

**WAC 296-131-140 Variances.** (1) Upon written application from an employer or an organization representing employers, a variance permitting employment of minors otherwise prohibited under WAC 296-131-120 or 296-131-125 may be granted for good cause shown. The employer or the organization representing employers shall give written notice to the employees so that they may submit their views to the department on any variance request.

(2) The department may afford the applicant and any involved employee, or employee representatives, the opportunity for oral presentation whenever circumstances of the particular application warrant.

(3) "Good cause" shall mean, but not be limited to, those situations in which the employer demonstrates that (a) the granting of the variance would not have a harmful effect upon the health, safety, or welfare of the minor employees involved; (b) the granting of the variance would not have a deleterious effect on school attendance or the academic performance of minors; and (c) the variance is necessary to meet usual crop cultural or harvest requirements.

(4) Upon application from an employer or an organization representing employers a variance permitting employment of minors otherwise prohibited under these rules may be granted by the director or an authorized representative of the director in response to a weather emergency.

[Statutory Authority: RCW 49.30.030. WSR 90-14-038, § 296-131-140, filed 6/29/90, effective 11/1/90.]