



**Child Labor Requirements in
Non-Agricultural Occupations
Under the Fair Labor Standards Act**

Presented by the :

**U.S. Department of Labor
Wage and Hour Division**



Child Labor Requirements in Non-Agricultural Occupations Under the Fair Labor Standards Act

The child labor or youth employment provisions of the Fair Labor Standards Act (FLSA) are designed to protect the educational opportunities of minors and prohibit their employment in jobs and under conditions detrimental to their health or well-being.

Federal Youth Employment 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.

What if Federal and State Laws Are Different?

Where Federal and
State laws differ,
the more protective
standard applies.

Hours that 14 and 15 Year-Olds May Work

- Up to 3 hours on a school day, including Fridays;
- Up to 18 hours during a week when school is in session;
- Up to 8 hours on a non-school day;
- Up to 40 hours during a week when school is not in session.

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

Retail & Service Jobs 14- and 15-Year-Olds May Do

- Office and clerical work
- Cashiering and selling
- Price marking, assembling orders,
packing
- Bagging and carrying out
customers' orders

Retail & Service Jobs 14- and 15-Year-Olds May Do

- Errands and deliveries by foot, bike, bus or train
- Certain clean-up work and yard work
- Pumping gas and hand cleaning cars
- Kitchen work, preparing and serving food (but very limited cooking)

Retail & Service Jobs 14- and 15-Year-Olds May Do

Most cooking is prohibited, but 14- and 15-year-olds may:

- Cook with electric or gas grills that do not entail cooking over an open flame, and
- Cook with deep fryers that are equipped with and utilize automatic devices that raise and lower the baskets in and out of the hot oil or grease.

Retail & Service Jobs 14- and 15-Year-Olds May Do

14- and 15-year-olds may:

- Clean kitchen surfaces and non-powered equipment, and
- filter, transport, and dispose of oil and grease

But only when the temperature of the surfaces, equipment and liquids do not exceed 100°F.

Work 14- and 15-Year-Olds May Not Do

- Manufacturing and Mining
- Most processing occupations
- Operating power-driven equipment
- Transportation and Communications
- Warehousing and storage
- Construction

Work 14- and 15-Year-Olds May Not Do

- Work in or about boiler or engine rooms
- Maintenance or repair of a building or equipment
- Work in freezers and meat coolers
- Outside window washing
- Baking

Work 14- and 15-Year-Olds

May Not Do

- Work involving power-driven food slicers and grinders, choppers or cutters and bakery mixers
- Loading and unloading goods to and from trucks, railcars or conveyors
- Work in areas where meats are prepared for sale
- All occupations declared to be hazardous for 16- and 17-year-olds

Hazardous Occupations

The FLSA prohibits minors under age 18 from performing occupations that the Secretary of Labor declares to be particularly hazardous or detrimental to their health and well-being.

Currently there are 17 Hazardous Occupations Orders (HOs).

Hazardous Occupations Orders 1 through 5

- HO 1. Manufacturing or storing explosives
- HO 2. Driving a motor vehicle or work as an outside helper on motor vehicles
- HO 3. Coal mining
- HO 4. Logging and sawmilling
- HO 5. Power-driven woodworking machines

Hazardous Occupations Orders 6 through 9

- HO 6. Exposure to radioactive substances and ionizing radiation
- HO 7. Power-driven hoisting apparatus
- HO 8. Power-driven metal-forming, punching and shearing machines
- HO 9. Mining, other than coal

Hazardous Occupations

Orders 10 through 13

- HO 10. Power-driven meat-processing machines, slaughtering and meat packing plants
- HO 11. Power-driven bakery machines
- HO 12. Power-driven paper-products machines, scrap paper balers, and paper box compactors
- HO 13. Manufacturing of brick, tile and related products

Hazardous Occupations Orders 14 through 17

- HO 14. Power-driven circular saws, band saws and guillotine shears
- HO 15. Wrecking, demolition, and shipbreaking operations
- HO 16. Roofing occupations and work on or about a roof
- HO 17. Trenching and excavation operations



