

# Legal Guide to Labor Laws and Safety

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## WORK-BASED LEARNING PROGRAMS

### Work-based learning - what is it?

A work-based learning program focuses on providing students with experiences at a worksite based on career and educational plans that connect the work-place to school-based learning.

### Keys to a successful work-based learning program:

- Registered with State Education Department
- Certified work-based learning coordinator to operate the program

### Why is this important?

- Different work-based learning programs are available to all students ages 14+
- Program must follow the Federal and New York State labor laws to protect the students (most students involved are minors—under the age of 18)



Students at their work-based learning work sites.

## EVERYBODY WINS WITH WORK-BASED LEARNING!!

### School District

- In compliance with NYS Education Department regulations
- Community awareness and prestige
- Improved district graduation rate
- Improved district academic achievement scores

### Employers

- In compliance with federal and state laws for employing minors
- Students may train in more occupations and work longer daily hours
- Students prepared for the training position
- Employers provided with necessary legal documents before training starts

### Students

- Credit granted for work-based learning experience
- Pre-employment instruction is provided prior to training
- Student is workforce ready upon successful completion of the program
- Students is knowledgeable about their rights
- Work-based learning experience is a "door opener to college or further employment"

### Parents

- Coordinator provides safe and legal environment for child to train
- Child may achieve a national certification
- Many career options open for the child
- Child's maturation process increased

### Coordinator

- Knowledgeable about careers, employment skills, forms, placement techniques, safety training, state and federal labor laws, prohibitive occupations, and students evaluations.
- Personal liability protection.
- Appropriate time to recruit, instruct, place and supervise students

**SELF CHECK****Ask Yourself the Following Questions:**

1. *What are the criteria for a NYS approved program?*
2. *Who needs an employment certificate/permit?*
3. *What types of employment certificates/permits are available?*
4. *Where does a student go to obtain an employment certificate/permit?*
5. *What paperwork needs to be completed to obtain an employment certificate/permit?*

## CRITERIA FOR NYS STATE APPROVED WORK-BASED LEARNING PROGRAMS

1. The Board of Education has acted on the inclusion of cooperative career and technical education experience as a program offering.
2. Students will be employed under State and Federal Labor Laws and Regulations.
3. A written training agreement is in effect between cooperating businesses and the education agency.
4. A training plan is used for each participating student.
5. Health and safety instruction, appropriate for the job, is provided before employment and arranged to continue on the job.
6. In-school related occupational instruction (as well as required academic instruction) is provided for all participating students.
7. All student participants are meeting or have met academic requirements for graduation from high school.
8. Credit will be awarded in relation to competencies being satisfactorily achieved on the basis of 150 hours being equal to one-half unit of credit; 300 hours, one unit of credit; a maximum of 600 hours for two units of credit.
- 9a. The program is conducted by a teacher/coordinator certified in a single occupational subject area.
- 9b. The program is conducted by a diversified coordinator certified for more than one occupational subject area.

## EMPLOYMENT CERTIFICATES

**Employment Certificates and Permits:**

- Required for minors under 18 before they may begin to work
- Included in this group are high school graduates, minors who work for their parents, and minors who do industrial homework (manufacturing)

**Types of Certificates:**

1. A Student Non-Factory Employment Certificate (AT-18, blue paper) - Issued to 14 and 15 year olds, work in any trade, business or service—NOT work in a factory or use dangerous materials/chemicals
2. A Student General Employment Certificate (AT-19, green paper) - Issued to 16 or 17 year olds, must be attending school, work in a factory or any other trade, business or service, NOT valid for hazardous jobs
3. A Full-Time Employment Certificate (AT-20, salmon paper) - Issued to 16 or 17 year olds not attending school, work in factory or any trade, business or service, CANNOT work in hazardous jobs

**Permits:**

- Farm Work Permits
- Newspaper Carrier Permits
- Street Trade Permits
- Child Model Permits

**Who keeps the certificates?**

The Employer must keep the following certificates as long as the minor is employed:

- Student Non-Factory
- Student General
- Full-Time Employment

**Employment certificates/permits can be obtained from:**

- The school the minor attends
- The Superintendent of schools in that area.

