



# Science, Technology, Engineering, & Math Wisconsin Youth Apprenticeship (YA) Information Sheet

The competencies found in the Science, Technology, Engineering, & Math (STEM) Skills Checklist are aligned with the National States' Career Clusters standards for STEM. They have also been reviewed by the Department of Workforce Development for Child Labor Law compliance. Students must comply with all employer proprietary and confidential information expectations and policies.

## 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](http://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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- ▶ **Infectious Agents** (See Wis. Admin. Code § 270.12(13)) –
    - All students (including student learners) are prohibited from working with infectious materials introduced purposely to be studied.
      - ✓ "Studied" does NOT include testing completed in medical settings using standard precautions where blood, urine, and other bodily fluids are tested diagnostically.
    - Student learners may perform otherwise prohibited work if it is done on an incidental and intermittent basis.
  - ▶ **Metal-Forming, Punching, and Shearing Power-Driven Machines** (See Wis. Admin. Code § DWD 270.12(19)) -
    - All students (including student learners) may operate or assist on pressing or punching machines such as punch presses only if the machines are equipped with automatic feed and ejection, as well as fixed barrier guards to prevent hands or fingers from entering the area between the dies, power presses, and plate punches. All other types are considered hazardous.
    - 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.
    - Student learners may perform otherwise prohibited work if it is done on an incidental and intermittent basis.
  - ▶ **Woodworking Power-driven Machines** (See Wis. Admin. Code § DWD 270.12(27)) -
    - Minors may operate power-driven woodworking machines only if placing of material on a moving chain or in a hopper or slide for automatic feeding. All other types are considered hazardous.
    - "Power-driven woodworking machines" means all fixed or portable machines or tools driven by power and used or designed for cutting, shaping, forming, surfacing, nailing, stapling, wire stitching, fastening, or otherwise assembling, pressing, or printing wood or veneer.
    - 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.**
- ▶ **Motor Vehicles** (Wis. Admin. Code § DWD 270.12(21)) -

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A minor, **age 17 or older**, may operate a motor vehicle as a part of employment **only if**:

- the vehicle does not exceed 6,000 pounds gross weight;
- driving is done during daylight hours only;
- the driving amounts to no more than 20% of the work week or 1/3 of the work day;
- the student has attended drivers' education training and holds a valid driver's license;
- the driving takes place within a 30-mile radius of the minor's place of employment;
- the minor has no record of any moving violations at the time of hire; and
- the driving does not involve: towing of vehicles, route deliveries or sales, transportation for hire, urgent time-sensitive deliveries, transporting more than 3 passengers who are employees of employer at one time.

### ♦ **X-Rays, Radioactive Substances, and Ionizing Radiation** (See Wis. Admin. Code § DWD 270.12(23))-

- All students are prohibited from workrooms with exposure to ionizing radiation.
  - ✓ The student learner exception does NOT allow YA students to work in such workrooms.
- YA students may work in places with radioactive substances provided:
  - ✓ Radioactive substances present in the air average less than 10% of maximum permissible for occupational exposure.
  - ✓ The exposure is less than 0.5 rem per year.
  - ✓ The substances are NOT mixtures of phosphorescent material and radium, mesothorium, or other material, OR incandescent mantles made from fabric and thorium salt solutions.

## 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](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](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](http://dwd.wisconsin.gov/dwd/publications/wc/WKC_13330_P.pdf)