**Section 250.400 Certification by Issuing Officers**

Section 10 of the Act requires certification by duly authorized representatives of the Regional or District Superintendent of Schools before a minor under 16 can be employed under the Act and this Part. Issuing officers are responsible for:

a) A knowledge of the Act and this Part;

b) Issuing legal employment certificates and maintaining necessary records to comply with Sections 10, 11 and 12 of the Act;

c) A determination of the legality of the minor's proposed employment and whether the minor is academically and physically capable of performing the work in addition to the school requirements. If any one of these three tests is not satisfied, the issuing officer shall refuse to issue the employment certificate and notify the minor and the proposed employer of that refusal;

d) Suspension and Revocation of an Employment Certificate

1) Petitioning the Department to suspend any employment certificate:

A) Found to be illegally or improperly issued; or

B) When the minor's parent, guardian or school principal believes the employment is interfering with the best physical, intellectual or moral development of the minor; and

2) If warranted, issuing a Notice of Suspension of the employment certificate. Following the procedures in Section 250.700, the Department, if it determines revocation of the certificate is warranted, will issue a Final Order of Revocation; and

e) Issuance, upon request, of a Certificate of Age (see Section 14 of the Act) for individuals 16 through 19 years of age.

f) Require a parent or legal guardian seeking a work permit on behalf of a minor to submit the following documents, through either a secure electronic transmission or certified U.S. Mail, to protect personal identifiable information such as birthdates, addresses, social security numbers, or any other document that may be confidential in nature, as required by the issuing officers in accordance with Section 12 of the Act, if in-person applications are not possible because of a declared gubernatorial disaster and an executive order waiving the in-person requirement is in force:

1) the application for employment;

2) the documents listed in Section 12 (1 through 4) of the Act; and

3) a copy of a government issued photo identification for the person designated as the parent or legal guardian on the minor's birth certificate or court order regarding adoption or guardianship.

g) Perform the following actions when an in-person interview with the minor and parents or legal guardians is not possible because of a declared gubernatorial disaster and an executive order waiving the in-person requirement is in force:

1) receive and review the documents listed in subsection (f) in advance of the interview;

2) schedule and host a video conference interview, with the minor seeking the employment certificate and the minor's parent or legal guardian simultaneously, to confirm consent to seek employment and verify the completeness of documents required by Section 12 (1 through 4) of the Act and subsection (f) of this Section at the time of the interview;

3) if a parent or legal guardian does not have access to video technology, telephonically interview the parent or guardian. In this circumstance, the issuing officer must provide the Department with a statement indicating the video interview was not possible and that a telephone interview was conducted; and

4) email a copy of the approved employment certificate to the Department (dol.childlaborlaw@illinois.gov).

(Source: Amended at 45 Ill. Reg. 14174, effective November 1, 2021)