**The paperwork required includes:**

1. Written permission from a parent to work
2. Proof of age
3. Certificate of physical fitness

**\*\*Please Note:** There are exceptions to the Employment Certificate requirements. For more information visit the New York State Department of Labor at:

<http://www.labor.state.ny.us/workerprotection/laborstandards/workprot/certperm.shtml>

# NYS HOURS AND DAYS OF EMPLOYMENT

## Permitted working hours provisions of the New York State Labor Laws Relating to minors age 16 to 17

### SELF CHECK

#### Ask Yourself the Following Questions:

1. *What hours is a student allowed to work while school is in session?*
2. *What hours is a student allowed to work while school is not in session?*
3. *What is the difference in the hours a student is allowed to work if the student is enrolled in a state approved work-based learning program?*
4. *Under what circumstances would a parent permission or consent form need to be completed?*
5. *What is the difference between Workers Compensation and Disability Insurance?*

All students who participate in paid or non-paid work-based learning programs must be covered by a workers' compensation policy during the time of career exploration or development. The coverage is usually provided by the employer.

See  
[http://www.nysweca.org/workers\\_compensation.htm](http://www.nysweca.org/workers_compensation.htm)

#### When School is in Session

##### Industry/Occupation:

- All occupations except farm work, newspaper carrier and street trades

##### Maximum Daily Hours:

- 4 hours on days preceding school days (Monday through Thursday)
- 8 hours on Friday, Saturday, Sunday and Holidays

##### Other Maximums:

- 28 hours per week
- 6 days per week

##### Permitted Hours:

- 6 a.m. to 10 p.m.
- Students may work until midnight with:
  - Parental and Educational Authority consent on a day preceding a school day
  - Parental consent on a day preceding a non-school day

#### PARENT PERMISSION FORM

may be obtained at:  
<http://www.labor.state.ny.us/formdocs/wp/LS650.pdf>

#### When School is Not in Session

##### Industry/Occupation:

- All occupations except farm work, newspaper carrier and street trades

##### Maximum Daily Hours:

- 8 hours

##### Other Maximums:

- 48 hours per week
- 6 days per week

##### Permitted Hours:

- 6 a.m. to midnight



*Know what the hours of employment are for minors.*

For more information on New York State permitted working hours for minors, please visit the New York State Department of Labor at:  
<http://www.labor.state.ny.us/workerprotection/laborstandards/workprot/minors.shtm>

#### Worker's Compensation:

- Provides cash benefits and medical care for workers who become disabled because of an injury or sickness related to their job.
- Medical expenses covered
- Paid for by the employer

NOTE: Individuals performing repetitive tasks, paid or non-paid, must be covered by the employer's workers compensation policy.

## WORKER'S COMPENSATION AND DISABILITY INSURANCE

#### Disability Insurance:

- Temporary cash benefits to eligible wage earners disabled by injury or sickness that is not work-related.
- Medical expenses not covered
- Paid only while disabled and unable to work
- Paid by the employee .
- Note: Minors cannot collect NYS Disability. Deductions should not be made until the age of 18.



*Know how you are protected from injury or illness, on or off*

# ILLEGAL EMPLOYMENT - YOU GIVE UP ALL YOUR EMPLOYMENT RIGHTS!

## Your Gain?

- More pay.
- Less paper work?
- Less hassle?

**IS IT REALLY WORTH  
GIVING UP ALL YOUR  
EMPLOYMENT  
RIGHTS FOR A  
LITTLE EXTRA  
MONEY?**

## Your Loss!

- No worker's compensation.
- No overtime.
- No recommendations for future employment or loans.
- No FICA/retirement.
- Avoiding the IRS.



**You will not receive workers compensation if you are an illegal employee!**

Working “under the table” or “off the books” is not only bad for the employee and economy, **IT IS ILLEGAL!!!!**

## **MINIMUM WAGE LAW -** NEW YORK STATE MINIMUM WAGE **\$8.00 PER HOUR**

**\$8.75 on December 31, 2014**

**\$9.00 on December 31, 2015**

### Overtime

For most occupations employees must be paid overtime after 40 hours of work in one week at 1 1/2 times their hourly rate of pay.

### Tips

A specified allowance may be credited toward the minimum wage for tips earned.

The current minimum wage in New York is \$7.25 per hour, which is the federal minimum wage. However, the NYS Legislature has passed legislation which will increase the minimum wage

### Meals and Lodging

A specific credit may be granted toward the minimum wage for meals and/or lodging provided by the employer.

### Federal Law

Any increase in the federal minimum wage above New York State's rate will result in an increase in the State's minimum wage.