"Operation" Means

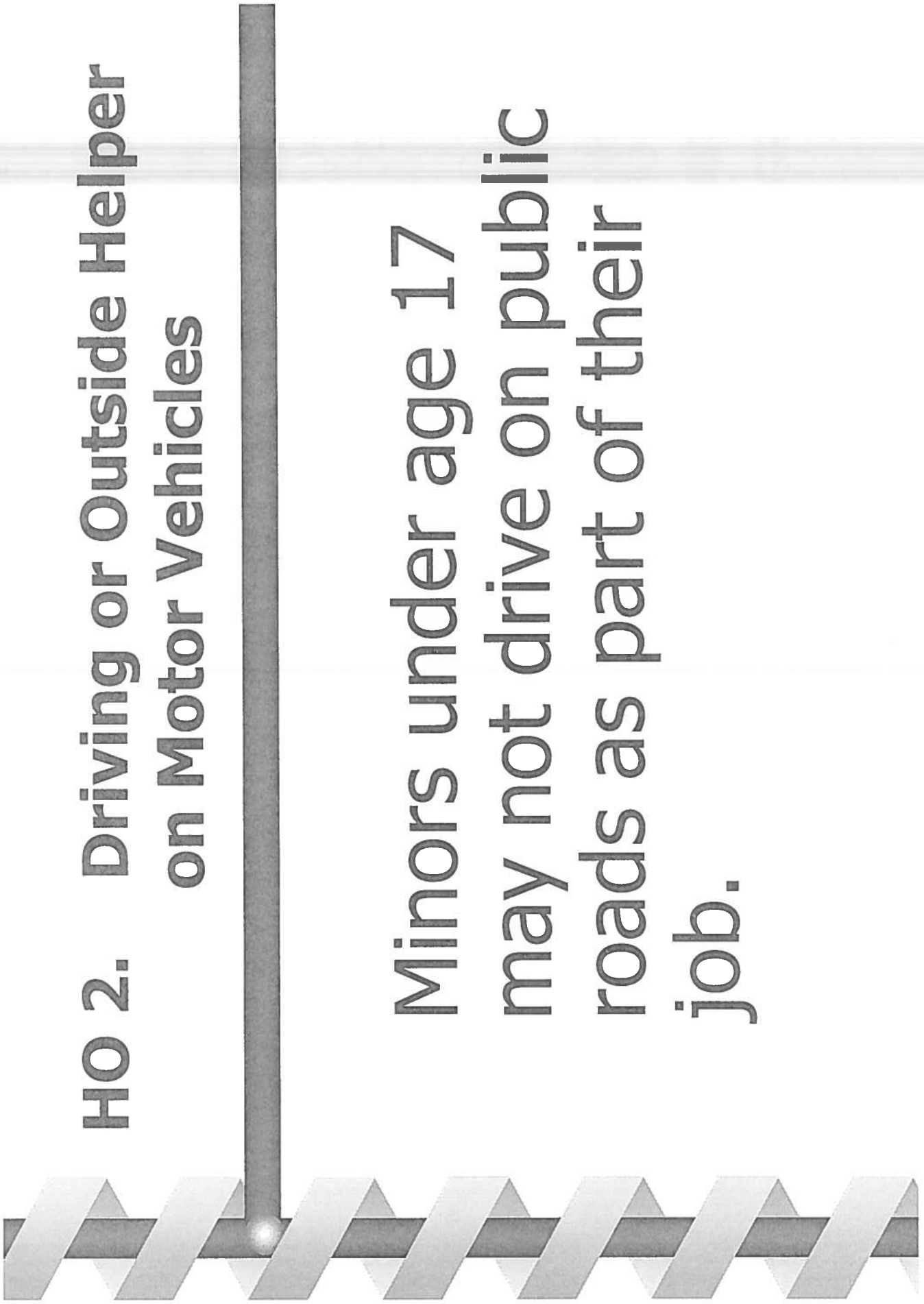
The term "*operation*" as used in HO's 5, 8, 10, 11, 12 and 14 generally includes the tasks of setting up, adjusting, repairing, oiling, and cleaning the equipment.

HO 1. Manufacturing or Storing Explosives

Bans youth working where explosives are manufactured or stored.

HO 2. Driving or Outside Helper on Motor Vehicles

- Generally prohibits youth from driving motor vehicles on public roads, but certain 17-year-olds may perform driving that is *occasional and incidental* under certain circumstances.
- 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.



HO 2. Driving or Outside Helper on Motor Vehicles

Minors under age 17
may not drive on public
roads as part of their
job.

HO 3. Coal Mining

**Bans most jobs in coal
mining.**



HO 4. Logging and Sawmilling

Bans most jobs in logging and timbering (including cutting firewood) and in sawmills.



HO 5. Power-Driven Woodworking Machines

**Bans the operation of
most power-driven
woodworking machines,
including saws, stapling
machines, nailing
machines, and sanders.**



**HO 6. Exposure to Radioactive
Substances and Ionizing
Radiation**

**Bans exposure to radioactive
materials.**

HO 7. Power-Driven Hoisting Apparatus

Bans the operation of most power-driven hoisting apparatus such as elevators, bobcats, cranes, and most high lift trucks, including forklifts.



