



Work Safe! Activity

Legal Rights on the Job

THIS ACTIVITY AT A GLANCE

This activity has been adapted from “Work Safe!,” a curriculum for youth employment programs developed by the Labor Occupational Health Program at UC Berkeley.

In this activity students will learn about some of their legal rights on the job. They will participate in a simplified version of a popular TV game show.

Objectives

By the end of this activity students will be able to:

- Describe the legal limitations on tasks that teens may do on the job, and on the hours they may work.
- Identify two health and safety rights that teens have on the job.
- Identify the government agencies that enforce labor and job safety laws.

Materials Needed

- Student Handouts #1 & 2.
- Visual Aids #1–4, photocopied onto overhead slides, or printed on flipchart paper.
- Flipchart or chalkboard.

Total Time = 30 minutes

DETAILED TRAINER'S INSTRUCTIONS

A. Introduction–Warm-up questions.

(5 minutes)

Teens have important legal rights on the job. This lesson will introduce students to some of them. Child labor laws protect teens from working long or late hours, and from doing certain dangerous tasks on the job. Health and safety laws protect all workers, including teens, from job hazards.

1. Ask the class the following questions to introduce the topic:

- ◆ What is the minimum wage in California?

Answer: \$5.75 per hour.

- ◆ How late can teens work on school nights?

Answer: Until 7pm if you are 14 or 15, and until 10pm if you are 16 or 17.

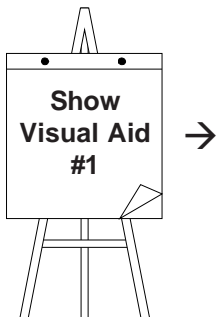
- ◆ What state agency can you call if there's a health and safety problem on your job?

Answer: Cal/OSHA.

2. If no one volunteers the answer, tell them. Explain that they will get more information on these and other legal rights issues in this activity.

B. Read factsheets in small groups.

(5 minutes)



1. Explain that students will now begin preparing to take part in a game. Distribute Student Handout #1, *Are You a Working Teen?* and Student Handout #2, *Hurt on the Job? Information Alert for Teens*.

2. Point out the main topics covered in these two factsheets. Give a few examples of the type of information students can find on each page.

3. Then break the class into four teams (small groups). Explain that everyone will spend 5 minutes in their group looking over the information in the two factsheets. They will be doing this to prepare to answer questions in the game show.

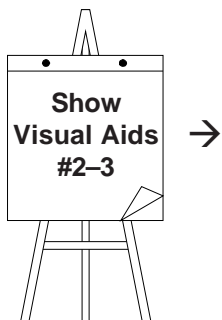
4. Suggest that members of each team divide the work so that each person only has to become familiar with one or two sections in the factsheets.

This way the team as a whole will still be able to answer questions about all the sections. For example, team members could divide up the factsheets based on the categories that will be used in the game:

- Rights on the Job. (*Are You a Working Teen?*, page 2.)
 - Dangerous Work & Work Permits. (*Are You a Working Teen?*, page 3.)
 - Hours for Teens & Getting Help. (*Are You a Working Teen?*, page 4.)
 - Job Injuries. (*Hurt on the Job?*, both sides.)
5. Circulate among the teams as they read the factsheets, to answer any questions.

C. Explain rules of the TV game show.

(5 minutes)



1. Bring the class back together. Show the class the sample game board (Visual Aid #2). Then use Visual Aid #3 to help you explain the rules of the game.
 - Each team should choose a team leader to speak for them.
 - The first team can pick any category and dollar amount from the game board. The teacher will ask the corresponding question.
 - The team then gets 30 seconds to agree on an answer, and the team leader gives the answer.
 - If the first team answers correctly, they get the dollar amount and this score is written on the board. Then the next team picks a category and dollar amount.
 - If the first team answers incorrectly, the next team is called on to answer the same question and so on, until one team gets the correct answer. Then this team gets the dollar amount. (Don't call on another team if the question is "True or False?")
 - A team that gets a correct answer doesn't get another turn. Another team will be called on.

