

**EMPLOYER'S
POCKET
GUIDE
ON
YOUTH
EMPLOYMENT**

youth
rules!

The text 'youth rules!' is displayed in a stylized font. 'youth' is in blue with a drop shadow, and 'rules!' is in yellow with a drop shadow. The text is set against a background of the American flag, with the stars and stripes visible.

**U. S. Department of Labor
Elaine L. Chao, Secretary**



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A Message from the Secretary of Labor



Elaine L. Chao

Every year, millions of teens work in part-time or summer jobs. Early work experiences can be rewarding for young workers – providing great opportunities for teens to learn important work skills. Today’s youth will be the workforce of the 21st Century. One of my priorities for the U.S.

Department of Labor is to assist America’s youth in preparing to enter that workforce.

Through the **YouthRules!** initiative, the U.S. Department of Labor and its strategic partners seek to promote positive and safe work experiences for young workers. **YouthRules!** strives to educate teens, parents, educators, employers and the public on Federal and State rules regarding young workers. Components of the initiative include a website (www.youthrules.dol.gov), printed materials like this guide, outreach events, training seminars, and partnering activities.

This guide outlines what teens can and cannot do on the job and what hours they may be employed. In addition to presenting proven tips that will help ensure teens learn the habit of good workplace safety, this guide also provides important information about accessing State youth employment standards and occupational safety and health provisions.

YouthRules! helps all of us work together to ensure young workers have safe and rewarding employment experiences.

A Quick Look at the Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) youth employment provisions are designed to protect young workers by limiting the types of jobs and the number of hours they may work. The provisions differ based on the age of the minor.

18 Years of Age

Once a youth reaches 18 years of age, he or she is no longer subject to the Federal child labor provisions.

16 and 17 Years of Age Hours Rules:

Under the FLSA, 16- and 17-year-olds may be employed for unlimited hours in any occupation other than those declared hazardous by the Secretary of Labor (see below). Several States do restrict the number of hours and times of day that this age group may be employed. Be sure to check with your State Department of Labor. You can find the State rules by logging onto www.youthrules.dol.gov.

Occupation Rules:

Seventeen hazardous non-farm jobs, as determined by the Secretary of Labor, are out of bounds for young workers below the age of 18. Generally youth may not work at jobs that involve:

1. Manufacturing or storing explosives
2. Any driving by 16-year-olds, certain driving for 17-year-olds, and being an outside helper on a motor vehicle (limited driving by 17-year-olds is permitted.)
3. Coal mining

Occupation Rules, cont.

4. Logging and sawmilling
5. Power-driven woodworking machines*
6. Exposure to radioactive substances and to ionizing radiations
7. Power-driven hoisting equipment
8. Power-driven metal-forming, punching, and shearing machines*
9. Mining, other than coal
10. Meat packing or processing, including power-driven meat slicing machines in retail and food service establishments*
11. Power-driven bakery machines, including mixers
12. Power-driven paper-products machines, including balers and compactors*
13. Manufacturing brick, tile, and related products
14. Power-driven circular saws, band saws, and guillotine shears*
15. Wrecking, demolition, and ship breaking operations
16. Roofing operations and all work on or about a roof*
17. Excavation operations*

*Limited exemptions are provided for apprentices and student-learners under specified standards.

14 and 15 Years of Age Hours Rules:

14- and 15-year-olds may work outside of school hours in certain jobs (see below) for up to:

- ▶ 3 hours on a school day
- ▶ 18 hours in a school week
- ▶ 8 hours on a non-school day
- ▶ 40 hours in a non-school week

Also, the work must be performed between the hours of 7 a.m. and 7 p.m., except from June 1 through Labor Day, when the evening hours are extended to 9:00 p.m. Several States also regulate the hours that young workers under age 18 may work, so check with your State Department of Labor. You can find the State rules by logging onto www.youthrules.dol.gov.

