

# **COOPERATIVE EDUCATION GUIDELINES FOR ADMINISTRATION**

## **HOW TO COMPLY WITH FEDERAL AND STATE LAWS AND REGULATIONS**

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## Introduction

Cooperative education is a method of instruction that enables students to combine academic classroom instruction (school-based learning component) with occupational instruction through learning on the job (work-based learning component) in a career area of choice. Emphasis is placed on the students' education and employability skills.

Pennsylvania continues to be a leader in this effort through cooperative education. Cooperative education has been a part of both the secondary and postsecondary school programs in Pennsylvania for more than 50 years, having its beginning around the turn of the 20<sup>th</sup> century.

In Pennsylvania, cooperative education is provided for in Chapter 4 of the Pennsylvania State Board of Education Regulations; Academic Standards and Assessment, Section 4.31 (c), which can be found at [www.pacode.com/secure/data/022/chapter4/chap4toc.html](http://www.pacode.com/secure/data/022/chapter4/chap4toc.html).

(c) Vocational-technical education programs shall consist of a series of planned academic and vocational-technical education courses that are articulated with one another so that knowledge and skills are taught in a systematic manner. When appropriate, vocational-technical education programs may also include cooperative vocational-technical education and participation in vocational student organizations to develop leadership skills.

Cooperative Education program content is provided in Chapter 339, Vocational Education, Section 339.22, which can be found at [www.pacode.com/secure/data/022/chapter339/s339.22.html](http://www.pacode.com/secure/data/022/chapter339/s339.22.html).

- (1) *Competency-based.* Programs shall have competency-based plans. A competency-based plan is an instructional system that is planned and managed by the teacher based upon occupational analysis and clearly stated performance objectives as recommended by occupational advisory committees that are deemed critical to successful employment. The instructional process shall derive its content from the task performed in each occupation/job and provide for the assessment of student performance on the basis of preset performance standards. Competency-based plans shall include:
  - (i) *Performance objectives.* A vocational education program shall identify performance objectives in accordance with criteria developed by the local education agency in cooperation with the occupational advisory committee. The performance objectives shall consist of the following three parts:
    - (A) The conditions under which the task will be performed – the materials/supplies provided.
    - (B) A description of the task.
    - (C) The standard for how well the task shall be performed.
- (4) *Minimum time requirements.*
  - (i) The local educational agency may develop vocational education programs for any time length as long as they do not go below the minimums listed in this subsection.

	<b>Representative Planned Course Sequence</b>				<b>Minimum Total Hours</b>
	9th grade	10th grade	11th grade	12th grade	
Four-Year Sequence	2	3	3	3	1320
Three-Year Sequence		3	3	3	1080
Two-Year Sequence			3	3	720
One-Year Sequence				6	720

- (ii) The following requirements shall be considered in planning vocational education programs based on the minimum time requirements listed in subparagraph (i):
- (A) A planned vocational course shall be equal to 120 clock hours and is equal to one unit of credit.
  - (B) Vocational education credits may be given for hours spent in supervised occupational experience and cooperative and clinical experiences.
  - (C) A minimum of two planned courses shall be operated per year. These two planned courses shall be skilled courses.
  - (D) Sequences shall be offered in consecutive years and the last year of the program will conclude in the twelfth grade.
  - (E) Where necessary to promote the educational program, up to three planned vocational courses may be substituted for the required graduation units of credit set forth in §5.5(b) (Reserved), except that not more than one substitution may be made in a single listed course title and no substitution may be made for the one required unit of credit in health and physical education. The school district shall verify that a relationship exists between the content learned or the skills developed in the approved vocational course and the high school graduation credit for which it is substituted. The substitution shall be reported to the Department under the process for curriculum exceptions set forth in §5.12(a) (Reserved).
  - (F) Options for awarding planned course credit are explained in §5.11 (Reserved).
  - (G) This section includes the minimum requirements for a program to be eligible for vocational reimbursement. It is recognized that selected vocational programs may require more than the minimum hours to offer an effective education program.

Cooperative education is also provided in Chapter 339, Vocational Education, Section 339.29, which can be found at [www.pacode.com/secure/data/022/chapter339/chap339toc.html](http://www.pacode.com/secure/data/022/chapter339/chap339toc.html).

If cooperative vocational education is provided, it shall be planned in accordance with the stated career or occupational objectives of the student and shall include:

1. Related learning experiences at a school-approved workstation.
2. A memorandum of understanding as defined in the Department guidelines, signed by the student, parent/guardian, school official and cooperating employer or representative.
3. Payment of the existing legal wage when applicable under section 206 of the Fair Labor Standards Act of 1938 (29 U.S.C.A. § 206) and the Minimum Wage Act of 1968 (43 P. S. §§ 333.101—333.115).
4. Provision for administration and supervision by school staff members in cooperation with the employer.
5. A minimum of one onsite student evaluation by a coordinator for on-the-job activities per month.
6. At least 45 minutes per week, or 90 minutes every other week, for students to meet with their vocational instructor to discuss job problems and related information.
7. Credit for cooperative vocational education work experience.
8. A certified cooperative vocational education instructor coordinating the program.
9. Compliance with Federal and State statutes.
10. Insurance protection for both the school and students.

The major components of a quality cooperative education program are:

1. Job placements where students perform work related to acquired skills with the opportunity to develop additional competencies and contribute to the productivity of the business organization.
2. Certified cooperative education teacher-coordinators with appropriate occupational experience to provide planned, supervised instruction.
3. Worksite training supervisors who can share occupational expertise with students.
4. Accurate and realistic descriptions of the jobs to be performed by students, as well as realistic employer expectations of the skills the students bring to the job.
5. Individualized, written training plans that are correlated to the students' school-based instruction and on-the-job training (work-based).
6. Evaluations that are formal and informal assessments of the students' progress on the job, including feedback and follow-up to assist students in improving performance.
7. Parents/guardians who have a full understanding of their responsibilities in the program.
8. Assistance with job placement in full-time positions or referrals for additional education for graduates.
9. Follow-up studies of graduates that are conducted in a systematic manner.
10. Instruction in all aspects of the industry the student is preparing to enter, which provides a broad base of knowledge of all facets of the business operation, including management, finances, health and safety.
11. Strong commitment by school administration for the program.

These guidelines were specifically developed to assist administrators and cooperative education teacher-coordinators in complying with federal and state laws and regulations regarding cooperative education. The guidelines address laws, regulations and operational issues that should be followed to ensure an effective work-based learning environment for all students.

## National Commission for Cooperative Education

### Definition and Essential Characteristics

A national committee of experienced practitioners developed the cooperative education model, which follows. The definition and essential characteristics were approved by the boards of the National Commission for Cooperative Education (NCCE), Cooperative Education Association and the Cooperative Education Division of the American Society for Engineering Education. Also included is a list of anticipated outcomes and five model variations for implementing cooperative education in colleges.

#### Definition

Cooperative education is a structured educational strategy integrating classroom studies with learning through productive work experiences in a field related to a student's academic or career goals. It provides progressive experiences in integrating theory and practice. Cooperative education is a partnership among students, educational institutions and employers, with specified responsibilities for each party. These include:

#### Essential Characteristics

1. Formal recognition by the school as an educational strategy integrating classroom learning and progressive work experiences, with a constructive academic relationship between teaching faculty and co-op faculty or administrators.
2. Structure for multiple work experiences in formalized sequence with study leading to degree completion of an academic program.
3. Work experiences, which include both an appropriate learning environment and productive work.
4. Work experiences related to career or academic goals.
5. Formal recognition of the co-op experience on student records (e.g., grade, credit hours, part of degree requirement, notation on transcript, etc.).
6. Pre-employment preparation for students, as well as ongoing advising.
7. Agreement among the school, employer, parent/guardian\* and the student on:
  - a. Job description and new learning opportunities,
  - b. Specified minimum work periods (equivalent in length to an academic term (quarter, semester or trimester). In alternating programs, students work approximately 40 hours/week, full-time during the term. In parallel programs, students work approximately 20 hours/week, part-time during the term,
  - c. Work monitored by the school and supervised by employers,
  - d. Official school enrollment during employment,
  - e. Recognition as a co-op employee by the employer,
  - f. Evaluations by the student, the school, and the employer, with guided reflection by the student, and
  - g. Remuneration for the work performed.
8. Provision for employer and school evaluation of quality and relevance of the work experience and curriculum.
9. Designed to maximize outcomes for students, employers and the school.

\*In Pennsylvania, the parent/guardian must be included as a key component of the partnership.

## **Outcomes**

### **Student Outcomes**

#### Academic

Ability to Integrate Classroom Theory with Workplace Practice  
Clarity about Academic Goals  
Academic Motivation  
Technical Knowledge Through Use of State-of-the-Art Equipment

#### Professional

Clarity about Career Goals  
Understanding of Workplace Culture  
Workplace Competencies  
New or Advanced Skills  
Career Management  
Professional Network  
After-Graduation Employment Opportunities

#### Personal

Maturity  
Determination of Strengths and Weaknesses  
Development/Enhancement of Interpersonal Skills  
Earnings to Assist College Expenses or to Support Personal Financial Responsibilities  
Productive and Responsible Citizenship Skills  
Lifelong Learning Skills

### **Employer Outcomes**

Well-Prepared, Short-Term Employees  
Flexibility to Address Human Resource Needs  
Cost-Effective Long-Term Recruitment and Retention  
Access to Candidates with Sought-After Skills and/or Background  
Increased Staff Diversity  
Partnerships with Schools  
Input on Quality and Relevance of School's Curricula  
Cost-Effective Productivity

### **Institution Outcomes**

Recruitment of New Students  
Retention of Current Students  
Wider Range of Learning Opportunities for Students  
Enriched Curriculum  
Enhanced Reputation in the Employment Community  
Improved Rate of Employment of Graduates  
Increased Alumni Participation (hire students, contribute money, etc.)  
Partnerships with Business, Government and Community Organizations  
Increased External Support by Corporations, Foundations and Government Grants

**Societal Outcomes**

Established Model for Workforce Preparedness  
Income Tax Revenue  
Reduced Demand for Student Loans  
Productive and Responsible Citizens  
Industry-Education Partnerships

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Retrieved March 24, 2003, [www.co-op.edu/model.html](http://www.co-op.edu/model.html)

## **Cooperative Education Programs**

Cooperative education is a structured method of instruction combining school-based classroom learning with productive work-based learning in an occupation matching the student-learner's academic and career objectives. At the secondary level, cooperative education involves a planned partnership with specified connecting activities and responsibilities among students, parent/guardians, schools, employers, labor organizations and government. These specified connecting activities and responsibilities include, but are not limited to the following:

1. School-based learning activities including career awareness, career exploration and counseling and the initial selection of a career objective by interested students.
2. Student enrollment in a PDE approved career and technical education program which facilitates linkages with postsecondary education, a coherent multi-year sequence of instruction and the opportunity for full-time employment.
3. A written training agreement outlining responsibilities and a training plan detailing work-based competencies relevant to the student's career choice.
4. Student learners receive pay comparable to entry-level wage.
5. Supervision, coordination, monitoring and evaluation of student progress and performance between the school-based and work-based learning components are performed by appropriately certified professional school personnel because school credit is to be awarded for this experience. A minimum of one on-site visit per month is required.
6. An employer/employee relationship exists; therefore, all state and federal laws regarding employer/employee relationships are enforced. Particular attention shall be given to the Child Labor Law regarding work permits, working hours, insurance, workers' compensation, safety and hazardous occupations.
7. Cooperative education teacher-coordinators shall complete a training agreement and training plan and receive copies of each student's employment certificate or work permit and proof of workers' compensation before the student is placed at the work site.

### **Types of Cooperative Education Opportunities**

#### ***Capstone***

Students receiving a cooperative education experience from the specialized areas of career and technical education including agriculture, business management/administrative education, family and consumer sciences, marketing operations/distribution education, health occupations, and trade and industrial education may participate in a Capstone program. Through cooperative education, these students "cap off" their formal in-school career and technical education with a related employment experience at a school-approved, work-based learning site.

#### ***Diversified Occupations***

The Diversified Occupations (DO) program combines school-based classroom study in work orientation (prevocational, job readiness, employability skills) with work-based, on-the-job career preparation at a training site in government, business or industry. This program can be initiated when the career and technical area desired is not offered at the comprehensive high school or participating career and technical education school.

The program may be planned either as a one- or two- year program with the following minimum requirements: The program must include heterogeneous groups of students from more than one career and technical education area of instruction and/or those students having a career objective that cannot be met by any of the existing in-school career and technical education programs. Through diversified occupations, the students with these specific career objectives are matched with a related employment experience while they attend career oriented planned periods of related classroom instruction at the school. Limited technical skill instruction is provided by the school. Thus, the major portion of the technical skill instruction and competencies developed by the student takes place at the work site.

### ***Tech Prep***

Tech Prep is a minimum of a four-year sequence of study beginning in at least the 11<sup>th</sup> grade of high school through two years of postsecondary education with a strong focus on skills required by the workplace. Tech Prep prepares students for highly skilled technical occupations and allows either direct entry into the workplace as a qualified technician or continuation with further education leading to baccalaureate and advanced degrees. Tech Prep education programs may include multiple work-based experiences.

### ***Career Academies***

Career Academies operate as mini schools-within-schools, with each academy having its own special focus. Academies are characterized by the integration of academic and career and technical education courses and collaboration among teachers. Academy students are rostered together and are taught by a team of selected teachers. Classes are generally smaller and, whenever possible, academic class work is taught in context with the student's chosen career area.

Business people and other professionals regularly visit academy classrooms. They also arrange field trips for students to their business facilities. Students learn what it takes to succeed in the workplace from the experts. Depending on the specific program of study and the students' level of achievement, paid work experience may be included as part of the career academy.

### **Time Needed to Deliver a Cooperative Education Program**

Often asked is the question, "How much time should be devoted to teaching, coordinating and supervising cooperative education?" The best answer to this question is another question, "How good do you want your program to be?"

School administrators, as well as cooperative education teacher-coordinators, need to recognize that all good things take time. Therefore, if you are going to enter into a cooperative education program, adequate and appropriate time must be provided for the cooperative education teacher-coordinator to do his or her job. The cooperative education teacher-coordinator will need time to assume added responsibilities in the following areas:

- Delivering a school-based learning component to include academic integration and postsecondary articulation;
- Helping students with their career major and/or career objective;
- Matching students with highly skilled jobs;

- Helping students gain entry into work-based learning;
- Developing broader comprehensive training plans;
- Integrating academic and career and technical education subject matter;
- Fostering greater involvement with industry-education partnerships;
- Working with diverse student populations;
- Providing for transportable skill certification;
- Infusing Tech Prep, community exploration, etc.;
- Becoming involved with work-based mentor training and on-site coordination;
- Explaining all aspects of the industry.

It is recommended that the administration and the cooperative education teacher-coordinator plan a schedule that will adequately and appropriately address the amount of time needed to provide enrolled and prospective students, as well as cooperating employers, with the best program possible. The time requirement will vary based upon the number of students and employers being served, and should be increased or decreased accordingly. It is also recommended that a minimum of 30 minutes per month be devoted to each work site-monitoring visit.

### **Facilities and Equipment**

It is important that adequate classroom space be available for the teaching of general and occupationally specific information to cooperative education students. The cooperative education facilities should be comparable to other classrooms at the school.

### **Special Population Services**

Career and technical education provides employment opportunities for many students who are economically disadvantaged, foster children, disabled, limited English proficient, single parent/guardians, and individuals who participate in programs preparing for nontraditional training and employment. With current legislation, a greater emphasis must be placed upon accountability within the career and technical education program and developing more fully the academic and career and technical skills of all students who enroll in these programs. The cooperative education program provides an opportunity for special population students to succeed in career and technical education and become gainfully employed.

The cooperative education teacher-coordinator must strive to provide supportive services/strategies as needed. Strategies include:

1. To bring about a thorough understanding of what is expected of students in the classroom and on the job by explaining:
  - a. The training agreement.
  - b. Problems arising in connection with the job.
  - c. The value of the program to students and employees.
2. To introduce areas of information to beginning workers, by describing:
  - a. State and federal laws.
  - b. Workers' compensation, unemployment compensation, etc.
  - c. Initial employer expectations – promptness, correct dress, willingness to work, etc.

3. To teach students to use a study guide and other modifications used in connection with work and study.
4. To explain fully how students and their work will be evaluated at school and work.

To accomplish the above, the cooperative education teacher-coordinator should incorporate curriculum and/or physical modifications and adaptations appropriate to each student.

**Note:** Special populations means individuals with disabilities; individuals from economically disadvantaged families, including foster children; individuals preparing for nontraditional training and employment; single parent/guardians, including single pregnant women; displaced homemakers; and individuals with other barriers to educational achievement, including individuals with limited English proficiency. (P.L. 105-332)

## **Guidelines for Operating Capstone Cooperative Education Programs**

Career and technical schools and comprehensive high schools offering PDE-approved career and technical education programs may, in addition, provide Capstone Cooperative Education as a method of instruction that includes an off-campus, occupationally-related experience.

Capstone Cooperative Education shall be planned and implemented as a method to assist students in their transition from school to work; it shall be planned and implemented in accordance with the student's declared career objective and in concert with predetermined, expected academic and occupational learning outcomes. See Figure II-1 on page 28, Section Two, Administration Requirements.