D. Play the game.

(10 minutes)

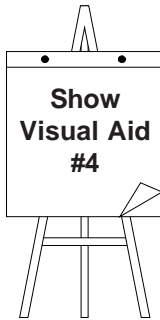
1. Make four columns on the chalkboard or flipchart (one for each team) to use for scorekeeping.
2. Continue to display the game board (Visual Aid #2) prominently at the front of the room, or make your own board.
3. Select one team to start, and proceed according to the rules above.
4. Remember to cross out blocks on the game board as teams answer questions correctly.
5. If all the teams miss a question, give and explain the correct answer.
6. At the end of the game, total up the dollar amounts the four teams have won. If possible give prizes to everyone.
7. Questions and answers appear on the next page. If you need more information, go to www.youngworkers.org.

Rights on the Job	Dangerous Work & Work Permits	Hours for Teens & Getting Help	Job Injuries
\$100	\$100	\$100	\$100
\$200	\$200	\$200	\$200
\$300	\$300	\$300	\$300
\$400	\$400	\$400	\$400
\$500	\$500	\$500	\$500

	Rights on the Job	Dangerous Work & Work Permits	Hours for Teens & Getting Help	Job Injuries
\$100	<p>Name one health and safety protection your employer must provide on the job.</p> <ul style="list-style-type: none"> • <i>Safe and healthy workplace.</i> • <i>Safety training.</i> • <i>Protective clothing.</i> • <i>Payment for medical care if injured.</i> 	<p>True or False? Teens under 18 can drive a car on public streets as part of the job.</p> <p><i>False.</i></p>	<p>If you're 14 or 15, how many hours can you work on a school day?</p> <p><i>3 hours.</i></p>	<p>Name 2 rights you have if you get hurt on the job.</p> <ul style="list-style-type: none"> • <i>Payment for medical care.</i> • <i>May also get lost wages.</i>
\$200	<p>What's the minimum wage in California?</p> <p><i>\$5.75 an hour.</i></p>	<p>Name one kind of machinery you can't use if you're under 18.</p> <p><i>Power equipment (meat slicer, saw, bakery machine, box crusher).</i></p>	<p>If you're 14 or 15, how late can you work on a school night?</p> <p><i>Not after 7pm.</i></p>	<p>True or False? Your boss can punish you for getting hurt on the job.</p> <p><i>False—it's against the law for your boss to punish or fire you for a job-related injury.</i></p>
\$300	<p>What's the name of the state agency that handles health and safety complaints?</p> <p><i>Cal/OSHA.</i></p>	<p>True or False? Teens under 18 in school need a work permit to take a job.</p> <p><i>True.</i></p>	<p>If you're 16 or 17, how late can you work on a school night?</p> <p><i>Until 10pm.</i></p>	<p>True or False? You can sue your employer if you're hurt on the job.</p> <p><i>False.</i></p>
\$400	<p>True or False? Your employer can't punish you for reporting a safety problem.</p> <p><i>True.</i></p>	<p>Name one kind of work you can't do if you're 14 or 15.</p> <p><i>Baking, cooking, dry cleaning / laundry, using ladder or scaffold, construction, loading and unloading trucks, rail cars, or conveyors.</i></p>	<p>What agency enforces the laws about work hours and wages in California?</p> <p><i>Division of Labor Standards Enforcement.</i></p>	<p>Name 2 things you should do if you're hurt on the job.</p> <ul style="list-style-type: none"> • <i>Tell your boss right away.</i> • <i>Get medical treatment if needed.</i> • <i>Fill out a claim form.</i>
\$500	<p>True or False? The law protects your right to organize or join a union.</p> <p><i>True—under National Labor Relations Act.</i></p>	<p>Name one kind of construction work you can't do if you're under 18.</p> <p><i>Wrecking, demolition, excavation, or roofing.</i></p>	<p>What can you do if you're sexually or racially harassed on the job?</p> <ul style="list-style-type: none"> • <i>Talk to your supervisor.</i> • <i>Call California Fair Employment and Housing Agency.</i> 	<p>Name 2 things you can do to prevent a job injury.</p> <ul style="list-style-type: none"> • <i>Report unsafe conditions.</i> • <i>Get safety training.</i> • <i>Follow safety rules.</i>

E. Review.

(5 minutes)



➤ Review the key points covered in this activity.