**HO 8. Power-Driven Metal-
Forming, Punching and
Shearing Machines**

Bans the operation of certain
power-driven metal-working
machines.

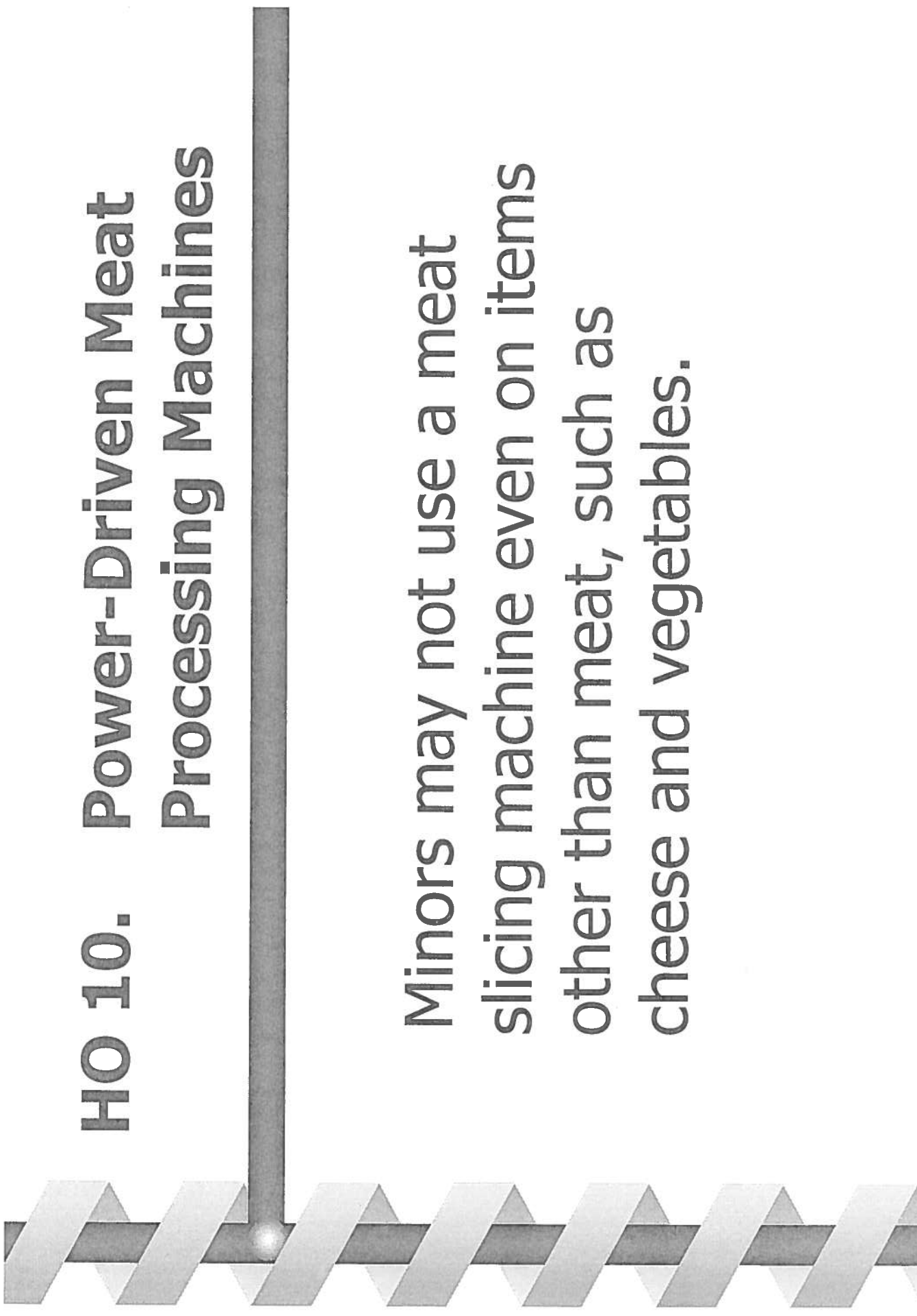
HO 9. Mining, Other Than Coal

Bans most jobs in mining at metal mines, quarries, aggregate mines, and other mining sites including underground work in mines, work in or about open cut mines, open quarries, clay pits, and sand and gravel operations.

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 all most occupations in meat slaughtering, processing, and packing.



HO 10. Power-Driven Meat Processing Machines

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

HO 11. Power-Driven Bakery Machines

Bans the operation of power-driven bakery machines such as vertical doughmixers, battermixers (including most countertop models), dough rollers and doughsheeters.

H 12.