The program shall include:

1. The employment of a certified cooperative education teacher-coordinator, per Certification and Staffing Policies and Guidelines (CSPG) #59 (January 1987).
2. Performance-based learning outcomes, which are related to the student's career objective, at a school-approved, work-based training site.
3. A training agreement, as defined in these guidelines, signed by the student, parent/guardian, school official and cooperating employer. See Figure II-1 on page 28, Section Two, Administration Requirements.
4. A training plan detailing the types of on-the-job, work-based experiences and sequentially anticipated learning outcomes the student will complete. See pages 30-31, Section Two, Administration Requirements.
5. Payment of the existing legal wage when applicable under Section 206 of the Fair Labor Standards Act of 1938 (29 U.S.C.A. §206) and the Minimum Wage Act of 1968 (43 P.S. §333.101-§333.115).
6. Provision for adequate and appropriate administration and supervision by a certified cooperative education teacher-coordinator.
7. A minimum of one 30-minute work-site observation and evaluation of a student's performance on the job in conjunction with the employer each month by the cooperative education teacher-coordinator.
8. It is recommended that Capstone Cooperative Education students meet at least 45 minutes per week with their career and technical education instructor and/or the cooperative education teacher-coordinator to discuss job concerns and receive related instruction.
9. A requirement that students meet with the cooperative education teacher-coordinator and their assigned occupational program instructor a minimum of two times per month to discuss job-related progress and problems and receive additional instruction in order to meet prescribed course outcomes and enhance their performance on the job.
10. Recognition or credit for Capstone Cooperative Education work experience that addresses specific student-learner outcomes for graduation.
11. Compliance with federal and state statutes, such as employment of minors, unemployment compensation, workers' compensation and minimum wage.
12. Insurance protection in accordance with school policy.

Related instruction for Capstone Cooperative Education has been designed by cooperative education teacher-coordinators in the field to assist in the development of specific competencies identified in the 37 learning modules listed on the following pages. This should be used as a planning guide for related instruction. Individual needs of the students will determine which modules will be used. Capstone learning modules are available from the career and technical education professional development centers at Indiana University of Pennsylvania, the Pennsylvania State University and Temple University, as well as the Pennsylvania Department of Education Resource Library.

## Pennsylvania Capstone Cooperative Education Related Instructional Guide

The Cooperative Education capstone learning modules will enable you to:

### **Orientation**

1. Identify cooperative education program goals, policies and procedures
2. Describe work ethics
3. Discuss the transition from the classroom to the actual job situation

### **Human Relations**

4. List and evaluate your personality traits to indicate self-understanding
5. List characteristics of a responsible employee
6. Develop and describe positive working relationships with others on the job
7. Demonstrate ways to resolve conflict

### **Health and Safety**

8. Identify appropriate occupational safety practices and procedures
9. Describe the role of government agencies in providing for a safe workplace

### **Employment Retention**

10. List ways you can show interest and enthusiasm on the job
11. List ways to show initiative and assertiveness on the job
12. List techniques for maintaining self-control
13. Explain importance of attendance and punctuality on the job
14. Prioritize your activities as they relate to your job
15. Diagram the organizational structure of your company
16. Interpret the purpose and use of a performance evaluation and complete a self-evaluation
17. Identify source of employee information regarding company policies and procedures
18. Identify proper procedures for job termination
19. List the occupational and leadership requirements to maintain and improve employment at the job

### **Communications**

20. Distinguish between positive and negative feedback; define and give examples of constructive criticism
21. Demonstrate basic skills for both verbal and nonverbal communication
22. Define the elements of communicating with a supervisor
23. Define the elements of communicating with coworkers, emphasizing appropriate group behavior on the job
24. Demonstrate appropriate skills in communicating with the public

### **Consumer Skills**

25. Understand and prepare a sample budget
26. List and describe fringe benefits provided by the employer
27. Describe how to open a checking account, balance a checkbook, and apply for a loan

28. Demonstrate the ability to file federal, state and local tax forms

### **Legal Awareness**

29. List the steps in obtaining an employment certificate
30. Describe labor regulations that affect wages, hours and conditions of employment
31. Describe the withholding laws and the benefits provided by Social Security, workers' compensation and unemployment compensation

### **Future Planning**

32. Develop a resume
33. Practice skills needed to be successful in a job interview
34. Discuss the importance to adapt to change
35. Establish short-term goals
36. Establish long-term goals
37. Complete a job application

## **Guidelines for Operating Cooperative Diversified Occupations Programs**

### **Introduction**

The concept of cooperative education is not a new concept. The trends in all areas of career and technical education provide compelling reasons for focusing on work-based learning concepts such as cooperative education to ensure a skilled work force.

The cooperative education diversified occupations approach provides the occupational skill training and knowledge acquisition essential to high school students having career objectives that cannot be met by any of the existing in-school career and technical education programs. Through the cooperative DO program, students with specific career objectives are matched with related employment experiences while they attend planned periods of related classroom theory during the school year.

The cooperative education DO program was designed for 11th and 12th grade students to:

1. Provide training in career and technical education areas not offered at the career and technical school or comprehensive high school;
2. Serve students who are unable to gain admission to a career and technical education program due to excessive applicants;
3. Serve high school students who are considered at-risk because of financial, domestic and/or academic problems; and
4. Provide training and education for high school students who need an alternative form of education, which meets their individual educational needs.

NOTE: Diversified Occupations is a program of study. Career and technical schools and school districts must apply for program approval to the Bureau of Career and Technical Education if seeking reimbursement.

### **Planning, Organization and Operation of Local Programs**

Successful cooperative DO programs never begin haphazardly. Work-based learning programs are unique in the degree to which the employers in the community are involved. For a meaningful program, employers assist in establishing the curriculum and student training plans. The most successful programs have given special attention to the following items:

1. Employ a certified cooperative education teacher-coordinator. (See CSPG No. 59 – Cooperative Education Certification and Assignment Scope [7-12]; [www.teaching.state.pa.us/teaching/cwp/view.asp?A=131&Q=32973](http://www.teaching.state.pa.us/teaching/cwp/view.asp?A=131&Q=32973))
2. Conduct student interest and community interest surveys to determine the need for and acceptance of a cooperative education DO program.

3. Select advisory committees that can facilitate the effective operation of a cooperative education DO program.
4. Determine the program cost and method of financing the cooperative education DO program.

Cooperative education DO programs may be offered at the career and technical school or comprehensive high school. When cooperative education DO programs are provided, they are planned in accordance with the student's stated career objective and include:

1. work-based learning experiences held at a school-approved worksite;
2. a training plan and a training agreement shall be developed with the employer and available on file with both the school and the employer;
3. School-based, academic and career-specific instruction;
4. one planned course – equal to one unit of credit – of general related theory or technical related content, or both, per year;
5. training plans and training agreement, signed by the student, parent/guardian, school official and cooperating employer;
6. payment of the existing legal wage;
7. provision for administration, supervision and monitoring by a certified cooperative education teacher-coordinator in cooperation with the employer;
8. provision of worksite supervision and sharing expertise;
9. provision for coordination of worksite activities of at least 45 minutes per week, or 90 minutes every other week, for students to meet with their career and technical education instructor to discuss job problems and related information;
10. a certified cooperative education teacher-coordinator to manage the program;
11. provision for coordination of worksite activities of at least one half hour per week per student, including worksite visits and observations, as well as preparation for the related in-school instruction;
12. students shall be legally employed a minimum of 15 hours a week during the school year – these hours can be other than school hours;
13. students shall be legally employed a minimum of 150 school days to be eligible for PDE reimbursement;

14. recognition and high school credit for the student's participation in the cooperative diversified occupations program;
15. compliance with Federal and State statutes;
16. insurance protection for both the school and students.

### **Secondary Curricula**

The following descriptions concern cooperative DO programs at both career and technical schools and comprehensive high schools (grades 11 and 12).

1. Two-Year Program (Grades 11 and 12)
  - a. Eleventh Grade – School-Based Learning
    - 1) Planned instruction that assures successful student competency in related theory and specific curricular content should include, but not be limited to, the Scope of Instruction. See pages 19-20 in this section.
    - 2) Worksite placement of 11th grade students would be prohibited except where this experience is essential to meet the needs of individual students.
    - 3) A specific planned instruction sufficient to cover related theory and specific curricular content to include instruction on school-based and work-based safety and accident prevention.
  - b. Twelfth Grade – School-Based Learning
    - 1) Planned instruction that assures successful student competency attainment in related theory and specific curricular content should include, but not be limited to, the Scope of Instruction. See pages 19-20 in this section.
    - 2) A minimum of 15 hours of cooperative work-based learning experience is required each week. A specific planned instruction sufficient to cover related theory and specific curricular content to include instruction on school-based and work-based safety and accident prevention.
    - 3) It is recommended that students be employed a minimum of 150 school days.

2. One-Year Program (Grade 12)

- 1) A specific planned instruction sufficient to cover related theory and specific curricular content. See pages 19-22 in this section.
- 2) A minimum of 15 hours of cooperative work-based experience is required each week. A specific planned instruction sufficient to cover related theory and specific curricular content to include instruction on school-based and work-based safety and accident prevention.

## Pennsylvania Cooperative Education Diversified Occupations Scope of Instruction

### General Related Instruction

#### Orientation

- Program Terms and Definitions
- Program Objectives, Policies, Procedures, Forms, Grading, and Expectations
- Career and Technical Education Programs
- Work Ethics
- Introduction to Youth Organizations

#### Career Development and Planning

- Self-Assessment
- Values Clarification
- Personal Responsibilities
- Individual Development
- Decision Making Skills
- Career Investigations
- Labor Force Trends

#### Employment Acquisition

- Application Forms and Letters
- Interviews
- Resumes
- Tests
- Employment Agencies/Services
- Job Sources
- Personal Appearance
- Attitudes
- Pennsylvania Office of Employment Security Services

#### Human Relations

- Human Needs
- Personality Development
- Ethnic Understanding
- Racial Understanding
- Sex Equity
- Managing Conflict
- Employee Organizations (Professional Associations/Unions)

- Employer-Employee Relations
- Getting Along with Co-workers

#### Health and Safety

- Drugs and Alcohol
- Stress
- Healthful Living
- Occupational Health Hazards
- Personal Safety
- Home Safety
- Job Site Safety
- First Aid

#### Employment Retention

- Good Worker Attributes Knowledge Attitudes
- Job Changes and Promotions
- Organizational Structure
- Employee Responsibilities

#### Communications Development

- Listening Skills
- Speaking Skills
- Nonverbal Skills
- Writing Skills
- Telephone Skills

#### Legal Awareness

- Child Labor Law
- OSHA
- Social Security
- Fair Labor Standards
- Civil Law
- Workers' Compensation
- Equal Opportunity
- Targeted Jobs Tax Credit
- Work Force Investment Board
- Americans with Disabilities Act
- Right-to-Know
- PA Human Relations Act

## Pennsylvania Cooperative Education Diversified Occupations Program Scope of Instruction (continued)

### Technical Related Instruction

#### Youth Organizations

- Public Relations
- Community Service
- Parliamentary Procedures
- Leadership Development
- Citizenship
- Community Involvement
- Community Responsibilities
- School Improvement

#### Consumer Skills

- Banking
- Credit
- Money Management
- Taxes (Income, Wages)

- Insurance
- Investments
- Consumer Protection
- Wages and Salaries
- Fringe Benefits
- Methods of Transportation

#### Literacy Skills

#### Economics

- Entrepreneurship
- Economic Systems
- Supply and Demand
- Organizational Types
  - Sole Proprietorship
  - Partnership
  - Corporation

#### Future Planning

- Technological Changes
- Technological Advances
- Professional Development
- Career Changes
- Computer Awareness
- Short and Long Term Goals
- Educational Opportunities
- Occupational Opportunities

#### Related Instruction

- Job Safety
- Occupational Terms
- Occupational Requirements
- Entry-Level Occupational Competencies
- Professional and Trade Associations
- Further Training Needed
- Apprenticeship Programs
- Licenses and Permits

**General Related Instruction** in a cooperative education diversified occupations program encompasses the competencies necessary to succeed as employees in the world of work. Learning activities, based on career planning and development, are generated through classroom group instruction. The curriculum areas include: Career Development and Planning, Employment Acquisition, Human Relations, Health and Safety, Employment Retention, Communications Development, Legal Awareness, Consumer Skill and Economics.

**Technical Related Instruction** is a cooperative education teacher-coordinator directed individualized method of study that allows each student to obtain theory about an area related to his/her current job or career objective. Cooperative education teacher-coordinators may apply a variety of instructional techniques using the students' training plan as a learning guide.

The students practice and demonstrate their occupational competencies on the job, and reinforce the technical theory through classroom instruction.

## Pennsylvania Cooperative Education Diversified Occupations Competencies

**A student will be able to:**

### **Orientation**

1. Identify program policies and procedures
2. List program objectives
3. Describe work ethics
4. Complete forms
5. List the benefits of career and technical student organizations

### **Career Development and Planning**

6. Construct a profile of personal interests, aptitudes, abilities and values
7. Compare careers in relation to job tasks, work environment, job availability and educational requirements

### **Employment Acquisition**

8. Prepare a resume
9. Prepare a letter of application
10. Complete employment applications
11. Demonstrate job interview techniques
12. Demonstrate job interview/application follow-up activity(ies)
13. List potential employers

### **Human Relations**

14. Analyze human relations in terms of:
  - a. Employer responsibilities
  - b. Employee responsibilities
  - c. Coworker responsibilities

15. Demonstrate positive decision making skills
16. Identify methods to resolve conflicts
17. Distinguish between positive/negative criticisms
18. Compare the advantages and disadvantages of unions and other employee organizations.

### **Health and Safety**

19. Describe the need for safety practice and procedures
20. Identify ways to achieve personal safety
21. Identify general occupational safety practices
22. Demonstrate general first aid procedures
23. Describe the role of government agencies in providing for a safe workplace

### **Employment Retention**

24. Demonstrate the positive attributes of a "good employee"
25. Evaluate job changes and promotions
26. Diagram the organizational structure of a company
27. Interpret a performance evaluation

28. Identify sources of employee information regarding company policies and procedures
29. Summarize proper procedures for job termination

### **Communications Development**

30. Demonstrate listening skills
31. Demonstrate speaking skills
32. Demonstrate nonverbal skills
33. Demonstrate writing skills
34. Demonstrate telephone skills
35. Demonstrate self-assertiveness

### **Legal Awareness**

36. Describe how labor regulations (federal and state) affect employment certificates
37. Describe how labor regulations affect where a student can work
38. Describe how labor regulations affect the time a student can work
39. Describe how labor regulations affect wages
40. List the benefits provided by:
  - Social Security
  - Workers' Compensation
  - Unemployment Compensation
41. Describe the purpose of Equal Opportunity Employment (EOE)
42. Identify major laws that regulate management relations

## Pennsylvania Cooperative Education Diversified Occupations

### Competencies (continued)

#### **Youth Organizations**

43. List good citizenship activities
44. Participate in a leadership activity
45. Demonstrate leadership qualities
46. Demonstrate parliamentary procedure skills
47. Participate in a public relations activity

#### **Consumer Skills**

##### Banking

48. Discuss financial institutions
49. Demonstrate ability to use basic banking services

##### Credit

50. Describe the function and purposes of credit
51. Describe how to use credit wisely

##### Money Management

52. List personal financial goals
53. Prepare a budget

##### Taxes

54. Describe the types and function of taxes
55. Prepare tax forms of payroll deductions

##### Insurance

56. Describe types and purposes of insurance

57. List factors in buying insurance

##### Consumer Protection

58. Identify actions that can be taken for consumer protection

##### Wages

59. Identify types of earnings

60. Describe forms of payroll deductions

##### Fringe Benefits

61. Describe various fringe benefits

#### **Economics**

62. Describe types of business organizations

63. Describe the opportunities of entrepreneurship

64. Identify major differences in economic systems

#### **Future Planning**

65. Describe the impact of technological change in the workplace

66. List the occupational opportunities at your present skill level

67. List short- and long-term career goals

68. Develop a plan for professional growth

69. Discuss career changes

#### **Technical Related Instruction**

70. List specific safety rules and identify potential hazards at the job site

71. Demonstrate safe work habits and attitudes on the job

72. Define the specific occupational terms related to your job

73. List your occupational skills

74. List the occupational requirements to maintain employment at your job site

75. Describe the policies and procedures used by your cooperating employer

76. Diagram your company's organizational structure

77. Identify technical related resources that correlate with on the job experiences

The above competencies may be arranged according to individual preference. This is not to be a syllabus. The Pennsylvania Department of Education is committed to promoting the adoption and implementation of competency-based career and technical education for all occupational programs. It is suggested that an 80% or better level of mastery be achieved for each competency.

## Staffing Requirements

The staffing requirements for cooperative education are noted in Certification and Staffing Policies and Guidelines (CSPG). “The Pennsylvania Department of Education and the State Board of Education are charged by the Public School Code and the Administrative Code with numerous responsibilities regarding the certification and staffing assignments of professional school personnel. The dissemination of the policies and guidelines which follow clarify how schools are expected to comply with certification and staffing laws, regulations, court decisions, opinions of the Attorney General, administrative agency policy and administrative decisions of appeals taken from local educational agency hearings. Each school should use the information in the CSPGs as a resource in achieving educational excellence through proper certification and staffing practices.” This information can be found at [www.pde.state.pa.us](http://www.pde.state.pa.us).

The three CSPGs that refer to cooperative education staffing requirements are: CSPG No. 106, Approval and Staffing of Pre-Vocational, Occupational, and Community Transition Programs; CSPG No. 59, Cooperative Education Certification and Assignment Scope (7-12); and CSPG No. 50, Special Education Certification and Assignment Scope (K-12).

Providing diversified occupational training and community transition program experiences by the means of cooperative education is noted in CSPG No. 106. “To provide diversified occupational training and community transition experiences via cooperative education: integrating ‘in-school’ instruction with applicable learning experiences provided by community resource agencies for the (1) development of occupational competency, or (2) enhancement of successful transition to community life.” CSPG No. 106 also requires the following certification: “(a) Certification for Cooperative Education, or for the appropriate field of cooperative vocational education when the program is a PDE-approved vocational education program, or (b) Certification in the appropriate special field area for kind of opportunity offered.”