- **1.** California labor laws:
 - Set a minimum age for certain types of dangerous work.
 - Protect teens from working too long, too late, or too early.
- 2.** California health and safety laws say that every employer must provide:
 - A safe and healthy workplace.
 - Health and safety training, including information on dangerous chemicals.
 - Any safety equipment that workers need.
 - A way for workers to report hazards.

By law, you can report a safety problem without fear of punishment.

- 3.** California state agencies may be able to help with problems on the job.
 - The Division of Labor Standards Enforcement enforces state labor laws.
 - Cal/OSHA enforces state workplace health and safety laws.
- 4.** You can work safer if you know your rights and responsibilities!

TIPS FOR A SHORTER ACTIVITY

A shorter version of this activity can be presented in 10 minutes by following the outline below.

- 1. Explain the factsheets.** (5 minutes.) Pass out Student Handouts #1 and #2, and describe the general content of each page to the class.
- 2. Quiz the class using the game show questions.** (5 minutes.) Divide the class into several groups, and assign each group to read a page from one of the factsheets. Ask each group in turn a question from the corresponding category of the *TV Game Show*. Rotate among the groups until you are out of time. Finally, review the key points of this activity.

Visual Aid #1

Preparing for the Game

Prepare for the game show by reading the two factsheets in your group.

Game show questions will be in four categories:

- Rights on the Job
(Are You a Working Teen?—page 2)
- Dangerous Work & Work Permits
(Are You a Working Teen?—page 3)
- Hours for Teens & Getting Help
(Are You a Working Teen?—page 4)
- Job Injuries
(Hurt on the Job?—both sides)

Each person in the group should focus on one or two of these categories.

Visual Aid #2

TV Game Show

Rights on the Job	Dangerous Work & Work Permits	Hours for Teens & Getting Help	Job Injuries
\$100	\$100	\$100	\$100
\$200	\$200	\$200	\$200
\$300	\$300	\$300	\$300
\$400	\$400	\$400	\$400
\$500	\$500	\$500	\$500

Visual Aid #3

Rules of the Game

- Each team should choose a team leader to speak for them.
- The first team can pick any category and dollar amount from the game board. The teacher will ask the corresponding question.
- The team then gets 30 seconds to agree on an answer, and the team leader gives the answer.
- If the first team answers correctly, they get the dollar amount and this score is written on the board. Then the next team picks a category and dollar amount.
- If the first team answers incorrectly, another team is called on to answer the same question and so on, until one team gets the correct answer. Then this team gets the dollar amount. (Don't call on another team if the question is "True or False?")
- A team that gets a correct answer doesn't get another turn. Another team will be called on.

Key Points—Legal Rights

California labor laws:

- Set a minimum age for some types of dangerous work.
- Protect teens from working too long, too late, or too early.

Cal/OSHA says every employer must provide:

- A safe and healthy workplace.
- Safety training, including information on dangerous chemicals.
- Safety equipment.
- A way for workers to report hazards.

By law, you can report a safety problem without fear of punishment.

Are You a Working Teen?



**Protect Your Health
Know Your Rights**

Labor Occupational Health Program
University of California, Berkeley

Student Handout #1—Page 2

Could I Get Hurt or Sick on the Job?

Every year **70 teens die** from work injuries in the United States. Another **70,000 get hurt** badly enough that they go to a hospital emergency room.

Here are the stories of three teens:

- 18-year-old Sylvia caught her hand in an electric cabbage shredder at a fast food restaurant. Her hand is permanently disfigured and she'll never have full use of it again.
- 17-year-old Joe lost his life while working as a construction helper. An electric shock killed him when he climbed a metal ladder to hand an electric drill to another worker.
- 16-year-old Donna was assaulted and robbed at gunpoint at a sandwich shop. She was working alone after 11 p.m.

Why do injuries like these occur? Teens are often injured on the job due to unsafe equipment, stressful conditions, and speed-up. Also they may not receive adequate safety training and supervision. Teens are much more likely to be injured when they work on jobs they are not allowed to do by law.

What Are My Rights on the Job?

