



Arts, Audio/Visual Technology & Communications Wisconsin Youth Apprenticeship (YA) Information Sheet

The competencies found in the Arts, Audio/Visual (A/V) Technology, and Communications Skills Checklist are aligned with the National States' Career Clusters standards for the Arts, A/V Technology, and Communications. They have also been reviewed by the Department of Workforce Development for WI Child Labor Laws.

Child Labor Laws:

The Student Learner Exception -

1. A "student learner" is a student of an accredited school who is employed on a part-time basis to obtain both scholastic credit and employment training under a bona fide written school-work training program agreement. Youth Apprenticeship students are "student learners."
 - ◆ A student learner is permitted to do **certain work** that is otherwise prohibited if the student learner is performing service within a bona fide school-work training program.
 - ◆ A school-work training program must be:
 - sponsored by an accredited school
 - authorized and approved by the following:
 - ✓ state department of public instruction,
 - ✓ technical college system board, or
 - ✓ DWD's youth apprenticeship program.
2. The work of a student learner in an occupation otherwise prohibited must be **incidental** to the student learner's training (5% or less of the total work hours) and must be **intermittent** and only for short periods of time (not a regular part of the job).
3. Moreover, when undertaking otherwise prohibited work allowed under this exception, the student learner must be under **direct and close supervision** of a qualified and experienced person. See *Wis. Admin. Code § DWD 270.14(3)*.

A. **The student learner exception applies to the following occupations. Except as indicated below, minors (including student learners) may not work in these occupations:**

ya.wi.gov

Developed in conjunction with DWD's Equal Rights Division/Bureau of Labor Standards, Unemployment Insurance Division, and Worker's Compensation Division

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- ▶ **Paper Product Machines** (See Wis. Admin. Code § 270.12(22)) –
 - All students (including student learners) are prohibited from the operating or assisting to operate the following power-driven paper products machines:
 - ✓ Arm type wire stitcher or stapler
 - ✓ Circular or band saw
 - ✓ Corner cutter or mitering machine
 - ✓ Corrugating and single or double facing machine
 - ✓ Envelope die cutting press
 - ✓ Guillotine paper cutter or shear
 - ✓ Horizontal bar scorer
 - ✓ Laminating or combining machine
 - ✓ Sheeting machine
 - ✓ Scrap paper baler
 - ✓ Vertical slotter
 - ✓ Machines involving hand feeding
 - ✓ Platen die cutting press
 - ✓ Platen printing press
 - ✓ Punch press
 - ✓ Occupation of setting up, adjusting, repairing, oiling or cleaning these machines.
 - NOTE: Setting up, adjusting, repairing and cleaning is allowable provided the tasks are completed electronically OR in a manner so that the youth is not accessing sharp or moveable parts.
 - Students age 16 and 17 may operate a die cutting press, platen printing press and punch press machine equipped with automatic feed and ejection and with a fixed barrier to prevent hands or fingers of the operator from entering the area between the dies; power presses; and plate punches.
 - Students age 16 and 17 may load materials into a scrap paper baler or paper box compactor IF:
 - ✓ Baler or compactor meets American National Standards Institute (ANSI) standards
 - ✓ Baler or compactor on-off switch is controlled by an adult
 - ✓ On-off switch is OFF when machine is not in use
 - ✓ A warning sign is posted according to Wis. Admin. Code § DWD 270.12(22)(c)4.
 - Student learners may perform otherwise prohibited work if it is done on an incidental and intermittent basis.
- ▶ **Saws and Guillotine Shears** (See Wis. Admin. Code § DWD 270.12(25))-
 - Students may operate or assist on these types of machines only if they are equipped with automatic feed and ejection. All other types are considered hazardous.

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- ✓ Note: Setting up, adjusting, repairing, or cleaning is allowable provided the tasks are completed electronically OR in a manner such that the youth is not accessing sharp or moveable parts.
 - Student learners may perform otherwise prohibited work if it is done on an incidental and intermittent basis.
- B. The student learner exception does not apply to the following occupations. It is important to note that while the broad categories of occupations are prohibited, there are some exceptions to those prohibitions, indicated below. Minors, including student learners, may perform work that is within the exception indicated.**
- ♦ **Hoists and Hoisting Apparatus** (*See Wis. Admin. Code § 270.12(12)*) –
 - All students (including student learners) who are 16 and 17 years old are allowed to operate an elevator, crane, derrick, hoist or high-lift truck (including hoists commonly used on tow trucks and other hoists), **only if** the device is an air operated hoist not exceeding one-ton capacity. *All other types are considered hazardous, even to student learners.*
 - All students (including student learners) may perform work that involves riding on a man lift or on a freight elevator **only if** the freight elevator operated by an assigned operator.
 - All students (including student learners) under age 18 may operate an "automatic elevator" and an "automatic signal operation elevator" under certain conditions. (See to Wis. Admin. Code § DWD 270.12(12)(c) 2. & 3.).
 - Forklift Operation- **Prohibited** for student learners to use for lifting. Permitted for moving materials if raised less than 4 inches off the floor (essentially, not used as a lift).

Unemployment Compensation (UC):

- ♦ If a youth apprentice is enrolled full-time in a public educational institution and receives school credit for their participation in the Youth Apprenticeship Program, they are not eligible to file for unemployment compensation from the youth apprenticeship employer. Youth Apprenticeship students who do not meet these criteria may be eligible for unemployment compensation benefits.
- ♦ For additional information on Unemployment eligibility, please view the web sites listed below.
 - WI Unemployment Insurance Handbook for employers at:
<http://dwd.wisconsin.gov/ui201/>
 - Employer Assistance at:
<http://dwd.wisconsin.gov/ui201/phone201.htm>

Worker's Compensation:

- ♦ Most Wisconsin employers are subject to the Worker's Compensation Act, including the requirement to obtain worker's compensation insurance. This also pertains to employers of student learners.

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- ▶ Under the Worker's Compensation Act, employers must carry worker's compensation insurance if any of the following applies:
 - Three or more full-time or part-time employees are employed. An employer must have insurance immediately upon employing a third person.
 - One or more full-time or part-time employees are employed, whom an employer has paid a combined gross wages of \$500 or more in any calendar quarter for work done at one or more locations in Wisconsin. An employer must have insurance by the 10th day of the first month of the next calendar quarter.
 - If you are a farmer who employs 6 or more workers on the same day for any 20 days during the calendar year. An employer (farmer) in this situation must have insurance by the 10th day after the 20th day of employment. A calendar year is January through December. Some relatives of an employing farmer may not count as employees. (For detail, see DWD Worker's Compensation Division's publication on Farming & Worker's Compensation in Wisconsin at http://www.dwd.wisconsin.gov/dwd/publications/wc/WKC_10447_P.pdf.)

- ▶ For more information about Wisconsin Worker's Compensation insurance requirements, view the website resources listed below.

Wisconsin Compensation Insurance Requirements

http://dwd.wisconsin.gov/dwd/publications/wc/WKC_13328_P.pdf

Worker's Compensation Requirement Q&A

http://dwd.wisconsin.gov/dwd/publications/wc/WKC_13330_P.pdf