CSPG No. 59 covers the cooperative education certification and assignment scope. It includes the following:

1. A person holding a Pennsylvania certificate endorsed for Cooperative Education or on which Cooperative Education is registered as a (type 00) competency area is qualified to plan, organize, supervise students at a training site external to the school, as well as coordinate classroom learning within the school with the practical experience provided by placing students with selected community resource/training agencies. Such certificate qualifies the holder for any cooperative educational activity within any secondary level educational program.
2. Additionally, a person holding one of the following certificates is qualified for any cooperative educational activity subject to the limitations below:
  - a. A Pennsylvania Coordinator of Trade and Industrial Education Certificate or Coordinator of Vocational Education Certificate – cooperative education only within the field(s) of vocational education (Agriculture, Business Management/

Administrative Education, Family and Consumer Sciences, Marketing Operations/Distribution Education, Health Occupations, or Trade and Industrial Education) in which that person also holds a "teaching" certificate.

- b. A Pennsylvania certificate endorsed for Agriculture or Marketing Operations/Distribution Education – cooperative education only within the specified area for which the certificate is endorsed.
3. A person holding an administrative or supervisory level certificate is not qualified, by virtue of such certificate, to perform cooperative education activities.
4. A person holding a Pennsylvania certificate endorsed for an area of Special Education and who is engaged in cooperative education activity within a Special Education program also shall hold certification for Cooperative Education to be qualified for such assignment.

## Cooperative Education Teacher-Coordinator Certification Process

A candidate seeking certification in cooperative education has four options, based on the candidate's background (including appropriate work experience), as well as the candidate's prior educational experience.

If the candidate:

### 1. Has No Teaching Credentials

The candidate must take a stand-alone cooperative education program that could lead to a bachelor's degree. The credit requirement for certification under this option is usually between 120 and 130 credits. If the candidate already holds a bachelor's degree in an area, it might be more cost and time effective for the candidate to receive a teaching certification closely related to the bachelor's degree. If the candidate chooses to pursue the teaching certification related to the bachelor's degree, then the candidate would qualify for Options 2 and 3.

### 2. Holds a Valid Pennsylvania Teaching Certificate in an Area Other Than Career and Technical Education

This requires several courses in the foundations of career and technical education and task analysis, plus the planned sequence of courses that are developed for the cooperative education certification as described in Option 3. The credit requirement for certification under this option is usually between 9 and 18 credits.

### 3. Holds Valid Career and Technical Education Teaching Credentials (either Instructional or Vocational Instructional I or II)

This candidate will have to take the cooperative education sequence of courses, which may include vocational guidance, public relations, program planning and program operations courses. The credit requirement for certification under this option is usually between 6 and 9 credits.

### 4. Holds Valid Instructional I or II and is Adding Further Instructional Areas

As a result of the recent Pennsylvania State Board resolutions, adding an additional instructional area to an existing Pennsylvania certificate now involves the following procedures. Note: **These changes are effective as of January 1, 2003.**

1. Additional instructional areas can be added to an existing, valid Pennsylvania Instructional certificate where:
  - a. Praxis tests are already in existence and used in PA,
  - b. the Praxis test assesses academic content,
  - c. Pennsylvania has established cut scores, and
  - d. the certification is a content area **other than** the following areas: Elementary Education, Early Childhood Education, Health and Physical Education, Safety-Driver Education and all Special Education areas.

According to Memorandum 3, Cooperative Education has been identified by No Child Left Behind (NCLB) legislation, as an instructional certification area that may be added by achieving the qualifying score on the content test.

### **Procedures**

Applications to add an instructional area to an existing instructional certificate must include: Completed Form 338G with the words "ADD-ON" printed on the top, a copy of the current Pennsylvania certificate, a copy of the Praxis score report with the qualifying score and a money order for \$15 payable to the *Commonwealth of Pennsylvania*.

Questions regarding this procedure may be referred to the Bureau of Teacher Certification and Preparation at (717) 787-3356.

Retrieved March 24, 2003

[www.teaching.state.pa.us/teaching/lib/teaching/NCLBAddonsMemo3.rtf](http://www.teaching.state.pa.us/teaching/lib/teaching/NCLBAddonsMemo3.rtf)

### **Pennsylvania Career and Technical Education Professional Development Centers**

Donald Gamble  
Indiana University of Pennsylvania  
1110 Maple Street  
Reschini House  
Indiana, PA 15705  
(724) 357-4434

Richard Walter  
Pennsylvania State University  
315 Keller Building  
University Park, PA 16802  
(814) 865-2133

Chester Wichowski  
Temple University  
Ritter Hall, 3rd Floor  
Philadelphia, PA 19122  
(215) 204-8374

## **Training Agreements and Training Plans**

Successful cooperative education experiences are the result of planned, relevant experiences for students. The importance of formalizing agreed-upon learning experiences and activities for students cannot be overemphasized. The training agreement and training plan provide the connection between participants and assure a beneficial experience for all involved.

The standards for career and technical education are located in Chapter 339 issued under the Public School Code of 1949. According to the standards, cooperative education shall include “a memorandum of understanding as defined in the Department guidelines, signed by the student, parent/guardian, school official and cooperating employer or representative.” (p. 13, §339.29)

A sample training agreement (PDE-4555) and training plan (PDE-4617 and PDE-4617A) are found on pages 28-31 of this section and meet the requirement for a memorandum of understanding.

### **Training Agreement (PDE-4555)**

A training agreement is a statement of fundamental agreements and responsibilities regarding the participation of a student in a work environment that is signed by all participants. The training agreement states the conditions and understandings that the school, student and supervisor agree to when participating in a training program. The training agreement is initiated by the school and reflects a voluntary and cooperative commitment on the part of the cooperative education teacher-coordinator, employer, parent/guardian, student and school administrator.

The training agreement is essential for a number of reasons:

1. As a planning document, it serves as a management tool for directing various learning experiences.
2. As an information document, it helps employers to appreciate their teaching role and to understand the purpose of the cooperative education program.
3. As a permanent record, it is useful for subsequent placement services and follow-up studies.
4. As a career decision-making document, it builds student satisfaction in fulfilling a prevailing career interest.

The training agreement is a compilation of important information and data relative to the employment of the student. The student, parent/guardian, employer and cooperative education teacher-coordinator should each have a copy of the training agreement when the student begins the training experience.

# SAMPLE TRAINING AGREEMENT FOR COOPERATIVE EDUCATION

*Pennsylvania Career and Technical Education Regulations and Standards and Pennsylvania and Federal Child Labor Laws Require a Written Training Agreement and Training Plan for Each Student-Learner in a Cooperative Education Program.*

Student-Learner Name \_\_\_\_\_ Social Security No. \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_  
Birth Date \_\_\_\_\_ Age \_\_\_\_\_ Work Permit No. \_\_\_\_\_  
Student-Learner Career Objective \_\_\_\_\_ Job Title \_\_\_\_\_  
Date of Employment: Beginning \_\_\_\_\_ Ending \_\_\_\_\_  
High School or CTC/AVTS \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_  
Training Agency \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_  
Training Supervisor \_\_\_\_\_ Telephone \_\_\_\_\_  
Weekly Hours \_\_\_\_\_ Beginning Rate of Pay \_\_\_\_\_

### EMPLOYER/TRAINING SITE RESPONSIBILITIES:

The employer/training site will adhere to all State and Federal regulations regarding safe working environment and conditions, employment, child labor laws, minimum wages and workers' compensation.

1. The student-learner will be given a variety of work assignments and be supervised by an experienced person.
2. A periodic evaluation of job progress will be made by the training supervisor on a rating form provided by the school.
3. The training supervisor will arrange a conference with the coordinator when a trainee problem arises.
4. The training sponsor will provide necessary safety instruction throughout student-learner training period.
5. Employer/training site will not employ a student-learner to displace a regular worker.
6. Exposure to hazardous work will be incidental to the student-learner's training and not be a part of the student-learner's training program.
7. The employer is not liable to the unemployment compensation fund for wages paid to the student-learner while under the training program. This is provided in Section 4(1)(4)(10)(C) of the Pennsylvania Unemployment Compensation Law.

### STUDENT-LEARNER RESPONSIBILITIES:

1. The student-learner agrees to perform the assigned duties in a loyal manner and work to the best interest of all concerned.
2. The student-learner agrees to report job problems to the training supervisor and cooperative education coordinator.
3. The student-learner will adhere to company policy; employment may be terminated for the same reasons as regular employees.
4. The student-learner must be regular in attendance at school and on the job. If unable to report to work, the student-learner will notify the employer and coordinator before the start of the normal workday.
5. The student-learner's employment will be terminated upon withdrawal from school.
6. The student-learner will report to school for designated meetings and related instruction.
7. The student-learner will follow school rules at the work and school sites. Violation of school rules will lead to disciplinary action, which may include termination from employment.

### SCHOOL RESPONSIBILITIES:

1. The program is under the direct supervision of a certified cooperative education coordinator.
2. The student-learner will receive related instruction and safety instruction from the occupational instructor or the cooperative education coordinator prior to job placement.
3. The cooperative education coordinator will visit the student-learner and training supervisor on a regular basis at the training site.
4. The cooperative education coordinator will investigate compatibility of job circumstances with requirements for student-learner attainment of advanced standing in an apprenticeship program upon graduation from high school.
5. The school will maintain signed copies of the written training agreement and plan for each student-learner participating in the program for three years from the date of enrollment in the program.
6. Student-learner transportation, insurance and attendance at school and work will be covered by school policy.

*This memorandum is for the purpose of outlining the agreement between the school and employer on the conditions of training to be given a student-learner while on the job. We, the undersigned, agree to the conditions and statements in this agreement.*

_____	_____	_____	_____
Student-Learner	Date	Parent or Guardian	Date
_____	_____	_____	_____
Employer	Date	Principal, AVTS Director or Designee	Date
_____	_____		
Cooperative Education Coordinator	Date		

*Employers/Training Sites of Cooperative Education student-learners and the school will not discriminate in its educational programs, activities or employment practices, based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership, or any other legally protected classification.*

## **Training Plan (PDE-4617 and PDE-4617A)**

A training plan details the who, what, when, where and why of a student's on-the-job training experience. The training plan is an educational plan and as such, the student receives recognition and school credit(s) for performance in carrying out the plan. The training plan is a document separate from the training agreement. The plan outlines training activities that the student will learn to perform while on the job.

The following principles should be considered in the development and use of a training plan:

1. The plan is individualized with the student's career objective or career interest as its basis.
2. The cooperative education teacher-coordinator, student and employer work as a team to prepare the training plan, which identifies the activities to be performed by the student learner.
3. Safety instruction should be a training activity for each student. Training activities for a student exposed to hazardous occupations must show evidence of planned on-the-job safety instruction.
4. A training plan must be modified during the training experience when conditions warrant.
5. The cooperative education teacher-coordinator and employer agree on the approximate time needed by the student to complete a training activity.
6. The cooperative education teacher-coordinator and employer cooperatively evaluate student performance of each training activity.
7. The cooperative education teacher-coordinator bases program planning, training site visitations and related instructional activities on the training plan.
8. As a working document, the training plan allows the employer and cooperative education teacher-coordinator to evaluate the student's on-the-job placement.

The training plan provides space for student data, training site details and signatures of the student, parent/guardian, cooperative education teacher-coordinator and employer, training activities and performance evaluation. The student, parent/guardian, employer and cooperative education teacher-coordinator should each have a copy of the completed training plan.

## SAMPLE Training Plan for Cooperative Education

**Educational Program:**

Program Title: \_\_\_\_\_ Classification of Instructional Program (CIP): \_\_\_\_\_

Student Learner Career Objective: \_\_\_\_\_

Student Learner \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Training Agency \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Training Supervisor \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Parent/Guardian \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Signatures: Cooperative Ed. Teacher-Coordinator \_\_\_\_\_ Date \_\_\_\_\_

Training Supervisor \_\_\_\_\_ Date \_\_\_\_\_

Student Learner \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian \_\_\_\_\_ Date \_\_\_\_\_

		<b>Performance Evaluation</b> Training Supervisor Completes This Section			
Approximate Time	Training Activities (Include Safety Factors)	Date Completed	Acceptable	Nonacceptable	General Comments

\_\_\_\_\_  
Student Learner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Date

**SAMPLE**  
**Training Plan for Cooperative Education**

**Educational Program:**

Program Title: \_\_\_\_\_

Classification of Instructional Program (CIP): \_\_\_\_\_

Student Learner Career Objective: \_\_\_\_\_

Student Learner \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Training Agency \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Training Supervisor \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Parent/Guardian \_\_\_\_\_ Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Signatures: Cooperative Ed. Teacher-Coordinator \_\_\_\_\_ Date \_\_\_\_\_

Training Supervisor \_\_\_\_\_ Date \_\_\_\_\_

Student Learner \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian \_\_\_\_\_ Date \_\_\_\_\_

**Competencies to be Developed**

(List the competencies the student is to learn on-the-job)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_

**Learning Activities**

(Briefly describe what the student will do to master the competencies listed above)

\_\_\_\_\_

\_\_\_\_\_

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Employer/Training sites and schools of cooperative education students shall not discriminate in educational programs, activities, or employment practices based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws including Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

## **Laws Relevant To Cooperative Education**

There are many state and federal laws that have a significant impact on cooperative education. The cooperative education teacher-coordinator has a moral and professional responsibility to know and understand the special provisions that apply to the employment of students. This section was developed to assist teacher-coordinators in meeting these responsibilities.

By reviewing this section, cooperative education teacher-coordinators will be aware of areas where they may need to take special action, to obtain information or to seek the assistance of other individuals or agencies. This section is not, however, an authoritative nor comprehensive presentation of the laws. Laws and policies constantly change; therefore, it is imperative for cooperative education teacher-coordinators to keep abreast of new developments and changes. For that reason, the Appendix section contains sources of up-to-date information. Teacher-coordinators should also consult their school district's legal counsel whenever questions arise.

In most cases, employers must comply with both federal and state laws. Therefore, cooperative education teacher-coordinators must be knowledgeable about both the federal Fair Labor Standards Act (FLSA) and the Pennsylvania Child Labor Law.

### **Child Labor Law**

What is commonly referred to as the Pennsylvania Child Labor Law is a combination of the Act of 1915, P.L. 286, No. 177, amended September 27, 1984, and P.L. 923, No. 309, of June 23, 1931. These laws are intended to provide for the health and welfare of minors by prescribing the terms and conditions under which these minors may be employed. These laws establish the age limits, hours of employment and the prohibited occupations for students who are residents of the Commonwealth.

The provisions of the Child Labor Law apply to all situations in which an employer-employee relationship exists, including all paid work experience as part of cooperative education. The major provisions of the Pennsylvania Child Labor Law are outlined in on pages 35 through 37. Additional information can be obtained from any Pennsylvania Bureau of Labor Law Compliance (listed in the Appendix section) and from the Child Labor Law Coordinator, Office of School Services, Pennsylvania Department of Education.

The Fair Labor Standards Act is the Federal law which contains provisions for the employment of minors, hazardous occupations, minimum wage and overtime.

Cooperative education teacher-coordinators should be aware that the most often cited infraction related to the Child Labor Law regards hours of employment for minors, especially 14- and 15-year olds. These infractions often occur because there are inconsistencies between the state and federal child labor laws. When such inconsistencies exist, the rule as applied is that the most stringent requirements of either body of law will prevail, regardless of whether it is a state or federal mandate.

Therefore, despite the hours of employment for students ages 14 and 15, the guidelines that apply to the employment of 14- and 15-year olds are as follows (from the Child Labor Requirements in Nonagricultural Occupations Under the Fair Labor Standards Act: Child Labor Bulletin 101, Revised 3-01, p. 3) (See [www.youthrules.dol.gov](http://www.youthrules.dol.gov)):

Fourteen- and 15-year olds **may not** be employed:

1. During school hours, except as provided in Work Experience and Career Exploration Programs.
2. Before 7 a.m. or after 7 p.m. except from June 1 through Labor Day when the evening hour is extended to 9 p.m. (time is based on local standards; i.e., whether the locality has adopted daylight savings time).
3. More than 3 hours a day on a school day, including Fridays.
4. More than 8 hours a day on a nonschool day.
5. More than 18 hours a week during a school week.
6. More than 40 hours a week during a nonschool week.

Requirements under the Pennsylvania Child Labor Law (from the Abstract of the Child Labor Law, Rev 12-01, p. 1) are as follows:

During the School Term:

1. Maximum 4 hours on school days,
2. 8 hours on any other day,
3. 18 hours per school week (Monday through Friday), and
4. Only at a time that does not interfere with school attendance.
5. Plus 8 additional hours on Saturday and/or Sunday.

During Summer Vacation:

1. Maximum 8 hours per day, 44 hours per week.

The Federal guidelines that apply to the employment of 16- and 17-year olds are as follows (Employer's Pocket Guide on Youth Employment: Youth Rules, U.S. Dept. of Labor, p. 4):

Under the FLSA, 16- and 17-year olds may be employed for unlimited hours in any occupation other than those declared hazardous by the Secretary of Labor.

Requirements under the Pennsylvania Child Labor Law (from the Abstract of the Child Labor Law, Rev 12-01, p. 1):

During the School Term:

1. Maximum 28 hours per school week (Monday through Friday) if enrolled in regular day school.
2. Plus 8 additional hours on Saturday and 8 additional hours on Sunday.
3. However, maximum daily hours cannot exceed 8 hours per day.

During Summer Vacation:

1. Maximum 8 hours per day, 44 hours per week.

There are exceptions to the hours of employment for ages 16 and 17. (See Abstract of the Child Labor Law, Rev 12-01, p. 1)

The Child Labor Law also requires all students under the age of 18 to complete an employment certificate or work permit prior to beginning employment (see page 36). The PDE 4565 is an application form that is a prerequisite to the issuance of all employment certificates or work permits, except the Farm or Domestic Service Permit. The designated school district issuing officer has responsibility for approving applications for employment certificates and work permits.

Employment certificates or work permits are required for students to participate in cooperative education. Cooperative education teacher-coordinators should be certain that all students have obtained the necessary employment certificate or work permit prior to being sent to their worksites.

When the school reviews an application for employment certificate, close attention should be given to Section C. If the maximum hours per day or per week are exceeded for 14- and 15-year olds, then a permit should not be issued to the student.

Both the state and federal Child Labor Laws also include a list of prohibited occupations for minors. Student learners may not be involved in any prohibited occupation unless they qualify for one of the stated exceptions.