By law, your employer must provide:

- A safe and healthful workplace.
- Training about health and safety, including information on chemicals that could be harmful to your health.
- Protective clothing and equipment.
- Payment for medical care if you get hurt or sick because of your job. You may also be entitled to lost wages.
- At least the minimum wage, \$6.75 an hour. In some cases, employers can pay less than minimum wage during your first three months, if you are under 18. For more information, ☎ (888) 275-9243.

You also have a right to:

- Report safety problems to Cal/OSHA.
- Work without racial or sexual harassment.
- Refuse to work if the job is immediately dangerous to your life or health.
- Join or organize a union.

What Hazards Should I Watch Out For?

Type of Work	Examples of Hazards
Janitor/Clean-up	<ul style="list-style-type: none">• Toxic chemicals in cleaning products• Blood on discarded needles
Food Service	<ul style="list-style-type: none">• Slippery floors• Hot cooking equipment• Sharp objects
Retail/Sales	<ul style="list-style-type: none">• Violent crimes• Heavy lifting
Office/Clerical	<ul style="list-style-type: none">• Stress• Harassment• Poor computer work station design

Student Handout #1—Page 3

Is It OK to Do Any Kind of Work?

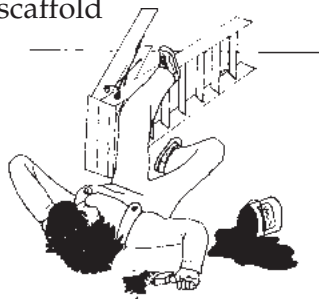
NO! There are laws that protect teens from doing dangerous work.

In California no worker under 18 may:

- Drive a motor vehicle on public streets as part of the job
- Drive a forklift
- Use powered equipment like a circular saw, box crusher, meat slicer, or bakery machine
- Work in wrecking, demolition, excavation, or roofing
- Work in logging or a sawmill
- Handle, serve, or sell alcoholic beverages
- Work where there is exposure to radiation

Also, no one 14 or 15 years old may:

- Do any baking or cooking on the job (except cooking at a serving counter)
- Work in dry cleaning or a commercial laundry
- Do building, construction, or manufacturing work
- Load or unload a truck, railroad car, or conveyor
- Work on a ladder or scaffold



Are There Other Things I Can't Do?

YES! There are many other restrictions regarding the type of work you can and cannot do.

If you are **under 14**, there are even stricter laws to protect your health and safety.

Check with your school counselor or job placement coordinator to make sure the job you are doing is allowed.

Do I Need a Work Permit?

YES! If you are under 18 and plan to work, you must get a work permit from your school or school district office (unless you have graduated).



What Are My Safety Responsibilities on the Job?

To work safely you should:

- Follow all safety rules and instructions
- Use safety equipment and protective clothing when needed
- Look out for co-workers
- Keep work areas clean and neat
- Know what to do in an emergency
- Report any health and safety hazard to your supervisor

Should I Be Working This Late or This Long?

Child labor laws protect teens from working too long, too late, or too early.

This table shows the hours teens may work. (Some school districts may have more restrictive regulations. Also, there are some exceptions for teens in Work Experience Education programs.)

Work Hours for Teens		
	Ages 14 and 15	Ages 16 and 17
Work Hours	<ul style="list-style-type: none"> • 7 am–7 pm, from Labor Day–June 1 • Not during school hours • 7 am–9 pm, from June 1–Labor Day 	<ul style="list-style-type: none"> • 5 am–10 pm when there is school the next day • 5 am–12:30 am when there is no school the next day
Maximum Hours When School Is in Session	<ul style="list-style-type: none"> • 18 hours a week, but not over: • 3 hours a day on school days • 8 hours a day Saturday–Sunday and holidays 	<ul style="list-style-type: none"> • 48 hours a week, but not over: • 4 hours a day Monday–Thursday • 8 hours a day Friday–Sunday and holidays
Maximum Hours When School Is <i>not</i> in Session	<ul style="list-style-type: none"> • 40 hours a week • 8 hours a day 	<ul style="list-style-type: none"> • 48 hours a week • 8 hours a day



What If I Need Help?

