



WEBINAR



# KEEPING KIDS SAFE IN THE WORKPLACE: CHILD LABOR RULES FOR EMPLOYERS

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UNITED STATES DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION

[dol.gov/whd](https://dol.gov/whd)  
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# FAIR LABOR STANDARDS ACT



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# Wage and Hour Division

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# Youth Employment



Federal youth employment rules set both hours and occupational standards for youth



**FACT SHEET:**  
Youth  
Employment

# Youth Employment

- The minimum wage is \$7.25 per hour effective July 24, 2009
- Youth Minimum Wage of \$4.25 per hour permitted for the first calendar 90 days of employment
- Tipped employee's \$2.13 /hr + tips= \$7.25
- No illegal deductions that drop wages below the minimum wage (property damage, cash register shortages, work tools=illegal deductions)
- Most training must be paid
- Overtime=time and a half the regular rate after 40 hrs. worked

# Youth Employment



- Current federal minimum wage → **\$7.25**
- Youth minimum wage (first 90 days of employment) → **\$4.25**
- Tipped employees → **\$2.13**  
**+ TIPS**



**FACT SHEET:**  
Tipped Employees

# Youth Employment

1½

- Covered, non-exempt employees must receive one and one-half times their regular rate of pay for all hours worked over forty in a workweek



- No illegal deductions that drop wages below the minimum wage (property damage, cash register shortages, work tools)



- Most training must be paid



**FACT SHEET:**  
Overtime



# Youth Employment

- The Federal Child Labor Provisions were enacted to ensure that when young people work, the work is safe, positive, and complements the educational process
- These rules can serve as a platform from which young workers can explore—not entirely free from risk—the “World of Work”

# Youth Employment

- Every year about 160,000 youth under 18 years of age are injured on the job in America
- About 1/3 of those, or 55,000, suffer injuries serious enough to require emergency room treatment

# Youth Employment

## **Federal Child Labor Provisions Do Not:**

- Require minors to obtain work permits
- Limit hours or restrict time worked for minors 16 years of age or older
- Require breaks or meal periods for minors

# Youth Employment

## Hours that 14 and 15 Year-Olds May Work

- No more than 3 hours on a school day, including Fridays
- No more than 18 hours during a week when school is in session
- No more than 8 hours on a non-school day
- No more than 40 hours during a week when school is not in session

# Youth Employment



## **Times when 14 and 15 Year-Olds May Work**

- Between 7 AM and 7 PM; or
- Between 7 AM and 9 PM from June 1 through Labor Day; and
- Outside school hours

# Youth Employment

## Jobs that 14 and 15 Year-Olds May Work

- Cashiering and selling
- Price marking, assembling orders, packing
- Office and clerical work
- Bagging groceries
- Hand washing cars



# Youth Employment

## **Jobs that 14 and 15 Year-Olds May Work**

- Work of an intellectual or artistically creative nature
- Cooking with electric or gas grills that does not entail cooking over an open flame
- Work as a Lifeguard or Swimming Instructor at a swimming pool if at least 15 years of age and properly certified

# Youth Employment



## **14 and 15 Year-Olds May NOT Perform Work in Occupations that Involve:**

- Manufacturing and Mining
- The operation of power-driven equipment
- Transportation and Communications\*
- Warehousing and storage\*
- Most processing\* occupations
- Construction\*
- \*Exceptions apply for office work



# Youth Employment



## **14 and 15 Year-Olds May NOT:**

- Work in or about boiler or engine room
- Perform maintenance or repair of a building or equipment
- Perform any part of the baking process (no mixing, no weighing, no placing items on trays, no operating ovens including pizza ovens, no removing items from ovens, no finishing)
- Operate a deep fat fryer requiring the user to use his or her hands to raise and lower a basket into and out of oil or grease
- Work as a lifeguard at a beach or other natural environment like a pond, river, quarry, pier, or lake

# Youth Employment



## **14 and 15 Year-Olds May NOT:**

- Work in freezers and meat coolers, except they may momentarily enter a freezer to retrieve items on an occasional basis
- Perform outside window washing that involves working from windowsills
- Any work requiring the use of ladders, scaffolds or their substitutes
- Work as a poultry catcher, gathering poultry for slaughter or market

# Youth Employment



## **14 and 15 Year-Olds May NOT:**

- Perform door-to-door or street sales (but may voluntarily sell items for fund-raising campaigns by their schools or such charities as the Girl Scouts of America)
- Perform “sign waving”
- Work in a job requiring the use of power-driven food slicers and grinders, choppers or cutters and bakery mixers
- Load and unload goods to and from trucks, railcars, or conveyors
- Perform most work in areas where meats are prepared for sale
- Cook with rotisseries
- Work in any occupations declared to be hazardous for 16- and 17-year-olds