Pages 43 through 47 contain samples of the employment certificate/work permits used with cooperative education student learners. Contact your high school guidance counselor for official PDE employment forms.

**Child Labor Law**  
**Act of 1915, P.L. 286, No. 177**

**Excerpts from the Law**

A minor between the ages of fourteen and sixteen years may be employed as hereinafter provided in such work as will not interfere with school Attendance: Provided, however, That nothing contained in this section shall be construed as superseding or modifying any provisions contained in section seven of the act to which this is an amendment (p. 3).

**Minors and Hazardous Occupations**

No minor under sixteen years of age shall be employed or permitted to work in, or about, or in connection with, any manufacturing or mechanical occupation or process; nor on scaffolding; nor in heavy work in the building trades; nor in stripping or assorting tobacco; nor in any tunnel; nor upon any railroad, steam, electric or otherwise; nor upon any boat engaged in the transportation of passengers or merchandise, nor in operating motor-vehicles of any description; nor in any anthracite or bituminous coal-mine, or in any other mine.

No minor under eighteen years of age shall be employed or permitted to work in the operation or management of hoisting machines, in oiling or cleaning machinery, in motion; at switch-tending, at gate tending, at track-repairing; as a brakeman, fireman, engineer, or motorman or conductor, upon a railroad or railway; as a pilot, fireman, or engineer upon any boat or vessel; in the manufacture of paints, colors or white lead in any capacity; in preparing compositions in which dangerous leads or acids are used; in the manufacture or use of dangerous or poisonous dyes; in any dangerous occupation in or about any mine; nor in or about any establishment wherein gunpowder, nitroglycerine, dynamite, or other high or dangerous explosive is manufactured or compounded: Provided, That minors age fourteen and over may operate power lawn mowing equipment: And provided further, That such minors may be employed in bowling centers as snack bar attendants, porters, control desk clerks and scorer attendants: And provided further, That such minors may work where such chemicals, compound, dyes and acids are utilized in the course of experiments and testing procedures, in such circumstances and under such conditions and safeguards, as may be specified by rule or regulations of the Department of Labor and Industry (Par. Amended Oct. 4, 1989, P.L. 584, No. 62).

No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold, or dispensed; nor in a pool or billiard room: Provided, That male or female minors sixteen years of age and over may be employed and permitted to work that part of a motel, restaurant, club or hotel in which liquor or malt or brewed beverages are not served: And, provided further, That minors sixteen years of age and over may be employed to serve food, clear tables and perform other duties, not to include the dispensing or serving of alcoholic beverages, in any licensed establishment whose sales of food and nonalcoholic beverages are equal to forty per cent or more of the combined gross sales of both food and alcoholic beverages. Before employing any minor sixteen years of age and over, any establishment licensed by the Liquor Control Board shall furnish to the school district official authorized to issue employment certificates a certification that, for a period of not less than ninety

consecutive days during the twelve months immediately preceding the date of application, the sales of food and nonalcoholic beverages by the employer at the licensed premises were equal to or exceeded forty per cent of the combined gross sales of food, nonalcoholic and alcoholic beverages in conformity with the requirements set forth in Regulation 141 of the Liquor Control Board governing the sale of alcoholic beverages on Sunday. Nothing in this section should be construed as prohibiting minors fourteen and fifteen years of age to be employed at ski resorts, golf courses and amusement parks as long as they are not permitted to serve or handle alcoholic beverages and as long as they do not work in any room in which alcohol is being served or stored (Par. Amended Dec. 15, 1999, P.L. 946, No. 67).

No minor shall be employed or permitted to serve or handle alcoholic liquor in any establishment where alcoholic liquors are sold or dispensed; nor be employed or permitted to work in violation of the laws relating to the operation of motor vehicles by minors.

In addition to the foregoing, it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any occupation dangerous to the life or limb, or injurious to the health or morals, of the said minor, as such occupations shall, from time to time, after public hearing thereon, be determined and declared by the Industrial Board of the Department of Labor and Industry: Provided, That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section (5 Amended Aug. 23, 1961, P.L. 1107, No. 494).

### **Employment Certificates**

All employers shall require the minor to have a valid employment certificate or transferable work permit prior to the commencement of employment. A transferable work permit shall remain in the custody of the minor.

It shall be the duty of every person who shall employ any minor possessing a general or vacation employment certificate to acknowledge, in writing, to the official issuing the same, the receipt of the employment certificate of said minor, within five days after the beginning of such employment. On termination of the employment of any such minor the general employment certificate or vacation employment certificate issued for such minor shall be returned by mail, by the employer, to the official issuing the same, immediately upon demand of the minor for whom the certificate was issued, or otherwise, within five days after termination of said employment. The official to whom said certificate is so returned shall file said certificate and preserve the same. Any minor whose employment certificate has been returned, as above provided, shall be entitled to a new employment certificate upon presentation of a statement from the prospective employer, as hereinabove provided (17 Amended Dec. 21, 1988, P.L. 1908, No. 192).

### **Penalty for Violation of the Act**

Any person, or agent or manager for any person, who shall violate any of the provisions of this act, or who shall compel or permit any minor to violate any of the provision of this act, or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act, shall, upon conviction thereof, be sentenced to pay a fine, for a first offense, of not less than two hundred (\$200.00) dollars nor more than four hundred (\$400.00) dollars, and, on a subsequent

offense, to pay a fine of not less than seven hundred fifty (\$750.00) dollars nor more than one thousand five hundred (\$1,500.00) dollars, or to undergo an imprisonment of not more than ten days, or both, at the discretion of the court (23 Amended Dec. 15, 1999, P.L. 946, No. 67).

**Interpretation of Section 4 of the Child Labor Law  
Bureau of Labor Law Compliance Directive No. 5A**

The following is an interpretation of Section 4 of the Child Labor Law with reference to the working hours for students whose employment is part of a recognized work-based learning program and is supervised by a certified school authority.

Paragraph 1 of Section 4 applies to 16- and 17-year olds, and stipulates that these minors may not work more than six consecutive days, nor more than 44 hours in any one week, nor more than eight hours in any one day. A minor enrolled in a regular day school and working outside school hours is permitted to work 28 hours during a school week, which constitutes five days, Monday through Friday. In addition, the student may work eight hours on Saturday and/or Sunday providing the student does not exceed the 44-hour week and not more than six consecutive days in any one-work week.

For the average student not working on Sunday, it is practically impossible to reach the 44-hour maximum unless there are four vacation days in one school week. When a school week is divided between part school days and part vacation days, the state law is interpreted to permit prorating of the hours in the following manner – add to the 28 hour school week limit for 16- and 17-year olds, four hours for each school vacation day thus:

5 school days	28 hours
4 school days, 1 school vacation day	32 hours
3 school days, 2 school vacation days	36 hours
2 school days, 3 school vacation days	40 hours
1 school day, 4 school vacation days	44 hours

Students in a work-based learning program are released from school for X number of hours per week for the intent purpose of receiving on-the-job training. Therefore, the 28 hours a school week can be added to the hours for released time to come up with a total not to exceed eight hours per day nor more than 40 hours per school week. This, in effect, is saying that from Monday through Friday, the supervised work-based learning program students are legally permitted to work 40 hours, whereas the full day student is limited to 28 hours in that same time period. The maximum is still 44 hours per week, for all students.

Paragraph 2 of Section 4 of Child Labor Law applies to 14- and 15-year olds, and restricts employment before 7:00 a.m. and after 7:00 p.m. of any day; however, from June to Labor Day, they may be employed until 10:00 p.m. (September 22, 1972 Amendment). A minor enrolled in school and working outside school hours shall not be permitted to be employed in any establishment or in any occupation for more than four hours on a school day, or more than eight hours on any other day, nor more than 18 hours during a school week. Hours spent in employment, which is part of a recognized work-based learning program and is supervised by a recognized school authority, must be combined with the hours spent in school and the total may not exceed eight hours a day.

This liberal interpretation of Section 4 more nearly equalized the work hours permitted for students in work-based learning programs and those pursuing the academic or general courses, and great care should be exercised to adhere to these limits, thus students in all programs are limited to the number of hours specified in Section 4 of the Child Labor Law.

No. 696 Revised 6/73

Reviewed by the Pennsylvania Department of Labor and Industry, Bureau of Labor Law Compliance, April 2003.

## **Hazardous Occupations Exemptions for Diversified Occupations (DO) Students**

### **The Child Labor Law (43 P. S. §§41-71) Regulations Governing the Employment of Minors in Industry Subchapter B. Employment of Minors in Industry**

*Student learners* - Minors enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local educational authority or in a course of study in a substantially similar program conducted by a private school and employed under a written agreement, which provides the following:

(i) That the work of the student learner in the occupations declared particularly hazardous shall be incidental to his training.

(ii) That such work shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person.

(iii) That safety instructions shall be given by the school and correlated by the employer with on-the-job training.

(iv) That a schedule of organized and progressive work processes to be performed on the job shall have been prepared. Each such written agreement shall contain the name of the student learner and shall be signed by the employer and the school coordinator or principal. Copies of each agreement shall be kept on file by both the school and the employer.

#### **Source**

The provisions of this §11.21 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial pages (8267) and (8268).

Concern: Are Diversified Occupations students eligible for the student-learner exemption under prohibited occupations?

Answer: Yes and No. Yes, if the students have had **specific** and **adequate** occupational training in school. (Note the student learner definition above.) No, if students have had no training and are being placed specifically for the purpose of receiving initial training on the job.

#### Definitions:

Specific Training – training directly related to the career objective.

Adequate Training – training in one of the six vocational areas normally considered adequate to develop occupational competence.

Rationale: A large percentage of diversified occupation students have not had specific training prior to placement on the job. These students would not be exempt from the hazardous occupations. Some, however, have transferred from other school districts or programs within their particular school district and have had specific training. Those students could be eligible for the hazardous occupations exemption.

## Mandatory Postings for Pennsylvania Employers

The following is a listing of required State and Federal employee notices. The listing includes the notice to be posted, the employers who must post each notice, and information on how to obtain the notice. All notices must be posted in a conspicuous place so that they can be seen and read by employees. Failure to post notices can result in stiff penalties and possible fines. Some Federal notices may be obtained through State agencies. These posters are identical to those provided by the Federal government and only one copy of the notice has to be posted. In addition to the notices listed below, all government agencies and private employers with government contracts over \$25,000 are required to publish and post an anti-drug policy statement in accordance with the Drug-Free Workplace Act of 1988.

### State Required Employee Notices

NOTICE	POSTING REQUIREMENTS	HOW TO OBTAIN NOTICE
Abstract of the Pennsylvania Child Labor Law Form No. LLC-5	All PA Employers of Minors	Department of Labor and Industry Bureau of Labor Law Compliance (717) 787-4671
Hours of Work for Minors Under Eighteen Form No. LLC-17	All PA Employers of Minors	
Minimum Wage Law Poster and Fact Sheet Form No. LLC-1	All PA Employers	
Abstract of Equal Pay Law Form No. LLC-8	All PA Employers	
Pennsylvania Right to Know Law Form No. PSF-4/4S	Public Employers (State, County, Township, etc.)	Department of Labor and Industry PENNSAFE (717) 783-2071 (1-888) 723-3422
Unemployment Compensation Form No. UC-700 (Claim Fact Sheet)	All Employers	Department of Labor and Industry Bureau of UC Benefits and Allowances (717) 783-3140
Workers' Compensation Form No. LIBC-500 (Claim Fact Sheet)	All PA Employers	Your Insurance Carrier or Department of Labor and Industry Bureau of Workers' Compensation (717) 783-5421
Employment Provisions of the PA Human Relations Act  Public Accommodations Provisions  Fair Lending Practices  Fair Housing Practices		Pennsylvania Human Relations Commission (717) 772-2845

Copies of these posters can be obtained from the Pennsylvania Department of Labor and Industry by calling (717) 783-8794.

Retrieved March 24, 2003

[www.dli.state.pa.us/landi/cwp/view.asp?a=125&Q=63528&landiPNavCtr=|1065|#1309&dsftns=3432](http://www.dli.state.pa.us/landi/cwp/view.asp?a=125&Q=63528&landiPNavCtr=|1065|#1309&dsftns=3432)

## Federal Required Employee Notices

Some of the statutes and regulations enforced by agencies within the Department of Labor require that notices be posted in the workplace. The Department provides electronic copies of the required posters. Some of the Department of Labor's posters are available in languages other than English. They are also available in electronic form.

Please note that posting requirements vary by statute; that is, not all employers are covered by each of the Department's statutes and thus may not be required to post a specific notice. For example, some small businesses may not be covered by the Family and Medical Leave Act and thus would not be subject to the Act's posting requirements. For information on coverage, the Employment Laws Assistance for Workers and Small Business (elaws) Poster Advisor ([www.dol.gov/elaws/posters.htm](http://www.dol.gov/elaws/posters.htm)) is a good starting point and will provide links to pages containing more detailed information.

For information about poster requirements, or for assistance in obtaining posters, read our workplace poster requirements for small businesses and other employers ([www.dol.gov/osbp/sbrefa/poster/matrix.htm](http://www.dol.gov/osbp/sbrefa/poster/matrix.htm)).

<b>POSTERS OF GENERAL APPLICABILITY</b>	
Fair Labor Standards Act (FLSA) (minimum wage)	Job Safety & Health Protection (available in English and Spanish)  Job Safety & Health Protection – Federal Agency (occupational safety and health)
Family and Medical Leave Act (FMLA) Available in Spanish	Equal Employment Opportunity Act Available in Spanish
Migrant and Seasonal Agricultural Worker Protection Act (MSPA) Available in Spanish Available in Haitian	Notice to Workers with Disabilities (FLSA, SCA and Walsh-Healey Act) Available in Spanish
Employee Polygraph Protection Act (EPPA)	

<b>POSTERS OF SPECIAL INTEREST TO FEDERAL CONTRACTORS</b>	
The Davis-Bacon Act (government construction)	Equal Employment Opportunity Available in Spanish
The Service Contract Act (SCA)	

Retrieved March 24, 2003, [www.dol.gov/osbp/sbrefa/poster/main.htm](http://www.dol.gov/osbp/sbrefa/poster/main.htm)

**APPLICATION FOR EMPLOYMENT CERTIFICATE  
OR TRANSFERABLE WORK PERMIT**

Date of Application \_\_\_\_\_  
Certificate/Permit Number \_\_\_\_\_  
Date Issued \_\_\_\_\_

PDE – 4565 (10/91)

**A. To be completed by issuing officer**

Name of Minor	Sex _____ Color of Hair _____ Color of Eyes _____	Signature of Issuing Officer
Any Distinguishing Physical Characteristics	School District – Name and Address	
Place of Residence	Evidence of age accepted and filed. Evidence shall be required in the order designated. Cross out all but the one accepted. a. Transcript of birth certificates    b. Baptismal certificate or transcript    c. Passport d. Other documentary evidence    e. Affidavit of parent or guardian accompanied by physician's statement of opinion as to the age of the minor	
Date of Birth		
Month	Day	Year

**B. To be completed by parent, guardian, or legal custodian in presence of issuing officer**

I, the parent, guardian or legal custodian of the above named minor, request the issuance of an employment certificate as indicated below:

Mark only one

\_\_\_\_\_ General Employment Certificate                      \_\_\_\_\_ Transferable Work Permit (in lieu of General Employment Certificate)  
\_\_\_\_\_ Vacation Employment Certificate                      \_\_\_\_\_ Transferable Work Permit (in lieu of Vacation Employment Certificate)

Signature of parent, Guardian or Legal Custodian	Name and Address of Parent, Guardian or Legal Custodian
--	---

Commonwealth of Pennsylvania – Department of Education

**C. To be completed by prospective employer**

The undersigned expects to employ the minor as \_\_\_\_\_ in the industry of \_\_\_\_\_  
(type of work) (kind of industry)

The minor will work during such times and in accordance with the maximum hours permissible by law as established by Section 4 and 12 of the Child Labor Law, Act of May 13, 1915, P.L. 286: No. 177, as amended.

<p><b>* Hours of employment- Ages 14 and 15</b></p> <p>Maximum 3 hours on school days Maximum 18 hours per week Maximum 8 hours on nonschool days Maximum 40 hours per nonschool week</p> <p><b>Summer Vacation</b></p> <p>Maximum 8 hours per day Maximum 40 hours per week</p> <p><b>Night Work</b></p> <p>School term—may not work after 7 p.m. or before 7 a.m. Exception – Summer vacation until 9 p.m. but not before 7 a.m.</p> <p><b>* Federal Law</b></p>	<p><b>Hours of employment – Ages 16 and 17</b></p> <p>Maximum 8 hours on any given day Maximum 28 hours (Mon. – Fri.). Plus an additional 8 hours on Saturday and an additional 8 hours on Sunday. Maximum 44 hours per week</p> <p><b>Summer Vacation</b></p> <p>Maximum 8 hours per day, 44 hours per week</p> <p><b>Night Work</b></p> <p>School Term: May not work after midnight Sunday through Thursday or before 6 a.m. any day. Exception: Preceding nonschool day 1 a.m. No limits during summer</p>	<p>Employer: Within the limitations as identified in "Hours of Employment", please fill in the following:</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Sun</td> <td style="text-align: center;">Mon</td> <td style="text-align: center;">Tues</td> <td style="text-align: center;">Wed</td> <td style="text-align: center;">Thurs</td> <td style="text-align: center;">Fri</td> <td style="text-align: center;">Sat</td> </tr> <tr> <td style="text-align: center;">_____ hrs.</td> <td style="text-align: center;">_____ hrs.</td> <td style="text-align: center;">_____ hrs.</td> <td style="text-align: center;">_____ hrs.</td> <td style="text-align: center;">_____ hrs.</td> <td style="text-align: center;">_____ hrs.</td> <td style="text-align: center;">_____ hrs.</td> </tr> </table> <p>Maximum hours: per day _____ per week _____</p> <p>Name, address and telephone number of employer:</p> <p>_____</p> <p>_____ Zip _____</p> <p>Signature of Owner or Manager</p> <p>_____</p>	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.
Sun	Mon	Tues	Wed	Thurs	Fri	Sat										
_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.	_____ hrs.										