### Federal Minimum Wage:

**\$7.25 per hour  
effective 07/24/07)**

### **For additional information or to file a complaint:**

Department of Labor  
Division of Labor Standards  
The Gov. W. Averell Farriman  
State Office Building Campus  
Albany, NY 12240  
(518) 457-2730

## **SELF CHECK**

### ***Ask Yourself the Following Questions:***

- 1. Will you receive Worker's Compensation if you are an illegal employee?*
- 2. Can your boss write you a letter of recommendation for a future job if you are an illegal employee?*
- 3. What is New York State's current minimum wage rate per hour?*
- 4. Who can you contact with further questions or concerns about minimum wage?*





**HARD HAT  
AREA**

Students are not allowed to be employed at certain hazardous occupations

### **SELF CHECK**

***Ask Yourself the  
Following Questions:***

1. *How old must a person be to work in a hazardous occupation?*
2. *Is our work experience program registered with New York State Department of Education?*
3. *Are there exceptions to these rules for our work experience students?*

**A work-based learning program registered with the state education department provide exceptions to these rules for student learners!!!**

## **LABOR LAWS AND WBL PROGRAMS**

**NO ONE UNDER 18 MAY BE EMPLOYED IN OR ASSIST IN THE BELOW HAZARDOUS OCCUPATIONS UNLESS THEY ARE ENROLLED IN A STATE APPROVED WORK-BASED LEARNING PROGRAM AS A STUDENT LEARNER.**

<b>Hazardous Occupations</b>	<b>Impacted in which Cooperative Work Experience students are currently employed</b>
Any occupation at construction work, including wrecking, demolition, roofing, or excavating operation and the painting or exterior cleaning of a building structure and elevated surface	<ul style="list-style-type: none"> <li>• Carpentry</li> <li>• Plumbing</li> <li>• Electricity</li> <li>• HVAC</li> <li>• Welding</li> </ul>
Any occupation involved in the operation of circular saws, band saws, and guillotine shears	<ul style="list-style-type: none"> <li>• Carpentry</li> <li>• Plumbing</li> <li>• Trade Electric</li> <li>• Small Engine Repair</li> <li>• Agriculture</li> </ul>
Any occupation involved in or about a slaughter and meat-packaging establishment	<ul style="list-style-type: none"> <li>• Culinary</li> <li>• Food Service</li> </ul>
Any occupation involved in the operation of power-driven woodworking, metal-forming, metal-punching, metal-shearing, bakery and paper products machines	<ul style="list-style-type: none"> <li>• Manufacturing</li> <li>• Welding</li> <li>• HVAC</li> <li>• Baking</li> <li>• Printing/Graphic Technology</li> <li>• Cabinet Making</li> <li>• Air Frame Mechanics</li> <li>• Motor Cycle Technician</li> </ul>
Any occupations involved in the operation of power-driven hoisting apparatus	<ul style="list-style-type: none"> <li>• Automotive</li> <li>• Marine Service Technician</li> </ul>
Any occupation involving exposure to radioactive substances or ionizing radiation, or exposure to silica or other harmful dust	<ul style="list-style-type: none"> <li>• Auto Body repair</li> <li>• Health Care</li> </ul>
Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill	<ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Carpentry</li> </ul>
Operating or using any emery, Tripoli, rouge, corundum stone, stone, silicon carbide, or any abrasive, or emery polishing or buffing wheel where articles or the baser metals or iridium are manufactured	<ul style="list-style-type: none"> <li>• Air Frame Mechanic</li> <li>• Manufacturing</li> <li>• Auto Body</li> <li>• Auto After-Market Accessory Installation</li> <li>• Welding</li> </ul>



**A “STUDENT LEARNER” - IS AN INDIVIDUAL WHO IS STUDENT LEARNER OR APPRENTICE IN AN OCCUPATION UNDER THE SUPERVISION AND GUIDANCE OF THE WORK EXPERIENCE COORDINATOR AND THE EMPLOYER.**

There are 7 out of the 18 hazardous occupations that student learners may be employed in:

HO# 5 - Power driven wood working machines.

HO# 8 - Power driven metal-forming, punching, and shearing machines.

HO# 10 - Meat packing or processing (including the use of power driven meat slicing machines.

HO# 12 - Power driven paper product machines.

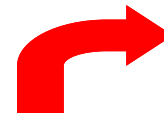
HO# 14 - Power driven circular saws, band saws, guillotine shears.

HO# 16 - Roofing operation.

HO# 17 - Excavation operations.



Sandy is working carefully at a construction company.



### Memorandum of Agreement

1. The student learner shall be given the opportunity to progress through the various phases of work as prescribed by the employer.
2. Special safety instruction will be provided to the student trainee by the employer when assigned to work with hazardous equipment or in hazardous areas.
3. The employee's designated supervisor shall evaluate the trainee during the school year.
4. Organized instruction in safety, occupational and technical theory and other information correlated with the employment training shall be provided by the school. The certified coordinator of this program shall be available for consultation with the employer.
5. The student shall begin employment at no less than the prevailing minimum wage and the program will comply with all state, federal, and local labor laws.
6. The cooperating employer agrees that the student will be accepted and assigned jobs and otherwise treated without regard to age, color, religion, creed, disability, marital status, national origin, race, gender, or sexual orientation.
7. The Work-based Learning Programs at this school are registered with the New York State Education Department, Division of Occupational Education.