- Talk to your boss about the problem.
- Talk to your parents or teachers.
- Talk to your job training representative.
- For health and safety information and advice, call U.C. Berkeley's Labor Occupational Health Program (LOHP).

☎ (510) 642-5507

<http://socrates.berkeley.edu/~lohp>

- If necessary contact one of these California government agencies (your local number can be found in the State Government pages).

- **Cal/OSHA** (under Industrial Relations Dept.)—for information about making a health or safety complaint.

☎ (800) 963-9424

www.dir.ca.gov

- **Labor Standards Enforcement** (under Industrial Relations Dept.)—to make a complaint about wages or work hours.

☎ (415) 703-5300

www.dir.ca.gov/DLSE

- **Fair Employment and Housing**—to make a complaint about sexual harassment or discrimination.

☎ (800) 884-1684

www.dfeh.ca.gov

You have a right to speak up!

It is illegal for your employer to fire or punish you for reporting a workplace problem.

Hurt on the Job? Information Alert for Teens

Every year, 70 workers under 18 die from job injuries in the U.S. and another 100,000 get hurt badly enough to go to a hospital emergency room. This is true even though child labor laws say employers can't give workers under 18 the most dangerous jobs.

If you get hurt on the job, your employer is required by law to provide **workers' compensation benefits**. These include:

- Medical care for your injury, whether or not you miss time from work.
- Payments if you lose wages for more than 3 days or if you are hospitalized overnight.
- Other benefits if you become permanently disabled.



Did You Know?

- ◆ You can receive benefits:
 - even if you are under 18.
 - even if you are a temporary or part-time worker, no matter how long you've had your job.
- ◆ You receive benefits no matter who was at fault for your job injury.
- ◆ You don't have to be a U.S. citizen to receive workers' compensation benefits.
- ◆ It's illegal for your employer to punish or fire you:
 - for having a job injury; *or*
 - for requesting benefits when hurt on the job.
- ◆ You can't sue your employer for a job injury (in most cases).
- ◆ You can see your own doctor if you give your employer the doctor's name and address *before* you are injured.

Student Handout #2—Page 2

What should I do if I get hurt on the job?

- Tell your boss right away. If you're under 18, tell your parents too.
- Get emergency medical treatment if needed.
- Your employer must give you a **claim form**. Fill it out and return it to your employer to request workers' compensation benefits.



How can I prevent a job injury?

Report unsafe conditions to your boss and your union. If you need help, talk to a responsible adult, such as a co-worker, parent, or teacher. If your employer doesn't fix the problem, you can call

Cal/OSHA, the state agency that enforces health and safety laws. For information about enforcement of child labor laws, call the state **Division of Labor Standards Enforcement (DLSE)**. Cal/OSHA and DLSE are listed in the phone book under: State Government Offices/Industrial Relations.

How can I find out more about workers' compensation?

- Talk to a supervisor or manager at work. Your employer is required by law to give you information about workers' compensation.
- Talk to your union rep, if you have one.
- Contact a state **Information & Assistance officer**. Call toll-free ☎ 1-800-736-7401. For a local office, check the Government Pages at the front of the white pages of your phone book. Look under: State Government Offices/Industrial Relations/Workers' Compensation.

This is one of a series of factsheets about workers' compensation. You can see **the other factsheets** on the Web. Many public libraries let you access the Web. Go to: www.dir.ca.gov. Through this Web site, link to: Commission on Health and Safety and Workers' Compensation. You can also contact the state Division of Workers' Compensation. Call toll free ☎ 1-800-763-7401, or check the Government Pages at the front of the white pages of your phone book. Look up: State Government Offices/Industrial Relations/Workers' Compensation/Information & Assistance.

This factsheet was designed and produced by the Labor Occupational Health Program (LOHP), University of California at Berkeley, under contract with the Commission on Health and Safety and Workers' Compensation.

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Illustrations by Peter Moreno.



The information in this factsheet is true in most situations. However, some **rules, exceptions, and deadlines** not covered here may apply to you and affect your case. To learn more, see the factsheet **For More Information**.

The information here describes the California workers' compensation system as of January 1998. It applies to most private, state, and local government employees whose "date of injury" is 1994 or later.