**D. To be completed by examining physician, certified nurse practitioner or certified registered nurse practitioner employed by the board of school directors, by the minor's family physician or by a physician designated by the prospective employer.**

I hereby certify that the minor named on this form has been thoroughly examined and

\_\_\_\_\_ Is physically qualified for the employment specified in the statement of the prospective employer.

\_\_\_\_\_ Is physically qualified for the period of \_\_\_\_\_, after which time a new examination is required.

\_\_\_\_\_ Is physically qualified with the following limitations: \_\_\_\_\_

Signature of Examiner	Address of Examiner
-----------------------	---------------------

**GENERAL EMPLOYMENT CERTIFICATE NO \_\_\_\_\_**

Issued only for a minor between 16 and 18 years of age who has complied with the requirements of the Child Labor Law. Seventeen-year-old minors who have graduated from a senior high school or who reached their academic potential do not need a General Employment Certificate (Act 49, approved April 25, 1968).

PARENT OR GUARDIAN OF MINOR	DATE OF BIRTH OF MINOR			FIRST NAME OF MINOR	LAST NAME OF MINOR
	Mo.	Day	Year		
RESIDENCE OF PARENT OR GUARDIAN			RESIDENCE OF MINOR		
KIND OF EVIDENCE OF AGE ACCEPTED AND FILED					
PLACE OF BIRTH – COUNTRY			SIGNATURE OF MINOR		
DESCRIPTION OF MINOR (INDICATE BY X) SEX: Male Female EYES: Dark Brown Light Brown Blue Gray Black HAIR: Black Brown Blonde Red Other Distinguishing Physical Characteristics					

Know all men and that I, being the person duly authorized by law to issue employment certificates, hereby certify that the above-named minor personally appeared before me and has been examined and has presented all the credentials required by the Child Labor Law, that these credentials have been approved and filed in this office, that this certificate is approved by me and has been signed by the minor in my presence.

This certificate authorizes \_\_\_\_\_ (Employer) \_\_\_\_\_ (Address)

to employ the above-named minor in accordance with the provisions of the law in the capacity of \_\_\_\_\_

\_\_\_\_\_ (Occupation of Minor)

at \_\_\_\_\_ (Official Address of Issuing Officer) \_\_\_\_\_ (Signature of Issuing Officer)

Issued }  
on \_\_\_\_\_ 20 \_\_\_\_\_ in \_\_\_\_\_ (School District) \_\_\_\_\_ (Official Title)

PDE 4612 (10/91)

**IMPORTANT:** This certificate does not authorize employment contrary to the provisions of the Fair Labor Standards Act.

Commonwealth of Pennsylvania  
Department of Education

**EMPLOYER – TAKE NOTICE**

1. While the minor is in your employ, this certificate must be kept on file in your establishment, accessible for inspection as authorized by law.
2. When the minor leaves your employ, this certificate must be returned by mail to the issuing official immediately upon demand of the minor or otherwise within five days after the termination of the employment of the minor.
3. If the minor fails to enter your employ, this certificate must be returned by mail to the issuing official within five days.
4. This certificate is valid only in the hands of the employer named, for the occupation herein designated. In order to change the general nature of the occupation of the minor while in your employ a new Employment Certificate must be procured.
5. The minor herein named shall not be permitted to work more than 44\* hours per week, nor more than 8 hours per day, nor more than 5 hours continuously without an interval of at least 30 minutes for lunch, nor more than 6 days unless specifically excepted under the Child Labor Law.
6. Every person employing minors under 18 years of age shall post in a conspicuous place where such minors are employed:
  - A. A printed abstract of the Child Labor Law.
  - B. A schedule listing each minor employed and giving the maximum hours of labor per day and per week of each. (Copies of the abstract and schedule forms, as well as information on State minimum wage rates, may be obtained from the Bureau of Labor Standards. Hours and Wages, Pennsylvania Department of Labor and Industry.)
7. Any person, or any agent or manager for any person, who shall violate any of the provision of this act, or who shall compel or permit any minor to violate any provision of this act, or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act, shall, upon conviction thereof, be sentenced to pay a fine, for a first offense, of not less than one hundred (\$100) dollars nor more than three hundred (\$300) dollars, and on a subsequent offense to pay a fine of not less than two hundred fifty (\$250) dollars nor more than one thousand (\$1,000) dollars, or to undergo an imprisonment of not more than ten days, or both, at the discretion of the court. Federal law imposes up to \$10,000 in fines.
8. "All Employment Certificates shall be issued only on forms supplied by the Secretary of Education" – Section 18, Act 177, Approved May 13, 1915.

\*The Federal Fair Labor Standards Act affecting interstate commerce requires overtime pay of time and one-half the employee's regular rate of all hours over 40 hours a week.

**GENERAL EMPLOYMENT CERTIFICATE CONTINUED**

No. \_\_\_\_\_ General Employment Certificate Highest Grade Completed \_\_\_\_\_

Name of Minor \_\_\_\_\_

Date Issued \_\_\_\_\_ Date of Birth \_\_\_\_\_

Evidence of age accepted. Cross out all but the one accepted.

- (a) Birth Certificate
- (b) Baptismal Certificate
- (c) Passport
- (d) Other documentary evidence (other than a school record)
- (e) Affidavit of parent or guardian accompanied by physician's statement of opinion as the age of minor.

Name of Employer \_\_\_\_\_

To Issuing Officer: Be sure to place your name and address where indicated on the attached receipt before mailing it with the General Employment Certificate to the employer.

**RECEIPT**

General Employment Certificate No. \_\_\_\_\_

To be filled in by Employer:

This is to certify that the General Employment Certificate of

\_\_\_\_\_ Name of Minor \_\_\_\_\_ Address of Minor \_\_\_\_\_  
has been received by me, has been properly filed for inspection and said minor began work \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_ Name of Firm \_\_\_\_\_ Signature of Member, Supt. or Mgr. \_\_\_\_\_  
\_\_\_\_\_ Address of Firm \_\_\_\_\_ Date \_\_\_\_\_

Employer – Detach and return this receipt within five days to Issuing Officer whose name and address appear below.

To be filled in by Issuing Officer:

1. Date certificate was issued \_\_\_\_\_, 20\_\_\_\_\_
2. Name of school district \_\_\_\_\_
3. Name of issuing officer \_\_\_\_\_
4. Address \_\_\_\_\_

**PDE-4566 (12/89)**

**TRANSFERABLE WORK PERMIT**

Class of certificate (mark one only) \_\_\_\_\_ Number \_\_\_\_\_  
General Employment \_\_\_\_\_ Date Issued \_\_\_\_\_  
Vacation Employment \_\_\_\_\_

Issued to a minor between 16 and 18 years of age under the provision of the Child Labor Laws, as amended.

Name of Minor \_\_\_\_\_

Signature of Minor \_\_\_\_\_

Place of Residence \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Description of Minor \_\_\_\_\_

Place of Birth \_\_\_\_\_

(city) (state) (country)

Mo. Day Year

(sex) (color of eyes) (color of hair) (date of birth)

Other distinguishing characteristics and physical limitations \_\_\_\_\_

**Issuing Officer**

I hereby certify that all the requirements of law for issuing a Transferable Work Permit has been fulfilled and that the above named minor has been signed this permit in my presence.

Signature of Issuing Officer \_\_\_\_\_

Official Title \_\_\_\_\_

School District Name and Address \_\_\_\_\_

\_\_\_\_\_

Zip

**EMPLOYER INSTRUCTIONS**

- A. Any employer, employing a minor having a Transferable Work Permit shall, within five days of commencement of such employment, provide the school district issuing that permit with the following information in writing:
  - 1. Permit number
  - 2. Name and age of employee.
  - 3. Number and hours per day and week minor will work
  - 4. Character of employment
- B. Any employer, employing minors having Transferable Work Permits shall maintain a record of minors in their employ.
  - 1. A photocopy of the transferable Work Permit may be used for such records.
  - 2. The Transferable Work Permit shall remain in the custody of the minor employee.

**Note to Minor Holding this Permit:**

- 1. When applying for employment makes sure the employer has access to the information contained on this permit.
- 2. Allow the employer to make a photocopy of this permit if he/she wishes.
- 3. The permit must be returned to you and you should carry it on your person when you are working.

**Class of Certificate**

- 1. General Employment – Entitles a minor, 16 to 18 years of age, to work during the entire year and at any time of the day to a maximum of eight hours per day and 44 hours per week.
- 2. Vacation Employment – Entitles a minor, 16 to 18 years of age to work on any day except at such times when a minor is required to attend school. (Minors under 16 years of age may not be issued a Transferable Work Permit.)

**Note Issuing Officers:** Please mark the proper class of certificate (General or Vacation) on the face of this permit.

**PDE 4502 (10/91) VACATION EMPLOYMENT CERTIFICATE**

Number \_\_\_\_\_

Vacation employment certificates shall entitle a minor, twelve to fourteen years of age to work as a caddy and a minor, fourteen to eighteen years of age to work as provided for the Child Labor Law, as amended. The minor may work on any day except at such times on such days as such minor is required to attend school.

Date Issued \_\_\_\_\_

Note: Specific provisions vary depending on the age of the minor. This certificate is valid only for the employer named and the occupation designated hereon.

Name of Minor		Signature of Minor	
Place of Residence	Date of Birth		Place of Birth – City, State
	Month	Day	

**DESCRIPTION OF MINOR**

Sex \_\_\_\_\_ Color of Eyes \_\_\_\_\_ Color of Hair \_\_\_\_\_  
 Any distinguishing physical characteristics \_\_\_\_\_

Name and Address of Employer	Nature of Occupation of Minor
------------------------------	-------------------------------

I hereby certify that the above-named minor appeared before me and has been examined; that all the papers required by law have been duly examined, approved and filed; that all the conditions and requirements for issuing a vacation employment certificate have been fulfilled; and that the minor has signed this certificate in my presence.

Signature of Issuing Officer	School District – Name, Address and Telephone
Official Title	

COMMONWEALTH OF PENNSYLVANIA – DEPARTMENT OF EDUCATION

**EMPLOYER INSTRUCTIONS**

1. Within five days of receipt of the Vacation Employment Certificate, the employer must acknowledge such receipt, in writing, to the school district issuing the certificate. The receipt attached to the certificate should be completed and returned to satisfy this requirement.
2. During the time period the minor is employed, this permit must be kept on file and be accessible to any attendance officer, deputy factory inspector, or other authorized inspector or officer charged with the enforcement of the Child Labor Law.
3. Upon termination of employment of the minor, the employer shall return the certificate by mail to the school district issuing the certificate immediately upon demand of the minor for whom the certificate was issued, or otherwise, within five days after termination of the minor’s employment.
4. \*Hours of employment – Ages 14 and 15  
 School Term: Maximum 3 hours on school days  
 Maximum 18 hours per week  
 May not work after 7 p.m. or before 7 a.m.  
  
 Summer Vacation: Maximum 8 hours per day,  
 40 hours per week.  
 May not work before 7 a.m. or after 9 p.m.

\*Federal Law

## **Pennsylvania Minimum Wage Act/Fair Labor Standards Act**

Pennsylvania's Minimum Wage Act of 1968 (P.L. 11, No. 5, as amended, 43 P.S. §333.101.115) and the Federal Fair Labor Standards Act of 1938 (29 U.S.C.A. §206) establish minimum wage and overtime standards, require equal pay for equal work, regardless of sex, and contain certain child labor standards that apply to cooperative education when an employer-employee relationship is established. Details concerning the applicable portions of the laws can be found on pages 43-47 of this Section. The poster can be accessed at:  
[www.dli.state.pa.us/landi/lib/landi/pdf/posters/images/lwc-1.pdf](http://www.dli.state.pa.us/landi/lib/landi/pdf/posters/images/lwc-1.pdf)

Retrieved March 24, 2003, [www.dol.gov/esa/regs/compliance/posters/flsa.htm](http://www.dol.gov/esa/regs/compliance/posters/flsa.htm)

**Summary of the Pennsylvania Minimum Wage Act**  
**Act of January 17, 1968, P.L. 11, No. 5 as amended, 43 P.S. §333.101 – §333.115**

This summary is for general information and is not to be considered as official positions contained in releases formally adopted by the Department of Labor and Industry.

**Wage Rate**

Effective September 1, 1997, the minimum wage rate was increased to \$5.15 per hour. This rate must be paid to all employees except where a specific exemption is provided.

**Overtime Rate**

One and one-half (1 ½) times the employee's regular rate of pay for all hours in excess of 40 hours worked in a workweek.

The term workweek shall mean a period of 7 consecutive days starting on any day selected by the employer.

**Exceptions**

If the secretary finds that the requested employment of students at less than the minimum wage is necessary in order to prevent curtailment of opportunities for employment, the Secretary may issue a certificate to the employer authorizing employment at a wage less than the prescribed minimum rate, provided however, that the wage may not be less than 85% of the otherwise applicable minimum wage established in section 4 of the act (43 P.S. §333.104).

Students are permitted to work on a part-time basis, but not in excess of 20 hours in any workweek at the subminimum wage rate during the school term, except that when school is not in session, the weekly limitation on the maximum number of hours, which may be worked at the subminimum rate may be increased by 8 hours for each holiday, but in no event for more than 40 hours a week.

Individuals whose earning or productive capacity is impaired by a physical or mental disability, including those related to age or injury may be paid sub-minimum wages pursuant to a certificate issued by the Secretary of Labor. The sub-minimum wages are commensurate with wages paid to non-disabled workers. Employment at less than the minimum wage is authorized to prevent curtailment of opportunities for employment for disabled workers.

*Learner* - a person who is participating in a bona fide training program for an occupation in which that person is employed.

*Student* - An individual who is enrolled in and regularly attends, on a full-time basis during the daytime, an institution of learning offering a course of instruction leading to a degree, certificate or diploma, or who is completing residence requirements for a degree.

**Allowances**

Wages paid to an employee include the reasonable cost of board, lodging and other facilities if the board, lodging or other facilities are customarily furnished by the employer to the employee; provided however, that in no event shall the cost of the deductions and allowances exceed their actual cost, exclusive of profit, to the employer.

*Board* – Food furnished on an established schedule.

*Lodging* – A housing facility available for the personal use of the employee at all hours.

### **Exemptions from Both Minimum Wage and Overtime Provisions**

#### Section 5. Exemptions.

- a) Employment in the following classifications shall be exempt from both the minimum wage and overtime provisions of this act:
  - 1) Labor on a farm;
  - 2) Domestic services in or about the private home of the employer;
  - 3) Delivery of newspapers to the consumer;
  - 4) In connection with the publication of any weekly, semiweekly, or daily newspaper with a circulation of less than four thousand, the major part of which circulation is within the county where published or counties contiguous thereto;
  - 5) In a bona fide executive, administrative or professional capacity (including any employee employed in the capacity of academic administrative personnel or teacher in elementary or secondary schools) or in the capacity of outside salesman (as such terms are defined and delimited from time to time by regulations of the secretary, except that an employee of a retail or service establishment shall not be excluded from the definition of employee employed in a bona fide executive or administrative capacity because of the number of hours in his workweek which he devotes to activities not directly or closely related to the performance of executive administrative activities, if less than forty percent of his hours worked in the workweek are devoted to such activities);
  - 6) In the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organization gratuitously;
  - 7) In seasonal employment, if the employee is under eighteen years of age, or if a student under twenty-four years of age, by a nonprofit health or welfare agency engaged in activities dealing with handicapped or exceptional children or by a nonprofit day or resident seasonal recreational camp for campers under the age of eighteen years, which operates for a period of less than three months in any one year;
  - 8) ((8) repealed Dec. 15, 1988, P.L. 1232, No. 150)
  - 9) In employment by an establishment which is a public amusement or recreational establishment, organized camp, or religious or nonprofit educational conference center, if

- (a) It does not operate for more than seven months in any calendar year, or
- (b) During the preceding calendar year, its average receipts of any six months of such year were not more than thirty-three and one-third percent of its average receipts for the other six months of such year;

((9) Amended July 1, 1978, P.L. 735, No. 135)

- 10) Golf caddy;
  - 11) In employment as a switchboard operator employed by an independently owned public telephone company which has not more than seven hundred and fifty stations;
  - 12) Employees not subject to civil service laws who hold elective office or are on the personal staff of such and officeholder, are immediate advisers to him, or are appointed by him to serve on a policy-making level.
- b) Employment in the following classifications shall be exempt from the overtime provisions of this act:
- 1) Seaman;
  - 2) Any salesman, parts man, or mechanic primarily engaged in selling and servicing automobiles, trailers, trucks, farm implements or aircraft if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers;
  - 3) Any driver employed by an employer engaged in the business of operating taxicabs;
  - 4) Any employee employed as an announcer, news editor, or chief engineer by a radio or television station, the major studio of which is located
    - i) In a city or town of one hundred thousand population or less, according to the latest available decennial census figures as compiled by the Bureau of the Census, except where such city or town is part of a standard metropolitan statistical area, as defined and designated by the Bureau of the Budget, which has a total population in excess of one hundred thousand, or
    - ii) In a city or town of twenty-five thousand population or less, which is part of such an area but is at least forty airline miles from the principal city in such area;
  - 5) Any employee engaged in the processing of maple sap into sugar (other than refined sugar) or syrup;
  - 6) Employment by an establishment, which is a motion picture theatre;

- 7) Any employee of a motor carrier with respect to whom the Federal Secretary of Transportation has power to establish qualifications and maximum hours of service under 49 U.S.C. §3102(b)(1) and (2) (relating to requirements for qualifications, hours of service, safety and equipment standards).