### SELF CHECK

*Ask Yourself the Following Questions:*

1. Who should be supervising the student while training? The coordinator or the employer?
2. How many of the Hazardous Occupations can “student learners” be employed in?
3. Who needs to agree to the Memorandum or Agreement?

These are the specific work experience arrangements that have been made and will serve as the operating procedure for this work experience program. All students, coordinators, employers and parents must agree to all of these terms.



Bobby works with a local mason company.



*"18 Under 18"*

18 Occupations are considered hazardous and are "off limits" to minors

### **SELF CHECK**

***Ask Yourself the Following Questions:***

1. *Which laws do you follow, Federal or New York State?*
2. *What age must a person be for the hazardous occupation limitations to apply?*
3. *What are some of the hazardous occupations that minors are not allowed to be employed in?*

## U.S. DEPARTMENT OF LABOR HAZARDOUS OCCUPATIONS *"18 UNDER 18"*

### **HAZARDOUS OCCUPATION LIMITATIONS**

The 18 hazardous occupations in which minors under 18 year of age may **NOT** be employed are: (\*Please note: HO = Hazardous Occupation)

- HO 1      Manufacturing and Storing Explosives
- HO 2      Motor Vehicle Driving and Outside Helper
- HO 3      Coal Mining
- HO 4      Logging and Sawmilling
- HO 5\*     Power-Driven Woodworking Machines
- HO 6      Exposure to Radioactive Substances
- HO 7      Use of Power-Driven Hoisting Apparatus
- HO 8\*     Power-Driven Metal-Forming, Punching and Shearing Machines
- HO 9      Mining, Other than Coal
- HO 10\*    Slaughtering or Meat Packing, Processing, or Rendering
- HO 11     Power-Driven Bakery Machines
- HO 12\*    Power-Driven Paper-Product Machines
- HO 13     Manufacturing Brick, Tile, and Kindred Products
- HO 14\*    Power-Driven Circular Saws, Band Saws, and Guillotine Shears
- HO 15     Wrecking, Demolition, and Ship-Breaking Operations
- HO 16\*    Roofing Operations
- HO 17\*    Excavation Operations
- HO 18     Messenger Service

See exemptions on next page.

## U.S. DEPARTMENT OF LABOR HAZARDOUS OCCUPATIONS—EXEMPTIONS FOR STUDENTS ENROLLED IN REGISTERED PROGRAMS

### Hazardous Occupation Exemption Qualifications/Conditions

Child labor laws allow involvement in some potentially hazardous occupations if the individual is:

- **INDIVIDUAL IS AT LEAST 16 YEARS OF AGE**
- **INDIVIDUAL IS A STUDENT LEARNER OR APPRENTICE**
- **And ALL of the following conditions are properly met:**
  - ✓ Enrolled in a state recognized course, e.g. CO-OP program or BAT registered apprenticeship program,
  - ✓ Hazardous portion of work is *incidental* to training,
  - ✓ Hazardous portion of work is *intermittent* and for short periods of time,
  - ✓ Work is performed under *direct* and *close* supervision of qualified person. ,
  - ✓ Safety instructions are given by the school and employer,
  - ✓ Individual is employed under a *written* Memorandum of Agreement, and
  - ✓ A written Training Plan is developed by the employer and educator.



Know the Exemptions to Hazardous Occupations

### SELF CHECK

#### Ask Yourself the Following Questions:

1. *What are the conditions or qualifications that allow student to be involved in a hazardous occupation?*
2. *What are the 7 hazardous occupation orders with exemptions for minors in training?*
3. *What are some typical training positions for student learners within the 7 hazardous occupations with exemptions?*

### Seven Hazardous Occupation Orders with Exemptions for Minors in Training

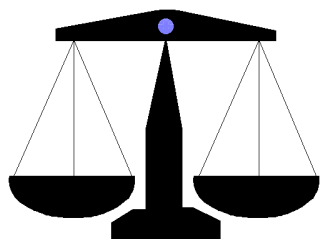
Sixteen and seventeen-year-old apprentices and student-learners may be exempt from the following, under the Federal child labor provisions for Non-Agricultural Occupations.

