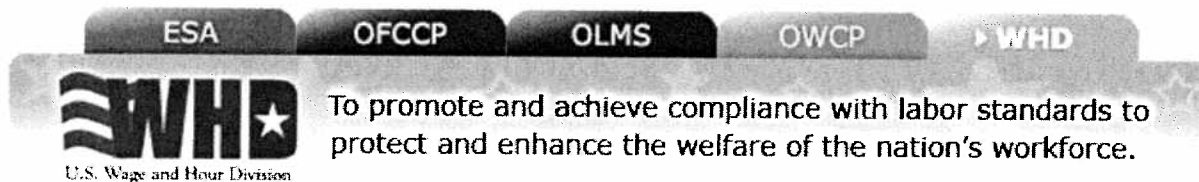




U.S. Department of Labor Employment Standards Administration

Wage and Hour Division (WHD)

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Instructions for Form WH-205: Application to Employ Student-Learners at Subminimum Wages

- [WH-205 \(PDF\)](#)
OMB Control No. 1215-0192, Expires 04/30/2009.
Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Section 14(a) of the Fair Labor Standards Act (FLSA) authorizes the payment of subminimum wages – at rates not less than 75 percent of the applicable minimum wage under section 6(a) of the FLSA – to a student-learner after the employer has applied for an authorizing certificate from the U. S. Department of Labor. Temporary authority to pay the subminimum wage is granted to the employer when the application is forwarded to the Department as long as the appropriate school official has signed the application. This temporary authority will remain in effect for thirty days. At the end of 30 days, the application will become the permanent special student-learner certificate unless, after review, the Administrator of the Wage and Hour Division denies the application, issues a certificate with modified terms and conditions, or expressly extends the period of review.

Under section 14(a), a student-learner is a student who is at least sixteen years of age (or at least eighteen years of age if employed in an occupation which the Secretary of Labor has declared to be particularly hazardous), who is receiving instruction in any accredited school, college or university and who is employed by an establishment on a part-time basis, pursuant to a bona fide vocational training program. The regulations addressing the application process and employment of student-learners at subminimum wages are contained in 29 CFR Part 520.

Employers wishing to employ student-learners at subminimum wages under section 14(a) must first complete and submit form WH-205.

WH-205 Application to Employ Student-Learners at Subminimum Wages

This application must be submitted by employers who wish to employ student-learners at subminimum wages pursuant to a bona fide vocational training program. The application must be signed by the employer, the appropriate school official, and the student-learner who will be employed at subminimum wages before it is submitted. A separate application must be submitted for each student-learner.

Completed applications should be forwarded to the Wage and Hour Division National Certification Office which services the geographic area where the student-learner will be employed.

All student-learner certificate applications are processed at a single location. Completed applications shall be forwarded to the Wage and Hour Division National Certification Team:

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Attn: National Certification Team
230 S. Dearborn Street, Room 514
Chicago, IL 60604-1757
Telephone: (312) 596-7195

For questions concerning the processing of certificates, mail questions to ATTN: National Certification Program Manager at the U.S. Department of Labor, Wage Hour Division, National Certification Team, P. O. Box 56447, Atlanta, GA 30343-0447.

Note: In order to view, fill out, and print PDF forms, you need Adobe® Acrobat® Reader® version 5 or later, which you may download for free at www.adobe.com/products/acrobat/readstep2.html. To save the completed forms on your workstation, you need to use the "Save..As" method to save the file. For example, move your mouse cursor over the PDF link and click on your "RIGHT" mouse button. This will cause a menu to be displayed, from which you will select the proper save option -- depending upon which browser you are using:

- For Microsoft IE users, select "Save Target As"
- For Netscape Navigator users, select "Save Link As"

Once you've selected the proper save option for your browser, and have saved the file to a location you specified, go to your program menu and start the Adobe Acrobat® Reader. Once open, locate the PDF file you saved and open it directly in Acrobat®.

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