((b) amended July 9, 1990, P.L. 348, No. 79)

(c) ((c) amended July 1, 1978, P.L. 735, No. 135 and repealed by the same act effective Jan. 1, 1979) (5 amended De. 10, 1974, P.L. 916, No. 303)

Compiler's Note: Section 3 of Act 79 of 1990, which amended section 5, also contained the following provisions:

Section 3. No claim shall be made for overtime wages pursuant to the act to which this is an amendment by an employee of a motor carrier with respect to whom the Federal Secretary of Transportation has power to establish qualifications and maximum hours of service under 49 U.S.C. §3102(b)(1) and (2) (relating to requirements for qualifications, hours of service, safety and equipment standards) after the effective date of this act.

Retrieved May 19, 2003, [www.dli.state.pa.us/landi/lib/landi/laws-regulations/lc/a-5.pdf](http://www.dli.state.pa.us/landi/lib/landi/laws-regulations/lc/a-5.pdf)

## **Keeping Records**

Every employer shall keep a true, accurate and legible record for each employee. The records shall be preserved for a period of three years from date of last entry and shall contain the following information:

- Name
- Home address
- Regular hourly rate of pay
- Occupation
- Time and day that the workweek begins.
- The number of hours worked daily and weekly.
- Total daily or weekly straight time wages.
- Total overtime excess compensation for the workweek.
- Total additions to or deductions from wages paid each pay period.
- Allowances, if any, claimed as part of the minimum wage.
- Total wages paid each pay period.
- Date of payment and the pay period covered by payment.
- Special certificates for students and learners as set forth in section 4(b) of the act (43 P.S. §333.104(b)).

## **Enforcement**

The secretary shall enforce this act, which includes making and revising regulations, which are deemed appropriate to carry out the purposes of this act and to safeguard the established minimum wage rates.

## **Penalties**

Any employer of the officer or agent of any corporation who pays or agrees to pay any employee less than the rates applicable to such employee under the Minimum Wage Act of 1968 shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than seventy-five dollars (\$75) nor more than three hundred dollars (\$300) or to undergo imprisonment of not less than ten nor more than sixty days, or both. Each week in which such employee is paid less than the rate applicable to him under this act and for each employee who is paid less than the prescribed rate, a separate offense shall be deemed to occur. Any agreement between the employer and the employee to work for less than the applicable wage rate shall be no defense to action by the Commonwealth under this section.

Any employer or the officer or agent of any corporation who violates any other provision of this act or of any regulation issued there under shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), and each day of such failure to comply with this act or regulation, shall constitute a separate offense.

If any employee is paid by his or her employer less than the minimum wages provided by section 4 of this act or by any regulation issued there under, such worker may recover in a civil action the full amount of such minimum wage less any amount actually paid to the worker by the employer, together with costs and such reasonable attorney's fees as may be allowed by the court.

## **Employment Relationships**

Before the provisions of the Fair Labor Standards Act apply to a person's employment, an employer-employee relationship must exist. An employment relationship requires an "employer" and "employee," and the act or condition of employment. The courts have made it clear that an employment relationship under the Fair Labor Standards Act is broader than the traditional common law concept of master and servant. The difference between an employment relationship under the Fair Labor Standards Act and one under the common law arises from the fact that the term "employ" as defined in the Fair Labor Standards Act includes "to suffer or permit to work." Mere knowledge by an employer of work done for him or her by another is sufficient to create an employment relationship under the Fair Labor Standards Act.

### **Employment Relationship of Trainees**

The Supreme Court has held that the words "to suffer or permit to work," as used in the Fair Labor Standards Act (FLSA) to define "employ," do not make all persons employees who, without any express or implied compensation agreement, work for their own advantage on the premises of another. Whether trainees or students are employees of an employer under the FLSA will depend upon all of the circumstances surrounding their activities on the premises of the employer. If **all** of the following criteria apply, the trainees or students **are not** employees within the meaning of the Act:

1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a career and technical school;
2. The training is for the benefit of the trainees or students;
3. The trainees or students do not displace regular employees, but work under close supervision;
4. The employer that provides the training receives no immediate advantage from the activities of the trainees or students and, on occasion, his operations may even be impeded;
5. The trainees or students are not necessarily entitled to a job at the conclusion of the training period; and
6. The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training.

### **Employment Relationships of Disabled Trainees**

The Departments of Education and Labor have collaborated to promote opportunities for educational placements in the communities for students with disabilities, while assuring that applicable labor standards protections are strictly observed. Existing Department of Labor guidelines which define "employees" for the purposes of applying the requirements of the Fair Labor Standards Act (FLSA) do not specifically address community-based education programs for students with disabilities. To assist program administrators in developing programs or making placements that do not create questions about the establishment of an employment relationship between the students and participating businesses in the community, the Employment Standards Administration (Department of Labor), and the Offices of Vocational and Adult Education, and Special Education and Rehabilitative Services (Department of Education) have developed the following guidance.

## Guidelines

Where all of the following criteria are met, the U.S. Department of Labor will not assert an employment relationship for purposes of the Fair Labor Standards Act.

- Participants will be youth with physical and/or mental disabilities for whom competitive employment at or above the minimum wage level is not immediately obtainable and who, because of their disability, will need intensive on-going support to perform in a work setting.
- Participation will be for vocational exploration, assessment, or training in a community-based placement work site under the general supervision of public school personnel.
- Community-based placements will be clearly defined components of individual education programs developed and designed for the benefit of each student. The statement of needed transition services established for the exploration, assessment, training or cooperative vocational education components will be included in the students' Individualized Education Program (IEP).
- Information contained in a student's IEP will not have to be made available; however, documentation as to the student's enrollment in the community-based placement program will be made available to the Departments of Labor and Education. The student and the parent/guardian of each student must be fully informed of the IEP and the community-based placement component and have indicated voluntary participation with the understanding that participation in such a component does not entitle the student-participant to wages.
- The activities of the students at the community-based placement site do not result in an immediate advantage to the business. The Department of Labor will look at several factors.
  1. There has been no displacement of employees, vacant positions have not been filled, employees have not been relieved of assigned duties, and the students are not performing services that, although not ordinarily performed by employees, clearly are of benefit to the business.
  2. The students are under continued and direct supervision by either representative of the school or by employees of the business.
  3. Such placements are made according to the requirements of the student's IEP and not to meet the labor needs of the business.
  4. The periods of time spent by the students at any one site or in any clearly distinguishable job classification are specifically limited to the IEP.
  5. While the existence of an employment relationship will not be determined exclusively on the basis of the number of hours, as a general rule, each component will not exceed the following limitations during any one school year:
    - Vocational Exploration – 5 hours per job experienced
    - Vocational Assessment – 90 hours per job experienced
    - Vocational Training – 120 hours per job experienced

- Students are not entitled to employment at the business at the conclusion of their IEP. However, once a student has become an employee, the student cannot be considered a trainee at that particular community-based placement unless in a clearly distinguishable occupation.

It is important to understand that an employment relationship will exist unless all of the criteria described in the guidelines are met. Should an employment relationship be determined to exist, participating businesses can be held responsible for full compliance with FLSA, including the child labor provisions.

Businesses and school systems may at any time consider participants to be employees and may structure the program so that the participants are compensated in accordance with the requirements of the Fair Labor Standards Act. Whenever an employment relationship is established, the business may make use of the special minimum wage provisions provided pursuant to section 14(c) of the Act.

Retrieved March 10, 2003, [www.nasdse.org/satellite02/DOL-StatementOfUnderstanding.pdf](http://www.nasdse.org/satellite02/DOL-StatementOfUnderstanding.pdf)

## **Pennsylvania Worker and Community Right to Know Act**

The Pennsylvania Worker and Community Right to Know Act (P.L. 734, No. 159 of 1984) requires that information about hazardous substances in the workplace and in the environment be available to public sector employees and employees of private sector workplaces not covered by the federal Occupational Safety and Health Administration (OSHA) Hazard Communication Standard, and to all persons living or working in the state.

Students participating in cooperative education in the workplace are covered by this Act and are entitled to information about hazardous substances in their specific work area or workplace. A notice of the major provisions of the Right to Know Act is provided.

Retrieved March 10, 2003, [www.dli.state.pa.us/landi/lib/landi/laws-regulations/rtk/r-18.pdf](http://www.dli.state.pa.us/landi/lib/landi/laws-regulations/rtk/r-18.pdf)

# PENNSYLVANIA WORKER AND COMMUNITY RIGHT TO KNOW ACT

## EMPLOYEE WORKPLACE NOTICE

The Pennsylvania Worker and Community Right to Know Act requires that information about hazardous substances in the workplace and in the environment is available to public sector employees and employees of private sector workplaces not covered by the Federal Occupational Safety and Health Administration (OSHA) Hazard Communication Standard and to all persons living or working in the State. Employee rights listed below are further defined in the Worker and Community Right to Know Act (P.L. 734, No. 159) and Regulations.

**For additional information, contact the Department of Labor and Industry, Bureau of Pennsafe, Room 1503, Seventh and Forster Streets, Harrisburg, Pennsylvania 17120; (717) 783-2071; Fax (717) 783-5099.**

- Employee Workplace Notice:** Public sector employers (including state and local government agencies and public schools and public universities) and private sector employers not covered by the OSHA Hazard Communication Standard must post this notice informing employees of their rights under the law. This notice must be posted prominently in the workplace at a location where employee notices are normally posted.
- Training:** Public sector employers and private sector employers not covered by the OSHA Hazard Communication Standard must provide an annual education and training program to employees exposed to hazardous substances. The training program may be presented either in written form or in training sessions.
- Hazardous Substance Survey Form:** The Hazardous Substance Survey Form (HSSF) provides an inventory of the hazardous substances found in the workplace during the prior calendar year. **All employers must complete a workplace HSSF annually, Public sector employers and private sector employees not covered by OSHA must post the HSSF prominently in the workplace and must provide a copy to any employee upon request.**
- Work Area List:** The Work Area List names the hazardous substances used or produced in a specific work area in the workplace. Public sector employers and private sector employers not covered by the OSHA Hazard Communication Standard must update a Work Area List at least annually, must provide a copy to any employee of the work area upon request, and must offer a copy to any employee newly assigned to that work area.
- Material Safety Data Sheet:** The Material Safety Data Sheet (MSDS) provides detailed information about a hazardous substance. In public sector workplaces and private sector workplaces not covered by the OSHA Hazard Communication Standard, an MSDS must be accessible in the work area where the hazardous substance it describes is used. MSDS must be readily available to employees without the intervention or permission of management or supervisors, and any employee may obtain and examine an MSDS for any hazardous substance in the workplace. If an employee's request to obtain a copy of an MSDS is made to the employer in writing and, after five working days from the date the request is made, the employer fails to furnish the employee with an MSDS in the employer's possession or fails to provide the **employee** with proof of the employer's effort to obtain the requested MSDS from the manufacturer, importer, supplier or distributor and from the Department of Labor and Industry, the requesting employee may refuse to work with the substance.

**Environmental  
Hazard Survey  
Form:**

The Environmental Hazard Survey Form (EHSF) provides information about any environmental hazards emitted, discharged or disposed of from the workplace. AU employers are required to complete an EHSF when and if requested to do so by the Department of Labor and Industry. If a public sector employer has completed an EHSF or a private sector employer not covered by the OSHA Hazard Communication Standard, a copy must be provided to any employee upon request.

**Labeling:**

All containers and parts of pipelines of hazardous and non-hazardous substances in public sector workplaces and private sector workplaces not covered by the OSHA Hazard Communication Standard must be properly labeled. Employers must ensure that each label, sign, placard or other operating instruction is prominently affixed and displayed on the container or port of a pipeline system so that employees can easily identify the contents.

**Health and Exposure  
Records:**

Public sector employers and private sector employers not covered by the OSHA Hazard Communication Standard must maintain and allow employee access to records of employee chemical exposure to the extent required by OSHA (under 29 CFR 1910.20) or by the Mine Safety Health Administration (under 30 CFR 70.210 and 71.210)

**Nondiscrimination:**

If a public sector employee or an employee of a private sector workplace not covered by the OSHA Hazard Communication Standard believes that he or she has been discharged, disciplined or discriminated against by an employer for exercising his or her rights granted under the Pennsylvania Worker and Community Right to Know Act, that employee has 180 days from the date of the alleged violation to file a written complaint with the Department of Labor and Industry, Bureau of PENNSAFE.



Commonwealth of Pennsylvania  
Edward Rendell, Governor  
Department of Labor and Industry  
Stephen Schmerin, Secretary

Retrieved March 10, 2003, [www.sru.edu/depts/finance/safety/employee.htm](http://www.sru.edu/depts/finance/safety/employee.htm)

## **The Americans with Disabilities Act (ADA)**

The American Disabilities Act (ADA) Public Law 336 of the 101st Congress, enacted July 26, 1990, prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship. Religious entities with 15 or more employees are covered under Title I.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

The term “qualified individual with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires. For the purposes of this subchapter, consideration shall be given to the employer's judgment as to what functions of a job are essential, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.

All provisions of the ADA must be followed in the placement of students in cooperative education. If a cooperative education student believes that an employer is engaging in employment discrimination on the basis of disability, or they wish to request an accommodation, they should contact the local field office of the U.S. Equal Employment Opportunity Commission.

Retrieved March 10, 2003, [www.usdoj.gov/crt/ada/cguide.htm](http://www.usdoj.gov/crt/ada/cguide.htm)

Retrieved March 11, 2003, [www.eeoc.gov/laws/ada.html](http://www.eeoc.gov/laws/ada.html)

## **Workers' Compensation Act**

Workers' Compensation is an employer-financed, no-fault insurance that compensates employees who have been disabled due to a work-related injury or disease. The passage of Act 44, Workers' Compensation Reform Act of 1993, and Act 57, Reform Act of 1996, have led to major reductions in employer insurance rates while encouraging employers to provide safer working environments.

Nearly every Pennsylvania worker is covered by the PA Workers' Compensation Act. Employers must provide workers' compensation (WC) coverage for all of their employees, including seasonal and part-time workers.

Cooperative education teacher-coordinators should remind students participating in cooperative education that they should immediately report any injury or work-related illness to their worksite supervisor to ensure they will receive any eligible benefits under the Workers' Compensation Act.

Anyone who commits fraud may be subject to civil or criminal penalties. Reports of workers' compensation fraud should be directed to the Pennsylvania Insurance Fraud Prevention Authority.

The Department of Labor and Industry, through the Bureau of Workers' Compensation, is responsible for the administration and maintenance of this program.

Retrieved March 11, 2003, [www.dli.state.pa.us/landi/cwp/view.asp?a=138&Q=65873](http://www.dli.state.pa.us/landi/cwp/view.asp?a=138&Q=65873)

## **Unemployment Compensation**

Section 4(1)(4)(10)(C) of the Pennsylvania Unemployment Compensation Law (PA UC) excludes from coverage "Service performed by an individual under the age of twenty-two who is enrolled at a public or non-profit educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution which combines academic instruction with work experience, if such service is an integral part of such program and such institution has so certified to the employer, except that this subparagraph shall apply to service performed in a program established for or on behalf of an employer or group of employers."

A written certification must be in effect between the school and the employer, if such services are to be excluded from coverage under the Law.

Therefore, unless the above requirements are met, the remuneration paid to a student would constitute covered wages for PA UC tax purposes. Such wages would be included when reporting on Forms UC-2, Employer's Report for Unemployment Compensation and UC-2A, Employer's Quarterly Report of Wages Paid to Each Employee.

In the event these wages do meet the exemption requirements under Section 4(1)(4)(10)(C) of the PA UC Law, these amounts would not be reported on Forms UC2/2A.

Please note that the taxability of a particular individual's wages under the PA UC Law does not automatically signify their eligibility to receive unemployment compensation benefits.

To be considered eligible for unemployment compensation benefits, there are a total of three requirements: 1) financial eligibility; 2) qualifying separation; and, 3) able and available for suitable work. It is not possible to determine an individual's eligibility for unemployment compensation benefits until the individual has filed an application for benefits and all available information concerning the individual's unemployment has been examined. Each claim is adjudicated separately.

The PA UC Law in its entirety is available on the Commonwealth of Pennsylvania Department of Labor and Industry home page at [www.dli.state.pa.us](http://www.dli.state.pa.us). Click on "Laws and Regulations" and scroll to "Unemployment Compensation." Click on "Law" and click on "PA UC Law."

Retrieved March 23, 2003, [www.dli.state.pa.us/landi/lib/landi/laws-regulations/uc/ucregs.pdf](http://www.dli.state.pa.us/landi/lib/landi/laws-regulations/uc/ucregs.pdf)

## **Pennsylvania Human Relations Act**

Pennsylvania Human Relations Act of Act of 1955, P.L. 744, No. 222 as amended July 12, 1996 by Act 117 of 1996 prohibit certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as defined in the Act. It also authorized the Human Relations Commission to adopt guidelines as a prevention tool to help assure that everyone in Pennsylvania can work in an environment from unsolicited and unwelcome sexual advances. Although complaints of sexual harassment will be decided by the Commission on a case-by-case basis, the guidelines outlined below have been designed to help employers and employees understand how the Commission will make such decisions.

The following are Pennsylvania Human Relations Commission sexual harassment guidelines retrieved March 24, 2003, [www.sites.state.pa.us/PA\\_Exec/PHRC/legal/harassment\\_guidelines.html](http://www.sites.state.pa.us/PA_Exec/PHRC/legal/harassment_guidelines.html).

(a) Harassment on the basis of sex is a violation of the Pennsylvania Human Relations Act. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

(b) In determining whether alleged conduct constitutes sexual harassment, the Commission will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be made from the facts, on a case-by-case basis.

(c) Applying general Title VII and Pennsylvania Human Relations Act principles, an employer, employment agency, joint apprenticeship committee or labor organization (hereinafter collectively referred to as 'employer') is responsible for its acts and those of its agents and supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were authorized or even forbidden by the employer and regardless of whether the employer knew or should have known of their occurrence. The Commission will examine the circumstances of the particular employment relationship and the job functions performed by the individual in determining whether an individual acts in either a supervisory or agency capacity.

