Career and Technical Education, Work-Based Learning, Student Learner Hazardous Activity Agreement and Parent Permission Form

16- & 17-Year-Old Students

The Hazardous Occupation Exemption allows students to perform duties declared hazardous under Iowa Code 92.8 so long as certain circumstances and conditions are met. This agreement may only be executed in school-sponsored, work-based learning program. This agreement only applies to 16- and 17-year-old learners and to the specific duties as marked below:

Student First Name: _____ Birthdate: _____

Student Last Name: _____ Grade: _____

Parent/ Guardian First Name: _____

Parent/ Guardian Last Name: _____

Work Site: _____ School District: _____

School: _____ CTE Program: _____

Whether the federal Fair Labor Standards Act (FLSA) or state labor law applies to your business depends upon your business type, location, and the nature of your employees. When federal laws are different from state laws, employers usually must comply with the law that provides their workers with the most protection. Employers are responsible for determining if they are governed by federal law, state law, or both. If you need additional information to determine whether or not the federal FLSA applies to your business, visit Reference Guide to the Fair Labor Standards Act.

Please indicate if your business is governed by the FLSA:

Yes; If yes only activities with an asterisk* are eligible _____

No: _____

Work Activities Permitted with Waiver (Please check Activity)

☐ Operation of power-driven woodworking machines*

☐ Operation of elevators and other power-driven hoisting apparatus

☐ Operation of power-driven metal forming, punching, and shearing machines*

☐ Operation of certain power-driven bakery machines, except pizza dough roller

☐ Operation of certain power-driven paper products machines

No waiver required: operation of balers if the machine is powered off and the key is stored in a separate area from the machine.

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☐ Manufacturing of brick, tile, and related products

☐ Operation of circular saws, band saws, and guillotine shears*

☐ Wrecking, demolition, and shipbreaking operations

☐ Roofing operations*

☐ Excavation*

☐ Work activities in or about foundries

☐ Operation of dry cleaning or dyeing machinery

☐ Transmission, distribution, or delivery of goods or messages between the hours of 10 PM and 5 AM

The completed and signed agreement must be on file with the Director of Workforce Development for the minor to perform work under this agreement. Copies must also be kept on file by both the employer and the school. This exemption for the employment of student-learners may be revoked in any individual situation where it is found that reasonable precautions have not been observed for the safety of the minors employed thereunder. A high school graduate may be employed in an occupation in which they have completed training as provided in this paragraph as a student learner, even though they are not yet 18 years of age.

In accordance with Iowa Code 92.8A the undersigned attest to the following:

1. The student is enrolled in a career and technical education program, student learner program or work-based learning program and employed under all of the following conditions:
    a. The student is employed in a craft recognized as an apprenticeable trade or the student is employed under a written employment agreement.
    b. The work of the student employee in the work activities declared particularly hazardous is incidental to the student's training.
    c. The work is intermittent and for short periods of time and is under the direct and close supervision of a qualified and experienced person.
    d. Adequate on-the-job training and safety instructions are in place.

e. The school or employer has provided a copy of all training materials given to the minor performing work to the minor's parent, guardian, or legal custodian.

f. Terms and conditions of employment will not interfere with the minor's health, well-being or schooling.

Reference: Iowa Code § 92.8A

By signing the Hazardous Work Activity Parent Permission Form, I

_____ (Parent/Guardian name)

acknowledge the following:

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

STUDENT LEARNER

- In the event of illness or emergency, I will promptly notify my business supervisor when applicable about the absence.
- I will adhere to all rules and regulations of the worksite location.
- I will complete all scheduled projects. When needed, the business supervisor will provide me with additional or necessary information, and I understand I can request additional direction from the supervisor at any time.

PARENT/GUARDIAN

- I understand that my student chose to participate in this work-based learning program and that I permitted my student to do so.
- I acknowledge that there may be certain unpredictable risks associated with participation in the work-related program at work sites. I understand that this business partnering worksites are not under the control of any school. I understand that my student may encounter threats to the safety of his/her property and his/herself which may result in damage, bodily injury, and/or death. I understand that Iowa worker's compensation law will apply for on-the-job injuries. I am willing to assume all the risks of, and take full responsibility for, the student's participation in the program and other occurrences incident thereto.
- If my student is injured while at a job site, it is understood that my own insurance will be used as necessary coverage for any medical purposes.

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- The business has the right to withdraw my student from the program under the following conditions:
    - My student's attendance or performance are unsatisfactory.

I have read this entire document, including the provision applicable to the student. I understand the terms of this agreement and had the opportunity to request additional clarification prior to signing this agreement.

I understand that I may contact legal counsel in regard to this document, and no entity or other party is providing legal advice as to the provision of this document. My signature reflects my knowing and voluntary permission and release for my student to participate in the program.

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Student:

Printed Name	*Signature*	*Date*

Parent or Guardian:

Printed Name	*Signature*	*Date*

Employer:

Printed Name	*Signature*	*Date*

High School:

Printed Name	*Signature*	*Date*

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Submit forms to the following email addresses:

Iowa Workforce Development

Email: Kathy.leggett@iwd.iowa.gov

Phone: 515-204-1378

Equal opportunity employer/program. Accommodations are available upon request: workforce.iowa.gov/accessibility