Occupation Rules:

Fourteen- and 15-year-olds may work in a variety of jobs, including those generally located in:

- ▶ offices
- ▶ grocery stores
- ▶ retail stores
- ▶ restaurants
- ▶ movie theaters
- ▶ baseball parks
- ▶ amusement parks
- ▶ gasoline service stations

Fourteen- and 15-year-olds may not work in the following occupations:

- ▶ communications or public utilities jobs
- ▶ construction or repair jobs
- ▶ driving a motor vehicle or helping a driver
- ▶ manufacturing, mining and processing occupations
- ▶ power-driven hoisting apparatus or machinery, other than typical office machines
- ▶ public messenger jobs
- ▶ transporting of persons or property

- ▶ workrooms where products are manufactured, mined or processed, or
- ▶ warehousing and storage

On February 14, 2005 new rules became effective regarding the types of cooking that 14- and 15-year-olds may perform. Such youth may not perform any baking activities and may only perform cooking that involves the use of gas or electric grills that does not entail cooking over an open flame and cooking with deep fat fryers that are equipped with and utilize mechanical devices that automatically lower and raise the baskets into and out of the hot grease or oil. These youth may also clean cooking equipment, including the filtering, transporting, and disposing of oil and grease, but only when the surfaces of the equipment and the liquids do not exceed 100^o F.

In addition, 14- and 15-year-olds may not work in any job or occupation declared hazardous for older youth and listed on pages 4-5 of this guide.

13 Years of Age or Younger

Fourteen is generally the minimum age for employment under the FLSA. However there are some jobs that are specifically exempted from the youth employment rules and may be performed by those under 14 years of age. Again, it is important to check with your State Department of Labor to learn how the State rules apply to this age group. You can find the State rules by logging onto www.youthrules.dol.gov.

Young workers under 14 years of age may generally:

- ▶ Deliver newspapers
- ▶ Work as a baby-sitter on a casual basis
- ▶ Work as an actor or performer in motion pictures, television, theater or radio
- ▶ Work in a business solely owned by the youth's parents. However, parents are prohibited from employing their children in manufacturing, mining, or any other occupation declared hazardous for older workers by the Secretary of Labor. (See list of hazardous occupations listed on pages 4-5 of this guide).

Employer's Safety Checklist

For Young Workers

To be sure, some tasks and tools present more of a hazard than others. Many hazardous activities are limited or prohibited for young people by the FLSA. (See pages 4-5 of this guide). But employers can take some simple steps to prevent injuries to working teens.

- ▶ Understand and comply with the Federal and State youth employment and occupational safety and health rules.
- ▶ Stress safety, particularly among first-line supervisors who have the greatest opportunity to influence teens and their work habits. They are important role models. Make sure that young workers are appropriately trained and supervised to prevent injuries and hazardous exposures.
- ▶ Work with supervisors and experienced workers to develop an injury and illness prevention program and to help identify and solve safety and health problems. Many injuries can be prevented through simple work redesign.
- ▶ Train young workers to recognize hazards and to use safe work practices. This is especially important since teens often have little work experience and new workers are at a disproportionate risk of injury.
- ▶ Make sure young workers know the Federal and State youth employment rules and frequently remind them that they must be obeyed. Let them know safety is a priority.

Good Ideas from Other Employers

Take advantage of others' experiences. Here are some examples of compliance tips that are being used successfully by employers across the country.

- ▶ Different colored vests are issued to employees under the age of 18 by one chain of convenience stores. That way, supervisors know who is not allowed to operate the electric meat slicer.
- ▶ An employer in the quick service industry, with over 8,000 young workers, developed a computerized tracking system to ensure that workers under 16 years of age are not scheduled for too many hours during school weeks.
- ▶ One supermarket issues teens a laminated, pocket-sized "Minor Policy Card" on the first day of work. The card explains the firm's policy and requirements for complying with the youth employment rules.
- ▶ Many employers have taken the simple, but critical step of training all their supervisors in the requirements of the FLSA. Refresher training at periodical intervals is equally important.
- ▶ Some employers place special "Warning Stickers" on equipment that young workers may not legally operate or clean. As part of **YouthRules!**, the Department of Labor is making these stickers available to employers while supplies last. In addition, these stickers can be downloaded at www.youthrules.dol.gov.
- ▶ Many employers conduct their own compliance checks of their businesses to ensure they achieve and maintain compliance with all youth employment rules. For more information about this process and to obtain a sample compliance questionnaire visit www.youthrules.dol.gov.

