

INDUSTRY, LABOR AND HUMAN RELATIONS 11

1. Volunteers may not serve at any job or in any area that is prohibited by the child labor law or orders of the department.

2. The hours of contributed service and the time of day shall be limited to those permitted by Wisconsin child labor regulations for minors under 18 years of age.

3. Each organization utilizing the service of a minor volunteer must obtain the written consent of the minor's parent.

4. Teenage volunteers must be under the supervision of a responsible adult, and should have such training and supervision as will make their services a genuine learning experience.

5. The organizations utilizing volunteers should provide by means of insurance, or otherwise, for on-duty injuries that may occur to the volunteer when contributing service to the organization. It is also recommended that some type of liability coverage be provided to protect the volunteer in the event that the volunteer causes an accident to a third party.

6. Teenage volunteers are not to be economically exploited.

7. Nothing in this policy shall be construed to prohibit activities by organized volunteer groups engaged in providing entertainment such as singing, playing or performing, solely for the patients of the hospitals or institutions.

(2) Services not prohibited by statute or regulation performed by students during regular school hours while enrolled in an approved high school or vocational school work training or work experience program are not regarded as gainful occupations or employments, where no employer-employee relationship, in fact, exists.

(a) Minors under 18 years of age may engage in work training or work experience programs under the following conditions:

1. The hours of service shall be performed during regular school hours.

2. Minors may not serve at any job prohibited by statute or orders of the department.

3. The program provides a true learning experience and is based on a bona fide curriculum.

4. Proper scholastic credit is given.

**History:** Cr. Register, May, 1968, No. 149, eff. 6-1-68.

**Ind 70.09 Fees for permits.** The department fixes a fee of 25 cents for the issuing of each child labor permit and authorizes the retention of such fee by the permit officer as compensation for his services.

**History:** Cr. Register, May, 1968, No. 149, eff. 6-1-68.

**Ind 70.10 Employment of minors in agriculture.** No minor under 12 years of age may be employed or permitted to work under section 103.77 (2) Wis. Stats., in cherry orchards, market gardening, gardening conducted or controlled by canning companies and the culture of sugar beets and cranberries.

(1) The presence of a child under 12 at the place where his parent or guardian is employed, if merely for the purpose of supervision, is not prohibited by this order, and

(2) An employer is not deemed to have permitted a child to work at employment prohibited by this order if he has notified his employes

of its provisions and has made reasonable effort to enforce such provisions and has not acquiesced in children under 12 performing such work.

**History:** Cr. Register, May, 1968, No. 149, eff. 6-1-68.

**Ind 70.11 Seasonal employment, return of permit.** The permit of a minor employed in a seasonal employment does not have to be returned to the permit officer by the employer at the end of the season as required by section 103.74 (3), Wis. Stats., if the minor will probably be reemployed the next season, providing the following conditions are met:

(1) That the permit be returned within 24 hours upon the request of the minor, the permit officer or the department.

(2) That the permits of all minors whose employment has been terminated and who will not be reemployed, be returned to the permit officer.

(3) Before the season begins, the employer must return all permits of all minors who will not be reemployed by him, keeping only the permits for those minors who will actually be employed.

**History:** Cr. Register, May, 1968, No. 149, eff. 6-1-68.

**Ind 70.12 Penalties.** Any employer who employs any minor in violation of the permitted hours of labor as specified in section Ind 70.05 (1), and on the time of day as specified in section Ind 75.05 (2), [70.05] notwithstanding other statutory penalties, shall be required to pay to each minor time and one-half the regular rate of pay for all hours worked in violation per day or per week whichever is greater.

**History:** Cr. Register, May, 1968, No. 149, eff. 6-1-68.