

Please note: This is not legal advice. This overview provides answers to common questions and links to resources. It is important for companies to consult their attorneys and insurance providers to ensure compliance with state and federal laws and avoid unnecessary liability given their circumstances.

How do employers benefit from work-based learning programs?

Work-based learning (WBL) is an essential tool to prepare students and adults for rewarding careers, and to find out if they are a good fit for your company. That's why many Iowa employers offer apprenticeships, internships and other forms of in-depth WBL. This overview will help employers who need a starting point for working with young people under age 18, an important talent pipeline since about 40% of Iowa high school graduates do not go to college.



Can high school students work during the school day?

Students under 18 can participate in apprenticeships, internships or other school-sanctioned WBL during or outside the school day. Iowa Code Chapter [92](#) provides guidelines on work hours based on age. Schools coordinate with businesses to create a schedule to accommodate classes and WBL. Students often leave school in the early afternoon, but they also can be away during the morning or for a full day for school credit, depending on the agreement. Iowa Code [92.7A](#) allows 16- and 17-year-olds to work the same hours as adults. Of special note, Iowa Code [92.8A](#) provides further information on WBL and students.

Do workplace tours and job shadows require special coverage?

Special insurance is not required when students participate in typical school activities to increase career awareness, such as tours or job shadows, since they already are covered by the liability policy of their school or school district.

When students are unpaid, does workers' compensation apply?

Iowa Code [§85.20](#) and [85.61](#) states that an unpaid students' workers' compensation claims - while involved in work-based learning - can only be made against the school district.

When students are paid, does workers' compensation apply?

Students who are paid are considered employees. Injuries that arise out of, and in the scope of, their job duties are subject to the exclusive remedies provided through Iowa's workers' compensation system, as would be the case with any other employee.

What are some other insurance issues related to work-based learning?

- **More about general liability** – Workers' compensation is the standard remedy for students injured in WBL programs. However, please contact your insurance company and attorney for guidance on general liability coverage if students utilize machinery or equipment.
- **Driving to and from work:** A business that accepts a secondary student in a WBL program is not subject to civil liability for any claim for bodily injury to the student, sickness or death by accident arising from the student driving to or from the worksite. An exception may exist if the student is driving within the course and scope of the student's employment at the direction of the business.

When should a business apply for the Youth Employment Waiver?

If an employer wants 16- and 17-year-olds to participate in WBL or work-related training programs involving certain hazardous activities without a school partner, the employer must apply for the Youth Employment Waiver. If the employer has a school partner with a state-approved program, the employer may be granted an exception to certain hazardous activities under qualifying conditions. Employers working with these school programs must complete a required program form stipulating to the required conditions and must have on file with Iowa Workforce Development an approved student permission form. Registered Apprenticeship Programs employing minors are exempt. Learn more about the waiver: <https://workforce.iowa.gov/employers/resources/youth-employment-waiver>

Where can I find more information?

Below are links to resources related to youth and WBL, although this is not a comprehensive review of all available information or applicable laws. Please note that sometimes there are differences between federal and state laws, and it is important for employers to understand which laws apply under specific circumstances.

Federal Resources:

- **Fair Labor Standards Act Overview:**
 - <https://www.dol.gov/agencies/whd/compliance-assistance/handy-reference-guide-flsa>
- **Internships:**
 - <https://www.dol.gov/agencies/whd/fact-sheets/71-flsa-internships>
- **Framework on Registered Apprenticeship and high school students:**
 - <https://www.dol.gov/agencies/eta/advisories/training-and-employment-notice-no-31-16#:~:text=The%20Framework%20on%20Registered%20Apprenticeship,apprentices%20working%20in%20nonagricultural%20employment> (related attachments on this site)

Iowa Resources:

- **Workers' Compensation, Iowa Department of Inspection, Appeals and Licensing:**
 - <https://dial.iowa.gov/hearings/workers-comp>
- **Youth Employment, Iowa Department of Inspection, Appeals and Licensing:**
 - <https://dial.iowa.gov/hearings/wage-and-child-labor/child-labor> (Covers Youth Employment Waiver and how to apply on Iowa Workforce Development's website)
- **Iowa Code Chapter 92/Child Labor:**
 - [92.pdf](#)
- **Iowa Code Chapter 85/Workers' Compensation:**
 - [85.pdf](#)

Direct specific questions to:

- a. Qualified attorneys and/or insurance agent(s);
- b. [The Iowa Department of Inspection, Appeals and Licensing](#);
- c. [The United States Department of Labor](#)