**Power-Driven
Paper-Products Machines,
Scrap Paper Balers and
Paper Box Compactors**

Bans the operation of power-driven paper-products machines, including scrap paper balers and paper box compactors.

HO 12.

Power-Driven Paper-Products Machines, Scrap Paper Balers and Paper Box Compactors

Scrap Paper Balers and Box Compactors:

16 and 17 year-olds may load, but not operate or unload, **certain** scrap paper balers and paper box compactors under very specific guidelines.



HO 13. Manufacturing of Brick, Tile and Related Products

Bans most jobs in the
manufacture of brick, tile
and similar products.

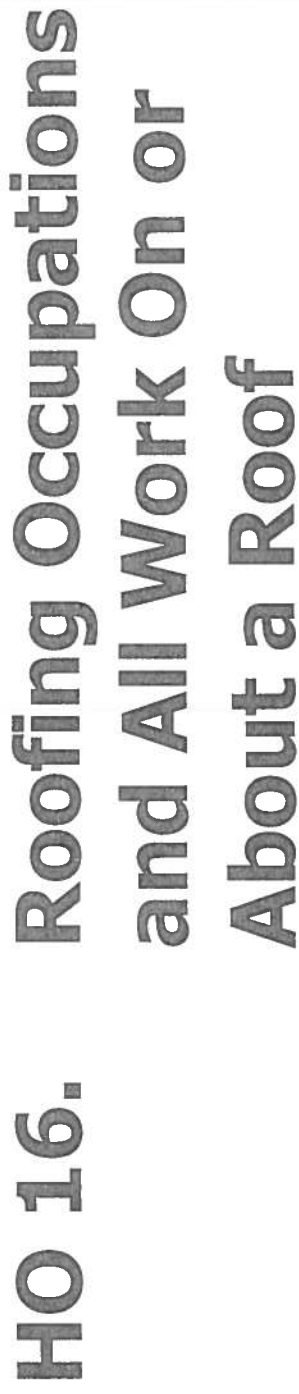


HO 14. Power-Driven Band Saws, Circular Saws, and Guillotine Shears

Bans the operation of various types of power-driven band saws, circular saws and guillotine shears, regardless of the items being cut.

HO 15. Wrecking and Demolition

Bans most jobs in wrecking, demolition, and ship-breaking operations.



**HO 16. Roofing Occupations
and All Work On or
About a Roof**

Bans all jobs in roofing operations
including work performed on the
ground

and

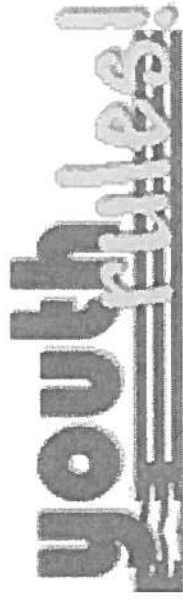
All work performed on or about a
roof (in close proximity).

HO 17. Trenching and Excavation Operations



Bans most jobs in trenching and excavation work, including working in a trench more than four feet deep.

Compliance Assistance



Preparing the 21st Century Workforce

www.youthrules.dol.gov

The Department of Labor launched **YouthRules!** to help employers, parents, teachers, and working teens understand and comply with federal and state youth employment provisions.

Visit the **YouthRules!** Website for important information that will help young workers find and maintain positive and safe employment.

Compliance Assistance Materials

- Fair Labor Standards Act
- Regulations, 29 CFR 570
- Handy Reference Guide
- Child Labor Advisor
- Child Labor Bulletin 101
- Fact Sheet #43
- FLSA Poster

Tips for Employers

- Verify ages of young employees
- Know the youth employment provisions
- Train managers about the youth employment provisions
- Give minor employees information on the youth employment provisions



More Employer Tips

- Review time records for minors
- Post warning labels on prohibited equipment
- Make compliance important
- Encourage minors to say “no” if asked to do something that is prohibited or they do not feel they can do safely

Tips for Young Workers

- Know what you legally may and may not do
- Know when you legally may and may not work
- Be aware of your surroundings
- Politely say “no” when asked to something that is not allowed or something you do not feel you can safely do



Enforcement

- Enforcement is conducted by Wage and Hour staff throughout the U.S.
- Employers who violate the child labor provisions are subject to a civil money penalty of up to \$11,000 for each violation.
- Federal law prohibits the interstate movement of goods produced where child labor violations are found.

Additional Information

- Visit the WHD homepage at:
www.wagehour.dol.gov
- Call the WHD toll-free information and helpline at 1-866-487-9243
- Use the DOL interactive advisor system - *ELAWS (Employment Laws Assistance for Workers and Small Businesses)* at:
www.dol.gov/elaws
- Contact the nearest Wage and Hour Division Office

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