

## **EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT EMPLOYING MINORS**

It's that time of year again! Many employers are interested in employing teenagers during the summer, so we are launching a five-part series to explain the laws protecting both these new employees and their employers. We'll cover the basics in this column and will go into more detail in the coming weeks.

### **Q. How old is a "minor" under Oregon law?**

A. For purposes of employment, a "minor" is anyone under the age of 18. In general, a minor must be at least 14 years old to work in Oregon. There are some exceptions that we will cover in future columns.

### **Q. I want to employ my 17-year old neighbor to work in my office, doing filing and other clerical work. Does she still need a work permit in order to do that?**

A. Not any more. Before 1995, Oregon law required minors to have individual work permits in order to be employed. The law also required employers to fill out a separate "Annual Employment Certificate" for each individual minor working for them. That process has now been streamlined: Work permits are no longer required, and an employer need obtain only one "Annual Employment Certificate (AEC)" per year.

### **Q. How do I obtain an AEC?**

A. You must verify the age of the minor (through a driver's license, birth certificate or similar document). You must then fill out a written application and mail or fax it to BOLI's Child Labor Unit. In the application, you will be asked to estimate the number of minors you'll be employing throughout the year. You will also be asked to indicate their duties, as well as any equipment or machinery they will be using.

The Child Labor Unit will review the application. If the application is approved, BOLI will send the validated AEC to the employer. The AEC must be posted in a conspicuous place where employees may readily review it. BOLI sends out annual renewal notices to employers who have certificates on file.

### **Q. Under what circumstances might BOLI deny my application for an AEC?**

A. The most common reason would be if you were planning to have the minor work with equipment that the law considers to be "hazardous."

**Q. How many hours can minors work in a day or week?**

A. Fourteen and 15-year-olds may not work during school hours, may not work more than three hours on any school day, and may not work more than eight hours on non-school days. They also may not work more than 18 hours per week during the school year. These requirements are extended during the summer months – see our website for more details.

Sixteen- and 17-year-olds are not limited as to the time of day they can work, but they may not work more than 44 hours per week.

**Q. What type of work is considered “hazardous” for minors?**

A As with the above question, the answer largely depends upon the age of the minor. There are several kinds of power-driven machinery that may not be operated by any employee under the age of 18, such as hoisting, woodworking and cutting/slicing equipment. Also prohibited are tasks involving exposure to dangerous worksites, such as work in mines, on roofs and in areas containing radioactive substances.

Fourteen- and 15-year-olds are even more restricted. In general, they may not be allowed to work in or around most kinds of power-driven machinery or on construction sites, in warehouses, or at other locations where power-driven machinery is used.

**Q. Do I have to pay minimum wage and overtime to minors?**

A. Yes.

For more information on this and other issues of importance to Oregon employers, please visit our website at [www.oregon.state/boli/ta](http://www.oregon.state/boli/ta). You can also call us at 971-673-0824.