(d) With respect to conduct between fellow employees, an employer is responsible for acts of sexual harassment in the workplace where the employer (or its agents or supervisory employees) knows or should have known of the conduct, unless it can show that it took immediate and appropriate corrective action.

(e) An employer may also be responsible for the acts of nonemployees, with respect to sexual harassment of employees in the workplace, where the employer (or its agents or supervisory employees) knows or should have known of the conduct and fails to take immediate and appropriate corrective action. In reviewing these cases the Commission will consider the extent of the employer's

control and any other legal responsibility, which the employer may have with respect to the conduct of such nonemployees.

(f) Prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII and the Pennsylvania Human Relations Act, and developing methods to sensitize all concerned.

(g) Other related practices: Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for unlawful sex discrimination against other persons who were qualified for but denied that employment opportunity or benefit.

(Pa. B. Dec. No. 81-201. Filed January 30, 1981)

### **Required Posters**

Employment Provisions of the Pennsylvania Human Relations Act

This poster is required to be posted by employers of four or more employees and subject to the Pennsylvania Human Relations Act.

Public Accommodations Provisions

This poster is required for public accommodations, such as restaurants, theaters and doctor's offices. Available to accommodations subject to the Pennsylvania Human Relations Act.

Fair Lending Practices

This poster is required to be posted by lenders and by businesses where housing financing transactions are negotiated, such as banks and savings and loans. Available to accommodations subject to the Act.

Fair Housing Practices

This poster is required to be posted by owners of housing, real estate brokers and others subject to the housing provisions of the Act.

Retrieved March 24, 2003, [www.maec.org/pa/humanrel.html](http://www.maec.org/pa/humanrel.html)

Retrieved March 24, 2003, [www.sites.state.pa.us/PA\\_Exec/PHRC/legal/harassement\\_guidlines.html](http://www.sites.state.pa.us/PA_Exec/PHRC/legal/harassement_guidlines.html)

## Tort Liability

Tort of Negligence is the act of unintentionally committing harm to the person or property of another.

Four Elements of Negligence:

1. Duty (teachers have a duty to exercise care in the supervision of students);
2. Breach of Duty (negligent supervision is a breach of duty);
3. Injury (a teacher's negligent supervision must be the proximate cause for the injury); and
4. Damages (can be monetary, pain and suffering, future earnings, etc.).

Tort Liability and Public School Teachers

- A. At one time, public school systems enjoyed sovereign immunity.
- B. From 1973-1978, school districts became subject to liability for ordinary negligence.
- C. In 1978, the Political Subdivision Tort Claims Act was passed (42 Pa. C.S.A. §8541), which restored immunity except in eight specific circumstances. Thus, school districts (and other political subdivisions) are not immune from liability if a plaintiff can demonstrate negligence in any one of the following areas:
  1. The operation of a motor vehicle;
  2. The care, custody or control of personal property;
  3. The care, custody or control of real property;
  4. A dangerous condition of trees, traffic signs, lights or other traffic controls or street lighting systems;
  5. A dangerous condition of the facilities or steam, sewer, water, gas or electric systems;
  6. A dangerous condition of streets;
  7. A dangerous condition of sidewalks; and
  8. The care, custody or control of animals.

Damages and Employee Liability

- A. Damages arising from the same occurrence are limited to \$500,000 in the aggregate.
- B. The Act requires the employer to indemnify an employee of a public school district, provided the employee has given timely written notice to the district and the employee was acting within the scope of his/her employment at the time of the accident. In addition, the district must either defend or pay for the cost of defense of the employee.
- C. Where employee's conduct constitutes a crime, fraud, malice or willful misconduct, the individual will assume liability, and the district will enjoy immunity.

**Caution:** Negligence can rise to the level of willful misconduct. Thus, if the district successfully argues that negligence was actually willful (or outside the scope of employment), the district escapes liability and the employee assumes liability.

## Evaluation of Cooperative Education

The purpose of any evaluation is to be practical and effective in determining how to improve the quality of a program and/or services. Evaluation provides information to decision makers on how to examine a program to determine how and where to make program improvements. This involves defining the program and establishing quality indicators.

Cooperative education contributes to human resources development in many ways. The following are a few key points:

- Cooperative education provides each student with an experiential learning experience to achieve success.
- Cooperative education is an effective learning strategy at the secondary and postsecondary level.
- Cooperative education is open to all individuals.
- Cooperative education establishes business, industry, labor and education partnerships and contributes to economic development.

### What is Cooperative Education?

The term ‘cooperative education’ means a method of instruction of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required academic courses and related vocational and technical education instruction, by alternation of study in school with a job in any occupational field, which alternation shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual, and may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

Carl D. Perkins Vocational and Technical Education Act of 1998  
Retrieved March 25, 2003, [www.ode.state.or.us/opte/perkins/perkinsLaw1998.pdf](http://www.ode.state.or.us/opte/perkins/perkinsLaw1998.pdf)

### What Elements Determine a Cooperative Education Program Based on the Definition?

1. **Alternate or parallel periods of instruction in school and supervised public or private employment are required.** Periods of work and classroom activities may be made up of alternate half days, full days, weeks or other time segments. The average minimum number of hours is usually between 15 and 20 hours per week. This facilitates compliance with federal and state law as affecting the employment of minors.
2. **A written agreement among the school, the employer, the student and where appropriate the parent/guardian is required.** This written agreement, commonly known as the training agreement, is school initiated and outlines the responsibilities of the educational agencies, employers, and students to the program. It is Pennsylvania’s position that the parent/guardian be included as a key component of the partnership for high school students.

3. **Instruction (including required academic instruction) must be related to the job and to the students' academic study or career goals.** Vocational cooperative education programs normally have time requirements for related career and technical instruction by program area, as dictated by the state guidelines. (See Title 22 Section §339.22 Program Content) This required related instruction can range from a minimum of one hour up to three hours per day. At the secondary level, in-school courses are specifically designed to develop students' attitudes, knowledge and employability skills, and are generally designed to be taken concurrently with employment.
4. **The alternation of study and work must be planned and supervised to further the students' education and employability.** Cooperative education coordinators are responsible for planning and conducting related academic and career and technical instruction designed to meet the students' on-the-job needs. The training sponsors have the responsibility of providing a variety of well-planned tasks to assist students in becoming competent employees. Competent supervision by both parties ensures that experience, in a systematic progression of job-related skills, is correlated with classroom instruction.
5. **Students must be employed and compensated in compliance with federal, state and local laws.** Such compliance ensures that students are not exploited for private gain.

In keeping with the aforementioned elements, cooperative education should be reviewed in a comprehensive manner. The following areas should be reviewed with equal importance to ensure a solid program foundation. See Figure ? on page ? for a suggested review format.

### **What Areas Ensure a Solid Program Foundation?**

#### ***Program Development and Operation***

**Goal:** The cooperative education program is planned to meet student and community needs through clear, attainable objectives, which fit the overall education program of the school and are evaluated systematically.

#### ***Quality indicators:***

1. Written statements containing the purposes, goals, and objectives of the cooperative education program are on file with the administration and are consistent with the school philosophy.
2. All students enrolled in the program have an occupational goal or objective on file.
3. Provisions are made to accommodate all students in the cooperative education program.
4. A job description of the cooperative education teacher-coordinator is maintained and updated annually.
5. The cooperative education teacher-coordinator works with school guidance personnel in assessment and enrollment of prospective cooperative education students.
6. Program planning reflects requirements for emphasis on mathematics, communications, science, social science, and career and technical education as core curriculum subjects.

### ***Local Advisory Committee***

**Goal:** The local advisory committee provides effective communication between the school and the community, is responsible for suggesting curriculum changes, and assists in program evaluation.

***Quality indicators:***

1. There is a cooperative education student and a parent/guardian representative on the school's advisory committee.
2. The cooperative education teacher-coordinator attends the meetings of the advisory committee and is familiar with the recommendations made.

### ***Facilities and Equipment***

**Goal:** The facilities are current and of sufficient size and quality to effectively meet the instructional needs of students in cooperative education.

***Quality indicators:***

1. A classroom, storage facilities and access to an office with telephone and computer are available to the cooperative education teacher-coordinator.

### ***Program Administration***

**Goal:** The cooperative education program functions with an adequate budget for salary, travel, equipment and supplies.

***Quality indicators:***

1. The cooperative education program is an integral part of the strategic plan for career and technical education and considered an equal, but separate program.
2. An approved budget for the current fiscal year is on file and available to the cooperative education teacher-coordinator for operational purposes of the cooperative education program.
3. The cooperative education teacher-coordinator uses a plan or checklist to assure each student is kept informed as to achievement of necessary skills and knowledge (competencies).
4. An ongoing review of instructional materials is conducted to ensure freedom from discrimination.

### ***Instructional Staff***

**Goal:** A certified cooperative education teacher-coordinator is responsible for conducting a quality cooperative education program, as well as maintaining effective school and community relations.

***Quality indicators:***

1. The cooperative education teacher-coordinator is properly certified and possesses the personal, technical, professional and occupational competencies necessary to prepare students for entry-level employment or for advanced educational program(s).
2. The cooperative education teacher-coordinator participates in continuing in-service professional and technical development programs designed for his/her benefit.
3. Professional competency is maintained, but not limited to, involvement in organizations such as:
  - Pennsylvania Cooperative Education Association (PCEA)
  - Association for Career and Technical Education (ACTE)

***Curriculum and Instruction***

**Goal:** The content of all instruction is organized around the skill development needed by students and includes an overview of occupational opportunities.

***Quality indicators:***

1. The cooperative education curriculum is based on analysis of the skills, attitudes and knowledge required to meet the occupational objectives of the students.
2. Written plans that clearly state instructional objectives, activities and resources to be utilized during instruction are developed.
3. A variety of instructional methods are used (i.e., multi media materials, contextual strategies, field trips, speakers, etc.).
4. Students are provided with individualized projects or units of study relating to their career objectives.
5. Student leadership development activities are incorporated into the overall course of study.
6. Communications, mathematics, science and social science are integrated into the related class for continuing emphasis on developing essential competencies.
7. Students are apprised of the importance of productivity, the free enterprise system and basic employability skills as they pursue occupational preparation opportunities.

***Student Follow-Up and Placement***

**Goal:** Comprehensive evaluation of the cooperative education program is conducted which includes follow-up of students to determine successful placement, employers' opinions concerning program adequacy, and student opinion of program effectiveness.

***Quality indicators:***

1. Employer opinion surveys are conducted annually concerning the relevancy of the cooperative education program.
2. The findings of evaluation, follow-up and surveys are available and utilized by the cooperative education teacher-coordinator, administration and advisory committee in updating and improving the program.

## ***Cooperative Education Components***

**Goal:** Cooperative education involves responsibility and experience in application of skills relevant to the student's career objective.

### ***Quality indicators:***

1. The parent/guardians/guardians, students, employer and school have a signed, written training agreement and training plan, as required.
2. A training plan has been developed for each individual student and is relevant and specific to the student's occupational objectives. The student, employer and cooperative education teacher-coordinator use the plan to measure the progress and sequence of the learning experiences of the student.
3. Regularly scheduled worksite visits are conducted, and are of sufficient number so that the cooperative education teacher-coordinator can assist with training or occupational programs.
4. The cooperative education teacher-coordinator maintains records of each student's agreement, training plan, employer rating sheets, wage and hour records, and information obtained from worksite visits.
5. The related classroom instruction is taught by the cooperative education teacher-coordinator and is designed to fit the student's career objective and/or individual job needs.
6. An established district/institution policy exists for granting recognition/credit for occupational experiences and related class instruction separately.
7. The employer and cooperative education teacher-coordinator are cooperatively involved in evaluating student progress.
8. An evaluation instrument is used to measure student performance on the job at the training site.
9. There is an organized system for developing and approving training sites.
10. Students are provided release time during the normal school day.
11. Students are employed for a wage that is comparable to that paid other part-time employees for similar work and are not displacing other workers who could do such work.
12. Travel expenses are provided for the cooperative education teacher-coordinator duties and other program-sponsored activities.
13. The appropriate state and federal labor laws are followed and reviewed by the cooperative education teacher-coordinator.

**Sample  
Cooperative Education Summary Sheet**

This page is to be completed by school staff as part of the evaluation process.

<b>Area</b>	<b>Strengths</b>	<b>Recommendations</b>	<b>Plans for Improvement</b>
<b>Program Development and Operation</b>			
<b>Local Advisory Committee</b>			
<b>Facilities and Equipment</b>			
<b>Program Administration</b>			

**Sample  
Cooperative Education Summary Sheet (Continued)**

<b>Area</b>	<b>Strengths</b>	<b>Recommendations</b>	<b>Plans for Improvement</b>
<b>Instructional Staff</b>			
<b>Curriculum and Instruction</b>			
<b>Student Follow-Up and Placement</b>			
<b>Cooperative Education Components</b>			

## **Opportunities for Work-Based Learning**

A number of opportunities exist for all students to gain work-based learning experiences. These opportunities may or may not be supervised and/or coordinated with the student's course of academic and career and technical education studies. The types of work-based learning opportunities include:

- Paid, unsupervised jobs (work release, work study).
- Paid, supervised jobs with supervision by a school and/or other training agency (cooperative education, internships, registered apprenticeships).
- Unpaid work in family enterprises.
- Paid jobs (i.e., Workforce Investment Youth Councils).
- Unpaid job, related classroom activities, supervised by a school (i.e., job shadowing, Junior Achievement, school-based enterprises).
- Simulations, not producing goods or services (i.e., school-based laboratories).
- Unpaid experience in real work settings with supervision by a school and/or other agency (i.e., community service, internships, service learning)

**The following activities may be available at the postsecondary level to support school/work site programs:**

- Cooperative Education
- New Choices/New Options
- On-the-Job Training
- Registered Apprenticeship Training
- Student Organizations
- Work Study

### Comparison of Work-Based Learning Experiences

<b>Work-Based Learning</b>	<b>School Supervision</b>	<b>Employer Supervision</b>	<b>High School Credit</b>	<b>Industry Certification</b>	<b>Employer Wages</b>	<b>Written Agreement</b>	<b>Training Plan</b>	<b>Duration of Training</b>
Cooperative Education	Yes	Yes	Yes	Yes/No	Yes	Yes	Yes	1 to 2 years
Community Service	Yes/No	Yes/No	Yes	No	No	No	No	Term/semester or less
Internships	Yes	Yes	Yes	No	Yes/No	Yes	Yes	Typically a term or summer
Job Shadowing	Yes	Yes	Yes	No	No	Yes	Yes	1 day to a few weeks
Junior Achievement	Yes	No	No	No	No	No	No	Ongoing, curriculum infused
Registered Apprenticeship	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1 to 6 years
School-Based Enterprises	Yes	No	Yes	No	No	No	Yes	Term or semester
Service Learning	Yes	No	Yes	No	No	No	Yes	1 day to a few weeks
Simulations	Yes	No	Yes	No	No	No	Yes	Week, term or semester
Tech Prep Work-Based	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1 to 4 years
Work Release	Yes	Yes	Yes	No	Yes	No	No	Variable

### Types of Work-Based Programs and Activities

<b>Program or Activity</b>	<b>School-Based Elements</b>	<b>Work-Based Elements</b>	<b>Connecting Activities and Coordination</b>
Clinical Experiences	Specific occupational area School training in specific field Develop technical competencies School credit	Practical experience – short term Supervised work-based learning Broad overview of an occupational field	Teachers supervise and work with employers to give students added development of technical competencies in a work setting Teachers, students and employers meet to evaluate the work experience and performance
Cooperative Education	Technical skills in a specific career area Integrated career and technical and academic studies Employability skills School credit	Hands-on experience at a worksite Work related to school training Paid work experience Evaluation by a supervisor	Training plan and agreement between school, student, parent/guardian and employer Supervised visits by school Cooperative Education Coordinator Students matched by ability with the job experience Students receive grades and wages
Community Service	No specific preparation	Volunteer services, usually in nonprofit organizations	Coordination with community organizations to provide situation whereby students can learn work skills, take responsibility and contribute to the community
Internships	Specific occupational area School training in a specific field Develop technical competencies School credit	Practical experience—short term Supervised work-based learning Broad overview of an occupational field	Teachers supervise and work with employers to give students added development of technical competencies in a work setting Teachers, students and employers meet to evaluate the work experience and performance
Job Shadowing	Career awareness No specific preparation	Exposure to work environment Student paired with adult for experience	Structured visits to worksites to acculturate students to the world of work
Junior Achievement	Specific career focus Related academics Technical skills	Exposure to work environment Situational learning	Teachers, students and volunteers meet to provide experience Structured visits to worksites

<b>Program or Activity</b>	<b>School-Based Elements</b>	<b>Work-Based Elements</b>	<b>Connecting Activities and Coordination</b>
Registered Apprenticeships	Technical skills in a specific area Integrated academic and technical coursework School credit	Hands-on experience at work site Work related to school training Written training plan Paid work experience Evaluation by supervisor	
School-Based Enterprises	Specific career focus Related academics Technical skills	Situational learning	All aspects of the industry
Service Learning	Community service Academics Technical skills Experiential learning	Supervised work related experience	Teachers work with community organization representatives to give students added development of technical competencies in a community setting
Tech Prep Work-Based	Specific career field High academic studies Industry-driven advanced skill training	Cluster approach in career field Wide range of career options Direct involvement and consultation with business and industry	Sequenced educational course requirements leading to higher education High schools and colleges coordinate curriculum
Work Release	No career objective or credit	Placement in paid employment	No school/work connection Student finds employment

## Definitions and Terms

**All Aspects of the Industry** – with respect to a particular industry that a student is preparing to enter, the student needs to have strong experience in and understanding of planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, health and safety and environmental issues related to that industry.

**Apprentice** – a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journey/craft persons. The training should be combined with properly coordinated studies of related technical and academic subjects, and who has entered into a written agreement, hereinafter called an apprentice agreement, with a registered apprenticeship sponsor who may be either an employer, an association of employers, or a local joint apprenticeship committee.