HO#	Exemptions to Prohibited Occupations	Typical Training Positions for Student-Learner
HO 5	Work using power-driven woodworking machines, including the use of saws on construction sites.	Assembly Position-putting merchandise together using a screwdriver for displays/sales.
HO 8	Work using power-driven metal forming, punching, and shearing machines. <i>Even without the exemption</i> – HO 8 permits the use of a large group of machine tools used on metal, including lathes, turning machines, milling machines, grinding, boring machines and planning machines.	Service Position-creating keys for customers using a planning function machine (key master machine tool.)
HO 10	Work involving slaughtering or meatpacking, processing, or rendering including the operation of power-driven meat slicers in retail stores.	Order Filler-selects and prepares products for shipment.
HO 12	Work using power-driven paper-products machines, including the operation and loading of paper balers in grocery stores.	Office Assistant-using paper cutter to crop paper in half.
HO 14	Work involving the use of circular saws, band saws and guillotine shears.	Operator/Helper-may operate/help on a circular saw when the saw is equipped with devices for full automatic feeding and ejection and with a fixed guard which prevents the operator/helper placing any parts of his body in the point-of-operation area.
HO 16	All work in roofing operations.	Ground Worker-may assist in operations that are not done on roofs, such as, gutter work.
HO 17	All work in excavating operations, including work in a trench as a plumber.	Excavating Manual Worker-manually excavating or backfilling trenches that do not exceed 4 ft. in depth at any point.



**SELF CHECK****Ask Yourself the Following Questions:**

1. *If the state and federal laws are different, which do is followed?*
2. *For which occupations does a student need to meet exempting qualifications?*



*State vs. Federal Law*

**Which has more weight? Whichever is most restrictive.**

**Which law do we follow, Federal or State? The rule is to follow the more restrictive law.**

- ✓ If both the Federal and State law states "NO," then your student is **not** allowed to train in this area.
- ✓ If either the Federal or State law states "NO," you follow the more restrictive law; therefore your student is **not** allowed to train in this area.
- ✓ If both the Federal or State law states "YES," then your student is **allowed** to train in this area.

## Comparison of State and Federal Child Labor Laws

### Similar New York State and Federal Laws

#### For Prohibitive Occupations

Law	State	Federal
1	Work in manufacturing, packing, or storing of explosives, or in the use or delivery of explosives.	In or about plants manufacturing or storing explosives or articles containing explosive components.
2	As a helper on a motor vehicle	Motor vehicle driver and outside helper.
4	Logging occupations and occupations in the operation of any saw mill, lath mill, shingle mill, or cooperage-stock mill.	Logging and/or in the operation of any sawmill, lath mill, shingle mill, or cooperage stock mill.
5 <i>Exemptions Qualifications</i>	Any occupation involved in the operation of power-driven wood-working, metal-forming, metal-punching, metal-shearing, bakery and paper products machines.	Involved in the operation of power-driven woodworking machines.
6	Any occupation involving exposure to radioactive substances or ionizing radiation, or exposure to silica or other harmful dust.	Involving exposure to radioactive substances and to ionizing radiation.
7	Any occupation involved in the operation of power-driven hoisting apparatus. The care or operation of a freight or passenger elevator, except that minors over 16 may operate automatic, push-button control elevators	Involved in the operation of elevators and other power-driven hoisting apparatus. (However, minors 16 and 17 years old are permitted to operate and ride on automatic enclosed elevators.)
8 <i>Exemptions Qualifications</i>	Operating or using any emery, tripoli, rouge, corundum, stone, silicon carbide, or any abrasive, or emery polishing or buffing wheel, where articles of the baser metals or iridium are manufactured,	Involved in the operation of power-driven metal-forming, punching and shearing machines.
9	Any occupation in or in connection with a mine or quarry.	In connection with mining, other than coal.
10 <i>Exemptions Qualifications</i>	Any occupation in or about a slaughter and meat-packing establishment, or rendering plant. Adjusting belts to machinery or cleaning, oiling, or wiping machinery.	In or about slaughtering, meatpacking, rendering or involving the operation, setting up, adjusting, cleaning, oiling, wiping, or repairing of a meat slicer.
13	Any occupation involved in the manufacture of brick, tile, and kindred products.	Involved in the manufacture of rick, tile, and kindred products.
14 <i>Exemptions Qualifications</i>	Any occupation involved in the operation of circular saws, band saws, and guillotine shears.	Involving the operation of power-driven circular saws, band saws, and guillotine
15	Any occupation at construction work, including wrecking, demolition, roofing, or excavating operation and the painting or exterior cleaning of a building structure from an elevated surface.	Involving wrecking, demolition, and ship breaking operations.

# GENERAL SAFETY TRAINING

## Teens

Be aware that you have the right to work in a safe and healthful environment.

Participate in training programs at work.

Let your supervisor know when you're doing a task for the first time. Ask for guidance in performing the task safely.

