

Employment of Vocational Agriculture Students in Hazardous Agricultural Occupations

29 C.F.R. §§ 570.70 – 570.72

DATE OF ISSUE: September 1, 199

DATE OF REVIEW: July 1, 2009
July 1, 2002 (formerly BEC 29 C.F.R. 1500)

PURPOSE

This BEC describes a vocational agriculture training certification program for students aged 14 and 15 for employment in agricultural occupations, including safe operation of tractors and other farm machinery.

BACKGROUND

The Fair Labor Standards Act of 1938 prohibits the employment of children under the age of 16 in various hazardous agricultural occupations. However, the law provides an exception for vocational agricultural training of students under the age of 16. Specifically, vocational agriculture/agricultural science teachers may certify 14- and 15-year-old students to operate tractors and farm machinery after the students complete a training program. The program aims to qualify and certify 14- and 15-year-old students for employment as safe operators of tractors and farm machinery.

Students below the age of 16 working on a farm owned or operated by a parent or guardian do not need a certificate.

PROGRAM COMPONENTS

Tractor Operation Program

A student must successfully complete a 15-hour training program in safe tractor operation and pass both a written and practical test on tractor safety in order to become certified. The certification will allow the student to operate a tractor of over 20 PTO horsepower, or connect or disconnect an implement of any of its parts to or from such a tractor.

Machinery Operation Program

A student must successfully complete the requirements of the Tractor Operation program as well as complete an additional 10-hour training program in safe farm machinery operation and pass both a written and practical test on safe farm machinery operation in order to become certified. The certification will allow the student to:

Operate or help operate (including starting, stopping, adjusting, feeding or any other activity involving physical contact associated with the operation) any of the following machines:

1. Corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, or mobile pea viner;
2. Feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a nongravity-type self-unloading wagon or trailer; or,
3. Power posthole digger, power postdriver, or nonwalking type rotary tiller.

LOCAL OPTION

The school district may decide whether to establish a certification training program. A survey should be made to determine the need. Keep in mind that certificates are only required for 14- and 15-year-olds who are employed or who anticipate employment on other than their home farms.

REPORTS AND CERTIFICATES

Vocational agriculture/agricultural science teachers must complete Form PDE 4025, "Certification of Students to Be Issued Certificates for Completion of Farm Tractor and Machinery Safety Program" and submit the original and two copies to:

State Advisor of Agricultural Education
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA, 17126

at the conclusion of the course(s). The Department of Education will issue certificates to those students who qualify.

The Department will return two copies of the form to the teacher along with each certificate. The teacher should keep a copy of the form and forward one copy to the chief school administrator. The Department of Education will keep the original.

REFERENCES:

Federal Statute

29 U.S.C. § 213(c)(2)

Federal Regulations

29 C.F.R. §§570.70 – 570.72

ATTACHMENT:

[Form PDE-4025](#) (PDF): Certification of students to be issued certificates for completion of farm tractor and machinery safety program

For additional information, please contact:

Christopher Weller |
Pennsylvania Department of Education - Bureau of Career and Technical Education
333 Market Street | Harrisburg, PA 17126-0333
Phone: 717.783.6957 | Fax: 717.783.6672
cweller@pa.gov | www.education.state.pa.us