**Apprenticeship Training Program** – a program registered with the Department of Labor or the State apprenticeship agency in accordance with the act of August 16, 1937, known as the National Apprenticeship Act (29 U.S.C. §50), that is conducted or sponsored by an employer, group of employers, or a joint apprenticeship committee representing both employers and a union, and that contains all terms and conditions for the qualification, recruitment, selection, employment and training of apprentices.

**Cooperative Education** – The term ‘cooperative education’ means a method of instruction of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required academic courses and related vocational and technical education instruction, by alternation of study in school with a job in any occupational field, which alternation shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual, and may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

Carl D. Perkins Vocational and Technical Education Act of 1998  
Retrieved March 25, 2003, [www.ode.state.or.us/opte/perkins/perkinsLaw1998.pdf](http://www.ode.state.or.us/opte/perkins/perkinsLaw1998.pdf)

**Cooperative Education Teacher-Coordinator** – a certified professional member of the instructional staff responsible for administering the cooperative education program and resolving all problems that arise between the school and the on-the-job activities of the employed student. The teacher-coordinator acts as a liaison between the school and employers for cooperative education programs or other work-based learning experiences.

**Diversified Occupations Program** – a career and technical high school program of study in which students are given supervised work experience in any one of a variety of occupations combined with related classroom instruction. This type of program of study is suited especially to communities where the need for workers is too limited to justify separate courses for each occupation. This program of study is under the direction of the cooperative education teacher-coordinator.

## **Contacts and Sources of Information**

### **Association for Career and Technical Education**

1410 King Street  
Alexandria, VA 22314  
(703) 683-3111  
(800) 826-9972  
[www.actonline.org](http://www.actonline.org)

### **Pennsylvania Department of Education**

Lee Burket  
Bureau of Career and Technical Education  
Division of Systems Delivery  
333 Market Street, 6<sup>th</sup> Floor  
Harrisburg, PA 17126-0333  
(717) 772-4968  
[www.pde.state.pa.us](http://www.pde.state.pa.us)

### **Pennsylvania Department of Labor and Industry**

Labor Law Compliance  
L & I Building  
7th and Forster Streets  
Harrisburg, PA 17121  
(717) 787-5279  
(877) 803-8560  
[www.dli.state.pa.us](http://www.dli.state.pa.us)

### **Team Pennsylvania CareerLink**

Bureau of Employer and Career Services  
7th and Forster Streets  
Harrisburg, PA 17120  
(717) 787-9874  
[www.pacareerlink.state.pa.us](http://www.pacareerlink.state.pa.us)

### **U.S. Department of Labor**

Judith Rich  
Bureau of Apprenticeship and Training  
P.O. Box 1042  
Harrisburg, PA 17108  
(717) 221-4576

## **U.S. Department of Labor, Wage and Hour Division**

### **Pennsylvania Offices**

#### **Philadelphia District Office**

Stewart Bostic  
District Director  
US Dept. of Labor  
ESA Wage & Hour Division  
US Custom House, Room 350  
Second & Chestnut Streets  
Philadelphia, PA 19106  
(215) 597-4950

#### **Pittsburgh District Office**

John DuMont  
District Director  
US Dept. of Labor  
ESA Wage & Hour Division  
Federal Building  
1000 Liberty Ave., Room 313  
Pittsburgh, PA 15222  
(412) 395-4996

#### **Wilkes Barre District Office**

Joseph Dietrick  
District Director  
US Dept. of Labor  
ESA Wage & Hour Division  
7 North Wilkes Barre Blvd.  
Stegmaier Bldg. Suite 373M  
Wilkes Barre, PA 18702-5284  
(570) 826-6316

Retrieved March 31, 2003, [www.dol.gov/esa/contacts/whd/america2.htm](http://www.dol.gov/esa/contacts/whd/america2.htm)

**Pennsylvania Department of Labor and Industry  
Bureau of Labor Law Compliance**

**District Offices**

**Greater Philadelphia Regional Services**

Bureau of Labor Law Compliance  
1400 Spring Garden St., Room 1103  
Philadelphia, PA 19130-4064  
(215) 560-1858  
Counties Served: Bucks, Chester, Delaware, Montgomery, Philadelphia

**Lehigh Valley Regional Services**

Bureau of Labor Law Compliance  
100 Lackawanna Ave., Room 201-B  
Scranton, PA 18503  
(570) 963-4577  
(1-877) 214-3962  
Counties Served: Lehigh, Northampton

**Northeast Pennsylvania Regional Services**

Bureau of Labor Law Compliance  
100 Lackawanna Ave., Room 201-B  
Scranton, PA 18503  
(570) 963-4577  
(1-877) 214-3962  
Counties Served: Bradford, Carbon, Columbia, Lackawanna, Luzerne, Lycoming, Monroe, Montour, Pike, Sullivan, Susquehanna, Tioga, Wayne, Wyoming

**Susquehanna Regional Services**

Bureau of Labor Law Compliance  
1301 Labor and Industry Building  
7th and Forster Streets  
Harrisburg, PA 17120  
(717) 787-2026  
Counties Served: Adams, Berks, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Mifflin, Northumberland, Perry, Schuylkill, Snyder, Union, York

**Central Pennsylvania Regional Services**

Bureau of Labor Law Compliance  
1301 Labor and Industry Building  
7th and Forster Streets  
Harrisburg, PA 17120  
(717) 787-2026

Bureau of Labor Law Compliance  
300 Liberty Ave, Room 1201  
Pittsburgh, PA 15222  
(412) 565-5300  
(1-877) 504-8354

Counties Served: Bedford, Blair, Cambria, Cameron, Centre, Clearfield, Clinton, Elk, Fulton, Huntingdon, Indiana, Jefferson, Potter, Somerset

**Northwest Pennsylvania Regional Services**

Bureau of Labor Law Compliance  
300 Liberty Ave, Room 1201  
Pittsburgh, PA 15222  
(412) 565-5300  
(1-877) 504-8354

Counties Served: Clarion, Crawford, Erie, Forest, McKean, Mercer, Venango, Warren

**Greater Pittsburgh Regional Services**

Bureau of Labor Law Compliance  
300 Liberty Ave, Room 1201  
Pittsburgh, PA 15222  
(412) 565-5300  
(1-877) 504-8354

Counties Served: Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, Westmoreland

Retrieved March 31, 2003, [www.dli.state.pa.us](http://www.dli.state.pa.us)

## **Critical Issues in Career and Technical Education Cooperative Education**

### **1. What programs require a certified program coordinator?**

All Pennsylvania Department of Education approved career and technical education programs, which include cooperative education as an integral part of the curriculum, require cooperative education professional certification.

For further clarification of certification, contact the Pennsylvania Department of Education, Bureau of Teacher Certification and Preparation at (717) 783-6730. See specifically, "Cooperative Education Certification and Assignment Scope: CSPG #59 (January 1987).

### **2. Do supervisors have to be certified?**

Yes, if they are engaged in public school supervision. However, the term supervisor may be misleading. If, in this case, the job description requires the instruction and on-the-job supervision of cooperative education students, the required area of certification is that of Cooperative Education Teacher-Coordinator and not Supervisor.

### **3. Do Diversified Occupations students need to have 120 minutes of class time or can we document learning based on competency-based learning that has no time parameters?**

This is a local district decision. Although the state has moved away from any specific hourly requirement needed to deliver a planned course, cooperative education teacher-coordinators must be afforded adequate and appropriate time to provide a planned course of related classroom instruction to both capstone and diversified occupations students as well as other school-to-work programs.

The related classroom instruction should be competency based. Thus the amount of time needed to present a planned course may vary to suit local needs. The guidelines for operating a Cooperative Diversified Occupational Program are explained in detail on pages 15-18 in Section One of these guidelines.

### **4. If high schools have instituted block scheduling, what ramifications will these strategies have for cooperative education and other school/worksite partnerships?**

Any form of block scheduling should be a plus in the overall scheduling process because it could provide flexibility and additional time in a student's daily or weekly schedule. Examples are combining several class periods for concentrated instruction or offering off-campus experiential learning and/or on-the-job training.

### **5. Is there a student and cooperative education teacher-coordinator ratio regulated by the state? Is there a maximum number of students?**

No. The state does not regulate a ratio. Rather, it assumes the local school district administrators will use good judgment in the number of students assigned to a cooperative

education teacher-coordinator because of the amount of time required to instruct, place and complete regular on-site follow-up visits to improve students' performance on the job. Refer to "Time Needed to Deliver a Cooperative Education Program" on pages 9-10 in Section One of these guidelines.

**6. What are the legal ramifications per the Pennsylvania Department of Labor and Industry of putting students into unpaid worksite experiences, such as job shadowing, internships, volunteering, etc.?**

The legal ramifications for unpaid learning experiences per Labor and Industry regulations fall under the Fair Labor Standards Act (Wages-Hour Law) and Child Labor Law. It is imperative that you apply the six criteria for trainees or students who are not considered employees. Refer to "Employment Relationships" found on pages 54-56 in Section Two of these guidelines. It would be advisable to have the school solicitor assist in the preparation of a comprehensive school policy regarding potential liability in case of an accident or injury to a student participating in an unpaid worksite experience.

**7. Should there be minimal safety training before a placement?**

Yes, proper student instruction in safety and accident prevention is a shared responsibility of the cooperative education teacher-coordinator and career and technical education teacher and must be provided prior to, as well as during, the student's on-the-job experience.

Safety instruction should include the area(s) of the Pennsylvania Worker and Community Right to Know Act, the Worker's Compensation act and any specific job-related safety practices, including "all aspects of the industry."

**8. Are there any new interpretations on safety instruction for student learners?**

Student learners should receive related classroom instruction in the Pennsylvania Worker and Community Right to Know Act, the Workers' Compensation Act, as well as specific job safety to include all aspects of the industry. For more information, refer to Section Two of these guidelines.

Particular attention should be given to Prohibited Occupations for Minors and the basis for which exemptions are granted. See Section Two. The terms student learner, apprentice and laboratory student aide are key to determining eligibility for an exemption. Note: Students must be enrolled in or have graduated from an approved career and technical education curriculum that prepares them for employment in the specific occupation.

**9. Who is liable for job shadowing and internships?**

The local school district/career and technical school, professionally involved school personnel such as teachers, counselors, administrators and the cooperative education teacher-coordinator, parent/guardian, student and training site all share in this responsibility. The primary area of concern usually arises from tort liability and

negligence. Thus, it is important to establish local school board policy for all concerned parties. Additional information is found on page 65 in Section Two of these guidelines.

Although there are no state professional certification requirements for the category of job shadowing or internships, it is highly recommended that persons working with students in these areas be professionally prepared. Also, any form of student job shadowing or internship should be addressed and adopted as part of the school/career and technical center strategic plan.

**10. Is liability insurance needed for field and clinical experiences (not job shadowing, or nonpaid). What are the hourly requirements for internships?**

It is strongly advisable that school/career and technical centers carry liability insurance wherever students will be dealing with the consumer. In most health clinical areas, institutions usually require proof of liability insurance as part of the contract to allow students into the facility for a hands-on experience. Insurance should cover the teacher and the student in the clinical area.

Hourly requirements should be built on predetermined exit outcomes and learning objectives. In some instances, regulations stipulate student time in clinical or field experience. For example, the Certified Nurse Aide program has a clinical minimum of 37.5 hours.

**11. In health and food service programs, who pays for immunization shots (Hepatitis B)?**

Occupational Safety and Health (OSHA) regulations stipulate that the employer is responsible for employee immunizations and universal precautions education. The employer does an assessment and designates the employees in the high-risk category. Those individuals receive a series of immunizations for hepatitis upon employment. The employer is responsible only for those immunizations during actual employment. In all secondary program areas of health, it is advisable to have a school board-approved health policy in place to protect the student and the school district.

**12. Must child labor laws be followed?**

State and federal child labor laws were designed to protect the student learner and the employer. The employer and cooperative education teacher-coordinator must adhere to the laws. The six criteria determining a student learner must be applied in each situation. Attention must also be given to placing students in nonhazardous/hazardous occupations.

**13. Can students legally work without pay?**

Yes, but under strict conditions and criteria regarding the training that will take place. In this question, the term work might be misunderstood. The Fair Labor Standards Act is very specific in terms of whether trainees or students are considered employees. Refer to Employment Relationships on pages 54-56 in Section Two of these guidelines. You must

apply the six criteria to each student-learner in each training situation. This depends upon all of the circumstances surrounding their activities on the work site.

**14. How do you determine paid versus nonpaid programs?**

Refer to Employment Relationships on pages 54-56 in Section Two of these guidelines. All six criteria must be met to ensure that student-learners are not considered employees. Paid versus nonpaid trainee or student learning experiences are addressed in the Fair Labor Standards Act.

**15. How are the Child Labor Laws addressing job shadowing and nonpaid experiences?**

This is addressed under the Fair Labor Standards Act. Refer to Employment Relationships on pages 54-56 in Section Two of these guidelines. Student-learners are not considered employees when all six criteria are met.

**16. Under Child Labor Laws, what employment certificates must students apply for prior to employment?**

Sections 8 and 11 of the Child Labor Law refer to employment certificates. See page 36 in Section Two of these guidelines.

**17. Can a 17-year old student learner on cooperative education work an eight-hour day?**

Yes, for cooperative education student-learners ages 16 and 17, hours of employment during the school term are a maximum of 28 hours per school week (Monday through Friday) if enrolled in a regular school day. They can work eight additional hours on Saturday and/or eight additional hours on Sunday. However, the maximum daily hours cannot exceed eight hours per day or a total of 44 hours per week. See pages 32-34 in Section Two of these guidelines.

**18. Is the 28- or 44-hour exception rule for cooperative education students still in force?**

Yes, for cooperative education students ages 16 and 17. For clarification of the hours children under the age of 18 are permitted to work, see the abstract of the Pennsylvania Child Labor Law on pages 32-34 in Section Two of these guidelines.

**19. Are there standard guidelines for workers' compensation with a small employer?**

Yes, there are guidelines. To obtain copies of the guidelines and other information, contact the Department of Labor and Industry, through the Bureau of Workers' Compensation.

**20. How can special populations students be accommodated and placed on cooperative education? Who is responsible for making accommodations?**

If a school is offering a Pennsylvania Department of Education approved career and technical education program of study in which cooperative education is an integral part, instruction and placement of students are to be done by a certified cooperative education teacher-coordinator who can be a Special Education instructor holding cooperative education certification. Responsibility is shared by all concerned parties: the school district/career and technical school, professionally involved personnel (counselors, teachers, administrators and the cooperative education teacher-coordinator), parent/guardian, student and the employer, as it is for all regular cooperative education students. See pages 23-24 in Section Two of these guidelines and review CSPG #59 and CSPG #106 (Pennsylvania Department of Education, Bureau of Teacher Preparation and Certification).

**21. Identify the requirements needed to fulfill cooperative education programs for special populations students.**

The requirements are basically the same as they are for all students, except as described in Sections One and Two of these guidelines.

**22. What requirements can be established so that career and technical schools and high schools are not duplicating services or programs?**

There are no Pennsylvania Department of Education requirements. This is a local decision between schools and school districts and should be addressed in the preparation of the strategic plans. Obviously, duplication of services could be of local mutual interest and benefit from a standpoint of cost effectiveness. Local boards of education should be encouraged to examine any situation where this might exist and to develop a policy to enhance the overall situation. In this effort, the cooperative education teacher-coordinator could provide leadership and technical assistance.

**23. How are cooperative education teacher-coordinators in individual districts sharing job leads in communities they share?**

Some cooperative education teacher-coordinators who share a given business community have developed their own collaborative, cooperative arrangements and job bank. The key is to communicate and exchange job leads with one another, as well as maintain close contact with the local CareerLink office in order to provide the best services possible to prospective students and employers.

**24. In spite of diversified occupations and career and technical education programs, students are not participating in cooperative education. How can we reach the students that can benefit from this program/instructional method?**

School administrators and cooperative education teacher-coordinators in particular, must take a proactive role and seize every opportunity to explain the program and program benefits. Contact home schools, community and civic organizations and offer to make presentations to describe and promote the program to prospective students, school board

members, parent/guardians and employers. Develop a program brochure and/or newsletter with pictures of students in training. Invite the media to cover all noteworthy events pertaining to cooperative education. Developing a public relations plan is one of the keys to success.

The development of career exploration activities, such as job shadowing, at an early level could help create interest and stepping-stones. Cooperative Education should be addressed in the high school/career and technical school strategic plan.

**25. How do you determine if students are replacing a worker in a nonpaid experience?**

The cooperative education teacher-coordinator must be knowledgeable in the law and regulations, and then become familiar with the training station and the expectations of the employer. He or she must make regular on-site visits to monitor the student learner. The cooperative education teacher-coordinator must be satisfied that the trainee is not in violation of the six criteria identified in the Fair Labor Standards Act. Misunderstanding by the student learner and employer can best be avoided by use of a formal training plan and agreement.

**26. Can students work during the summer if the cooperative education teacher-coordinator is not employed?**

Depending on their age and working conditions, students might be able to work but not under the guise of cooperative education. Cooperative education provides the legal connecting link between the school and the employer. Students must be continually instructed and monitored on the job by the cooperative education teacher-coordinator to be considered exempt from a prohibited occupation and to receive school credit for this planned, off-campus educational experience. Otherwise, the student is on his/her own for summer employment and subject to a whole new set of employment rules, especially if under age 18. For further clarification, contact the Pennsylvania Department of Labor and Industry, Bureau of Labor Standards. See pages 32-34 in Section Two of these guidelines.

**27. Can we use criteria such as grades and attendance to remove or place students on cooperative education?**

This is a local school/school district decision. It is important to develop a local board approved policy and to make certain the policy is applicable in a nondiscriminatory manner to all students.

**28. How do schools transport students for shadowing, including those in Tech Prep?**

This varies from school to school. In most instances, there is school board policy making the student and parent/guardian responsible for transportation. There are, however, situations where the school district provides the transportation, such as busing an entire class of students to an off-campus learning site, or providing transportation for special

needs students. The district is advised to develop a board-approved policy for student transportation to an off-campus learning site.