If you are under the age of 18, no supervisor should ask you to do certain hazardous jobs, such as:

- Driving a car or riding in the back of an open truck
- Using a power-driven meat slicer or baker machine
- Using a power-driven woodworking machine, circular saw, or band saw
- Roofing or excavation operations



## SAFETY ORIENTATION CHECKLIST FOR SUPERVISORS OF TEENAGE WORKERS

### OFFICE SAFETY

File cabinets  
Electronic cords  
Paper shredders  
Over-loaded desks or counters  
Slippery floors  
Portable heaters

### RETAIL SAFETY

Merchandise on floors or in aisles  
Knives or cutting tools  
Compactors  
Freight elevators  
Stock/boxes improperly stacked  
Wet floors

### RESTAURANT SAFETY

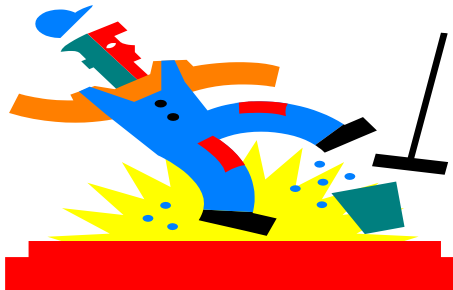
Heating tools/equipment  
Greasy or wet floors  
Garbage pails  
Knives, slicers  
Hot oils; fryers  
Misplaced chairs  
Stairs, doors

### WAREHOUSE/MECHANICAL SAFETY

Power tools  
Forklifts  
Head, eye, feet, and ear protection  
Refuse collectors, compactors  
Truck lifts  
Cutting tools  
Chemicals

### HEALTH SAFETY

Diseases  
Chemicals  
Sharp objects  
Wet floors  
Misplaced furniture  
Lifting and moving



## SELF CHECK

### Ask Yourself the Following Questions:

1. What jobs should a supervisor not ask a person under 18 to do?
2. What could a minor do to ensure that they are safe on the job?
3. In what areas should a minor be safety trained in the following jobs: office, restaurant, health, retail, and warehouse?

### **SELF CHECK**

#### ***Ask Yourself the Following Questions:***

- 1. What types of protective clothing and equipment should a minor be familiar with and wear on the job?*
- 2. Who should be contacted if there is an accident, injury or safety concern?*
- 3. What physical demands should be considered on the job?*
- 4. In case of an emergency, where are the exits and escape routes, and where are emergency supplies located?*

## **SPECIFIC SAFETY TRAINING**

### **Protective Clothing and Equipment**

- If eye protection is required, make sure to use the correct safety glasses, goggles or face shield
- If gloves are needed, make sure they are the right type and size.
- Wear appropriate footwear
- Don't wear loose clothing around machinery
- Wear bright, visible, reflective clothing if working outside in the dark or in traffic areas.
- Protect skin from sun with a hat, long sleeve shirt and long pants. Use sunscreen on exposed skin.
- Know the signs of heat and cold stress and what to do
- Wear hearing protection when exposed to loud noises



### **Emergency Procedures-**

#### ***Exit and Escape Plans***

- Know the emergency escape plans for fires, floods, chemical spills, and violence incidents, etc.
- Know the location of emergency exits and how to open them.
- Learn how to use a fire extinguisher for small fires.
- Know the location of emergency eye wash stations and safety showers, if appropriate.
- Know the location of first aid kits.

### **In Case of Accident, Injury, or Safety Concern**

- Know who to notify and what to do.
- Report any injury regardless of how minor.

### **Physical Demands**

- Do not lift or carry more than a comfortable weight.
- Get help with large, heavy or bulky objects.
- To pick up objects, bend knees, keep back straight,
- use strength in legs rather than back. Keep objects
- close to the body when lifting.
- Avoid reaching above shoulders for heavy items.

