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CHILD LABOR LAWS

Many teens work because they want to earn money; many work to contribute to family income. Together, we can support our teens to make a safe, informed and successful transition into the working world.

The Massachusetts Child Labor Laws exist to protect minors from exploitation and to make sure their education is a top priority. Under the law, there are limits to when teens can work and the type of work they can do.

Any teen could be a victim of child labor violations, but some may be particularly vulnerable to exploitation. By educating yourself about child labor, immigrant workers' rights, and human trafficking laws, you may be in a position to help protect the young people you serve from exploitation in the workforce.

Massachusetts child labor laws:

- prohibit minors younger than 14 from working (with few exceptions),
- limit the number the hours minors can work,
- limit the kinds of jobs that minors can do,
- contain supervision requirements, and
- require employers to have Youth Employment Permits (work permits) on file for all workers under 18. Permits are issued by school superintendents.

- The child labor statutes contain different rules for 14/15-year-olds and 16/17-year-olds.
- All of the wage and hour laws that cover adults also apply to minors (for example: minimum wage, overtime, earned sick time, meal breaks, etc.)
- There are exceptions/differences for students enrolled in a Chapter 74 Vocational Technical Cooperative Education program.

The Massachusetts Attorney General's Fair Labor Division enforces the child labor laws. We can take criminal and civil enforcement actions against people who violate these laws.

For more information, visit: **www.mass.gov/ago/youthemployment**

IMMIGRANT WORKERS HAVE RIGHTS

All workers, irrespective of immigration status, are protected by labor and employment laws. Workplace protections include:

- The right to be paid a legal rate of pay, in full and on time, including minimum wage and overtime
- The right to be free from sexual harassment and other forms of discrimination on the job
- The right to a safe and healthy workplace
- The right to organize
- The right to be classified properly as an employee

In practice, this means that at the Massachusetts Attorney General's Office:

- We serve all workers, irrespective of immigration status
- We do not inquire about an individual's immigration status
- We do not provide personal information of workers to U.S. Immigration and Customs Enforcement (ICE) (unless required by subpoena or judicial warrant)
- We do not tolerate retaliation against workers who lodge complaints with the Attorney General's Office or otherwise assert their legal rights
- We assist eligible workers whose rights have been violated in seeking protection from immigration enforcement by supporting workers requests for deferred action, and/or U or T visa certification

For more information, visit: **https://www.mass.gov/lists/workplace-rights-publications#advisories-**

LABOR TRAFFICKING

Labor trafficking or forced services happens when someone uses threats and/or harm (including financial harm), to force someone to perform work. This is a crime in Massachusetts. Anyone who forces another person to work in this way, or benefits as a result of the work, could face imprisonment and fines. Businesses that commit labor trafficking can be fined up to one million dollars.

These are potential signs of labor trafficking. One or several of these red flags may be present in a forced services situation:

- Unpaid or paid very little
- Excessive wage deductions
- Works excessively long hours
- Not allowed breaks
- Unable to identify the employer
- High security measures (e.g. boarded up windows, barbed wire, security cameras)
- Recruited through false promises
- Inadequate protective clothing or gear
- Poor or non-existent health and safety standards
- Experiences threats or intimidation by employer
- Not free to come and go as desired
- Not in control of their own money
- Not in control of their own identification documents
- Not allowed or able to speak for themselves (a third party may insist on being present and/or translating)
- Owes a large debt and is unable to pay it off
- Imposed place of accommodation
- Lives with employer
- Lives with multiple people in cramped space
- Poor living conditions

For more information, visit: **www.mass.gov/ago/lt**

For information, questions, or to report a concern about exploitation of young workers please call the Fair Labor Division Hotline 617-727-3465**, or email labortrafficking@mass.gov.**

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