Preparing Young Workers To Work Safely

Young workers want to do a good job but they need help to work safely. Their inexperience works against them and they may not feel comfortable asking questions. Employers should take the following four steps to help prepare youth to work safely. What they learn, they will take with them throughout their working lives.

1. Double Check Tasks

Supervisors and co-workers can help compensate for inexperience by showing teens how to do the job correctly. What may be obvious to an employee may not be so clear to a teen tackling a task for the first time. Time spent showing a young worker the best way to handle a job will be paid back three-fold through work done right and without harm to products or injury to the worker. Training youth to work safely is a multi-step process:

- ▶ Give them clear instructions and tell them what safety precautions to take.
- ▶ Ask them to repeat your instructions and give them an opportunity to ask questions.
- ▶ Show them how to perform the task.
- ▶ Then watch them as they do it, correcting any mistakes.
- ▶ Finally, ask if they have any additional questions.

Once young workers know what to do and have demonstrated that they can do the job right, check again later to be sure they are continuing to do the task correctly. Don't let them take short cuts with safety. Be sure, too, that supervisors and co-workers set a good example by following all the appropriate rules as well.

2. Show Them How to Use Safety Equipment

The FLSA prohibits young workers from doing tasks identified as particularly hazardous, including operating heavy equipment, driving, and using electric meat slicers. In addition, younger minors are prohibited from working late at night and using certain power tools.

This does not eliminate every hazard, however, and some youth may still need to wear personal protective equipment (PPE) such as safety shoes, hard hats, or gloves, depending on the nature of the work. Be sure that the teens know when they need to wear protective gear, where to find it, how to use it, and how to care for it.

In other cases, young workers may simply need to know about safety features of equipment or facilities. For example, they may need to be aware that they must keep exit doors free from clutter, assure that safety guards remain on machinery, or that equipment is turned off or disconnected prior to cleaning and at the end of each shift.

3. Prepare Teens for Emergencies

Every worker needs to be ready to handle an emergency. You should prepare your young workers to escape a fire, handle potentially violent customers, deal with power outages – or face any other risks that affect your business. Youths also need to know who to go to if an injury should occur and they need first aid or medical care.

4. Set Up a Safety and Health Program

A strong safety and health program involving every worker at your business is your best defense against workplace injuries. For help in establishing or improving a safety and health program, contact the Department's Occupational Safety and Health Administration (OSHA). See page 12 of this guide.

Resources to Tap

For information about employment standards that apply to young workers or about **YouthRules!**, contact the Department of Labor's Wage and Hour Division toll free at (866) 4US-WAGE or (866) 487-9343. TTY/TDD callers may call 877-889-5627 toll-free.

For information about OSHA, occupational safety and health provisions, and locating the nearest OSHA office call (800) 321-OSHA or (800) 321-6742 toll free. Or check the OSHA website for a list of these offices at www.osha.gov.

You can also obtain both general and detailed information about rules for youth employment by visiting our **YouthRules!** website at www.youthrules.dol.gov.

The website provides links to several departmental sites including:

- ▶ Wage and Hour Division (WHD) (<http://www.wagehour.dol.gov>), which enforces Federal minimum wage, overtime pay, recordkeeping, and child labor requirements of the Fair Labor Standards Act. WHD also enforces the Migrant and Seasonal Agricultural Worker Protection Act, the Employee Polygraph Protection Act, the Family and Medical Leave Act, the Davis Bacon Act, the Service Contract Act and other statutes applicable to Federal contracts for construction and for the provision of goods and services.

- ▶ Occupational Safety and Health Administration (OSHA) (www.osha.gov) which provides detailed information on safety standards, technical advisors, compliance assistance, and many other materials. OSHA's Teen Workers website, located at www.osha.gov/SLTC/teenworkers/index.html, is geared toward young workers.

- ▶ Employment and Training Administration (ETA) (www.doleta.gov) which seeks to build up the labor market through the training of the workforce and the placement of workers in jobs through employment services. From this site you can access America's Job Bank (www.ajb.org), the world's largest pool of active job opportunities and ETA's Youth Center which helps young workers acquire important job hunting skills.