# SAFETY ISSUES— SEXUAL HARASSMENT

## Definition

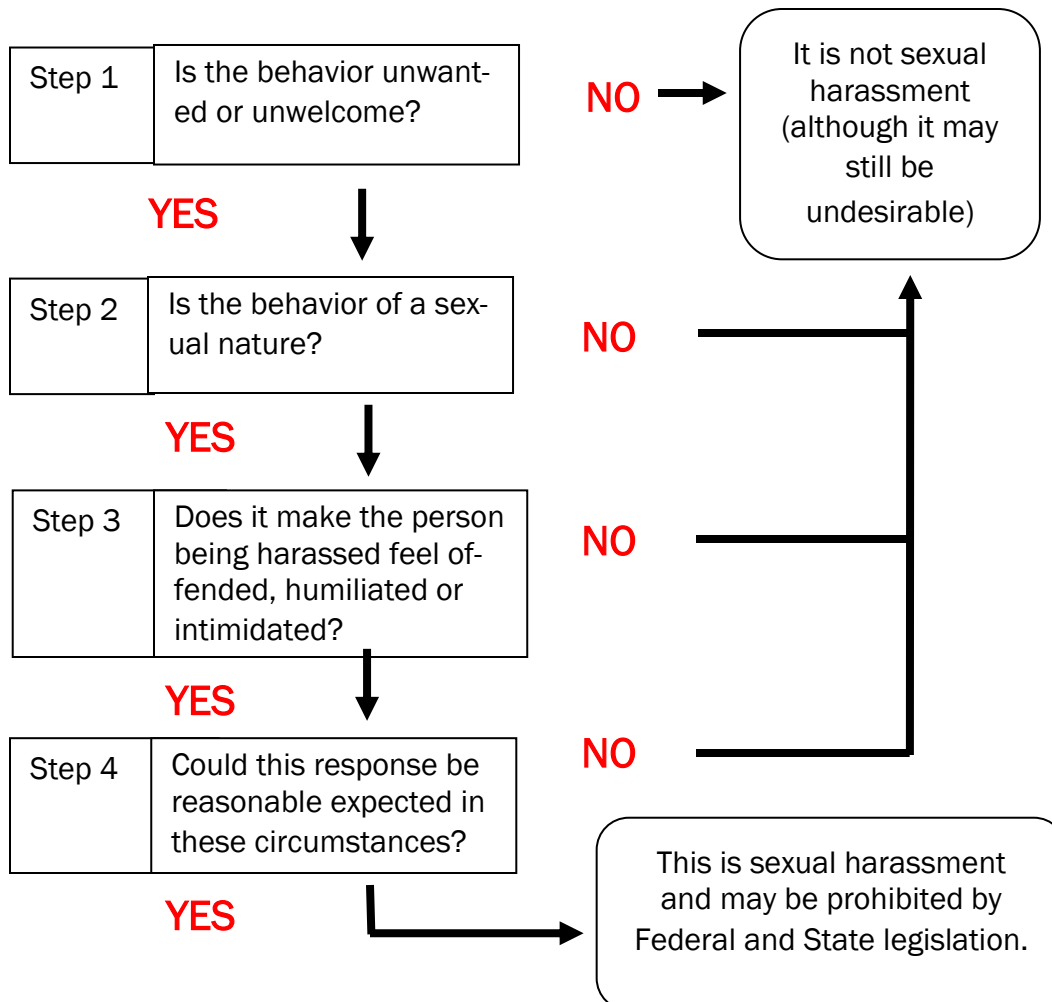
Any unwanted behavior of a sexual nature perpetrated upon one individual by another.

- Sexual harassment may be verbal, visual, written, or physical.
- Sexual harassment can occur between people of different genders or those of the same sex.



Remember, if it makes you feel uncomfortable, it is probably NOT RIGHT!

- Harassing behaviors may occur in a variety of relationships including those among peers, and those where there is an imbalance of power between two individuals.
- The law is primarily concerned with the impact of the behavior, not the intent
- Employers should **Report all incidents**



## **SELF CHECK**

*Ask Yourself the Following Questions:*

*Are the following examples of sexual harassment?*

1. *Unwanted physical contact*
2. *A hug between friends*
3. *Display of pornography*
4. *Leering*
5. *Mutual flirting*
6. *Sexual name calling*

Answers: 1. yes, 2. no, 3. yes, 4. yes, 5. no, 6. yes

## SAFETY ISSUES— VIOLENCE IN THE WORKPLACE

Violence at Work includes:

- Homicide
- Assault
- Verbal Threats
- Harassment
- Robbery
- Bomb Threats
- Irate Customers
- Shop Lifters

Violence at Work occurs when an employee is made to feel:

- Unsafe
- Threatened
- The target of violent acts

### **SELF CHECK**

***Ask Yourself the  
Following Questions:***

*True or False:*

1. *Treat the customer just as bad as they treat you.*
2. *Do not give a robber the upper hand, take him out if you can.*
3. *Calling the police will only lead to more paperwork. Do not bother.*

Answers: 1. False, 2. False, 3. False

### **To deal with an angry or irate customer:**

1. Remain clam. Try to calm the other person.
2. Find ways to help the customer “save face.”
3. Listen carefully. Put yourself in THEIR place so you can solve the problem.
4. Ask for help from a supervisor if you can’t solve the problem.
5. DO NOT LOSE **YOUR** TEMPER.

### **To prevent Robberies:**

1. Keep alert.
2. Greet everyone who enters the store.
3. Look directly into their eyes.
4. Keep money in the cash register to a minimum
5. Keep the store clean and well lit.

### **In case of Robbery**

1. Listen carefully and obey the robber.
2. DON'T BE A HERO!
3. Don't fight or use a weapon.
4. Give the robber what he wants.
5. Be observant but don't stare.
6. Call the police as soon as they leave.

