanor. [EC 49182] LC 1297 Misdemeanor.[LC 1303] LC 1391 First violation, Class B, \$500; second violation, Class B, \$1,000; third and subsequent violations, Class A, \$5,000 - \$10,000. [LC 1288] Misdemeanor.[1303] LC 1392 Class A violation \$5,000 - \$10,000. (Minor must be a ward or apprentice.) Misdemeanor. [LC 1392]

- Permits must be revoked (by school officials or the Labor Commissioner) if work exceeds the hours stated on the permit. [LC 1300; EC 49164]

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- With few exceptions, all employees are entitled to one day of rest in seven. [LC 551, 552] Days of rest may be accumulated providing that in each calendar month the employee receives the equivalent of one day of rest in seven. [LC 554] A violation of Sections 551, 552 and 554 is a misdemeanor. [LC 553]. School attendance is not considered work time.
  - See Chapter 11 of this digest for additional details on penalties
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\*Statutes governing workhours for 14- and 15-year-olds use the phrase, "while school is in session", for the three-hour day, 18-hour week. California provides no precise definition of this phrase. However, the phrase is also used in federal regulations from which California's standard is derived [29 CFR 570.35(a)]. The U.S. Department of Labor considers the term "school in session" to mean the scheduled schooldays of the public school system in the county where the minor resides. A school week under federal standards is any week during which school is in session for at least one day. Thus, school is considered in session during any week that has at least one scheduled schoolday. Since the school session is derived from the schedule for the county's public schools, school may be considered in session for a minor who attends a private school that is closed during the summer if the public schools are in session at that same time.

\*\*A "schoolday" is any day that the minor is required to attend school for 240 minutes or more. [EC 49116; LC 1391]

\*\*\*"Personal attendant" is specifically defined; see "Household Occupations" in Chapter 7 of this digest.