# Youth Employment

## Hazardous Orders (HO) Most Teens Encounter



- HO 2- Driving a motor vehicle and being an outside helper
- HO 5- Power-driven wood working machines
- HO 7- Power-driven hoisting apparatus including forklifts, backhoes, skid-steer loaders, Bobcat loaders, front-end loaders, cherry pickers, boom trucks, scissor lifts, and work assist platforms.
- HO 8- Power-driven metal forming, punching, and shearing machines
- HO 10- Meat and poultry packing or processing, including operating and cleaning power-driven meat slicers
- HO 11- Power-driven bakery machines, including vertical dough mixers
- HO 12- Compactors, Balers, and power-driven paper products processing machines
- HO 14- Power-driven circular saws, band saws, chain saws, reciprocating saws, wood chippers abrasive cutting discs and guillotine shears
- HO 15- Wrecking, demolition, and ship-breaking operations
- HO 16- Roofing operations and all work on or about a roof
- HO 17- Excavating operations

# Youth Employment

## HO 2: Driving or Outside Helper on Motor Vehicles



- No employee under 17 may drive motor vehicles on public roads
- 17 year olds may drive under limited circumstances (daylight/less than 20% of job hrs/seat belts/drivers education class etc.)
- Bans driving of cars and trucks for delivery work
- Bans the driving of cars for route sales
- Bans driving that involves towing
- Bans driving of golf carts, ATVs, and motorcycles on public roads
- Prohibits the transportation of people (cannot work as a bus driver)
- Bans working as an outside helper on motor vehicles. An outside helper is anyone, other than the driver, whose work includes riding on a motor vehicle outside the cab for the purpose of assisting in transporting or delivering goods

# Youth Employment

## HO 10: Power-Driven Meat Processing Machines

- Bans the operation of power-driven meat processing machines, such as meat slicers, saws and meat choppers, wherever used (including restaurants and delicatessens)
- Also bans almost all occupations in meat and poultry slaughtering, processing, and packing



*Minors may not use a meat slicing machine even on items other than meat, such as cheese and vegetables*

# Youth Employment

## HO 11: Power-Driven Bakery Machines

- Bans the operation of power-driven bakery machines such as vertical dough mixers, batter mixers (except small, portable countertop models), dough rollers and dough sheeters



# Youth Employment

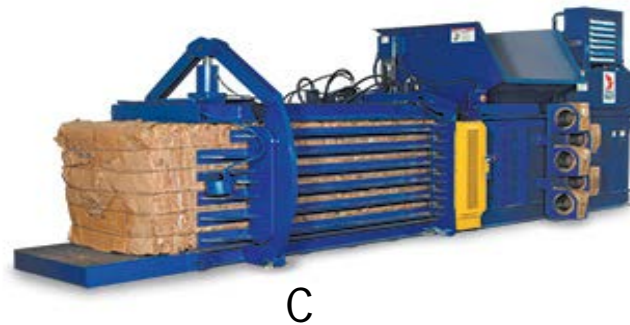
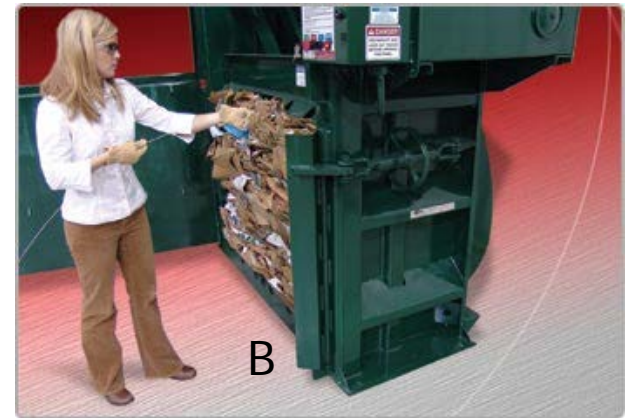
## **HO 12: Balers, Compactors and Power-Driven Paper-Products Machines**

- Bans the operation of balers, compactors, power driven paper-products machines. There is a limited exemption that allows 16- and 17-year-olds to load, but not operate or unload, certain scrap paper balers and paper box compactors under very strict conditions



# Youth Employment

## HO 12: Balers



# Youth Employment

## HO 12: Compactors



# Youth Employment



## Exceptions and Exemptions

- Casual babysitting, newspaper delivery, modeling and acting
- Parental exception
- Apprentices
- Student Learners

# FLSA Compliance Assistance

Fair Labor Standards Act of 1938

**WH 1330 Child Labor Requirements Non Agricultural Occupations**

Regulations

FLSA Poster.pdf

Handy Reference Guide.pdf

Frequently Asked Questions (FAQs)

Fact Sheets #43, 41, 34, 57 and 2A

Visit the WHD home page: [www.dol.gov/whd](http://www.dol.gov/whd)

# FLSA Compliance Assistance

- Call WHD toll free information and helpline:  
**1-866-4US-WAGE** (1-866-487-9243)
- Call or visit the nearest Wage and Hour Division Office: WHD Offices
- Employment Laws Assistance for Workers and Small Businesses (ELAWS): [www.dol.gov/elaws](http://www.dol.gov/elaws)
- Visit the Youth Rules website:  
[www.youthrules.dol.gov](http://www.youthrules.dol.gov)



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# Questions?

**WHD Information and Helpline**

1-866-4US-WAGE (1-866-487-9243)

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