### **For Shop Lifters and Bomb Threats**

1. Follow our workplace procedures.
2. Maintain order and calm.
3. Call the authorities.



If you feel victimized by your Boss or a coworker, speak with your WBL Coordinator IMMEDIATELY



# NYS DRIVING LAWS

## DEFINITIONS:

New York State Dept. of Motor Vehicles uses the term "work study" as the name for NYS approved work based learning program.

"School Course" means instruction, education or training that is licensed or approved by a state agency or department, or training conducted by the U.S. Armed Forces. The term "school course" does NOT include extracurricular activities, sports or social events for which no scholastic credits are given.

"Employment" means a place of business at which you are paid to work on a regularly scheduled basis. You may NOT drive during work or as part of your work duties, such as for deliveries.

## LI Restrictions (Nassau & Suffolk Counties) Junior License

After you have held a permit in valid status for six months you may take a road test. When you pass the road test, DMV will issue you a junior license (Class DJ or MJ).

### With your Junior License

#### You may drive:

Between the hours of **5 AM and 9 PM** you may drive without a supervising driver only **directly** between your home and:

Your employment (you must carry appropriate proof of employment), or

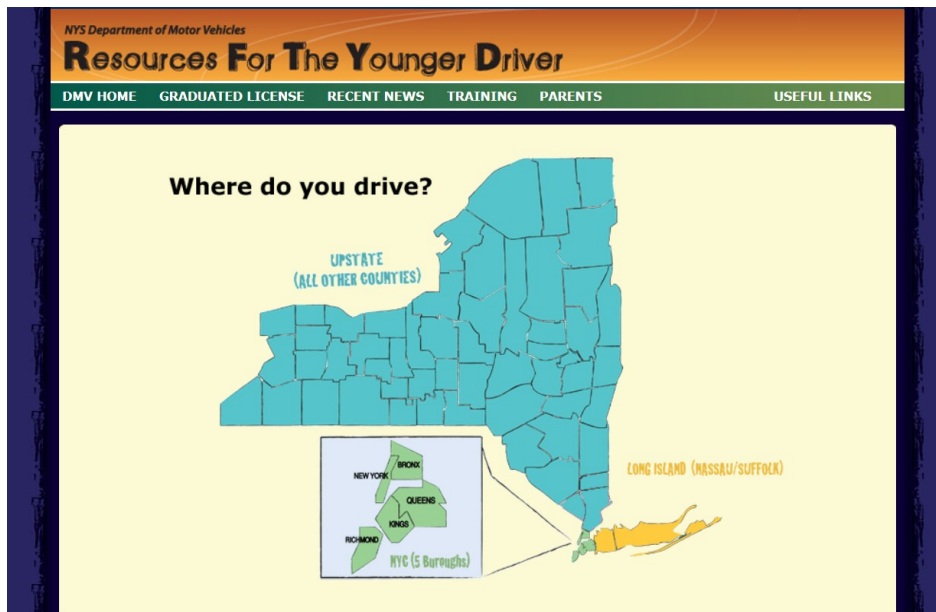
A work-study program, or a course at a college, university, or registered evening high school, or

A driver education course, or

While engaged in farm employment (you must carry appropriate proof of employment).

See <http://www.dmv.ny.gov/youngerdriver/defines.htm>

**Upstate restrictions:** See <http://www.dmv.ny.gov/youngerdriver/grad-upstate.htm>



<http://www.dmv.ny.gov/youngerdriver/map.htm>

For Educators,  
Employers,  
Students  
Parents

Ask Questions!

Turning Dreams into Reality



**CareerSmarts**

Susan Gubing  
sue@careersmarts.com

### **STATE EDUCATION CONTACTS**

Work Experience Programs  
State Education Department  
Education Building  
Albany, NY 12234  
Phone: 518-486-1547  
<http://www.p12.nysed.gov/cte/wbl/>



### **DEPARTMENT OF LABOR CONTACT**

Director of Workforce Development & Training  
NYS Department of Labor  
Stated Campus, Building 12  
Albany, NY 12240  
<http://labor.ny.gov/workerprotection/laborstandards/workprot/minors.shtm>

***BE SAFE, NOT SORRY. ONLY USE  
A CERTIFIED WORK-BASED  
LEARNING COORDINATOR TO  
COORDINATE YOUR PROGRAM.***



For final authority on all of the issues covered in this document, please check with the state and federal departments of labor and the state education department.

All students who participate in paid or non-paid work-based learning experiences and are assigned repetitive tasks must be covered by a workers' compensation policy during the time of career exploration or development. The coverage is provided by the employer.