

Youth Employment Guide for Non-Agricultural Work

The Fair Labor Standards Act of 1938 sets standards for youth employment in non-agricultural occupations.

What are the minimum age standards for non-agricultural employment?

Once you reach 18 years of age, you are no longer subject to the federal youth employment provisions. Sixteen- and 17-year-olds may work for unlimited hours in any occupation other than those declared hazardous by the Secretary of Labor. If you are 14 or 15 years old, you may work outside school hours in a variety of non-manufacturing and non-hazardous jobs for limited periods of time and under specified conditions. Any work not specifically permitted is prohibited. If you are under 14 years old, you may not work in non-agricultural occupations covered by the FLSA. You may only do work exempt from the FLSA (such as delivering newspapers and acting). Children of any age are generally permitted to work for businesses entirely owned by their parents, except those under age 16 may not be employed in mining or manufacturing and no one under 18 may be employed in any occupation the Secretary of Labor has declared to be hazardous.

Hours of Work for 14- and 15-Year-Olds

Outside of school hours

No more than 3 hours on a school day when school is in session.

No more than 8 hours on a non-school day when school is not in session.

No more than 18 hours during a week when school is in session.

No more than 40 hours during a week when school is not in session.

Between 7:00 a.m. and 7:00 p.m., except between June 1 and Labor Day when the evening hour extends to 9:00 p.m.

There are some exceptions for 14- and 15-year old students enrolled in Work Experience and Career Exploration Programs (WECEP) and Work Study Programs (WSP).

Permitted Occupations for 14- and 15-Year-Olds

You may work in most office jobs and retail and food service establishments.

You may work in occupations such as bagging groceries, office work, and stocking shelves.

You may perform limited kitchen work involving the preparation of food and beverages.

Properly certified 15-year-olds **may** work as lifeguards and swimming instructors at traditional swimming pools and water amusement parks.

Occupations That Are Not Permitted

You may not work in any of the jobs prohibited by the Hazardous Occupations Orders or in most occupations involving transportation, construction, warehousing, communications, and public utilities.

You may not work in processing, mining, in any workroom or workplace where goods are manufactured or processed, in freezers, or in meat coolers.

You may not operate or tend any power-driven machinery, except office machines.

You may not perform any baking operations.

You may not perform youth peddling, sign waving, or door-to-door sales activities.

You may not work from ladders, scaffolds, or their substitutes.

Minors under 18 are prohibited from working in the following occupations declared hazardous by the Secretary of Labor:

- 1 Work in most jobs where explosives are manufactured or stored.
- 2 Driving a motor vehicle or work as an outside helper on motor vehicles. 17-year-olds may drive under strictly limited conditions.
- 3 Most jobs in coal mining.
- 4 Occupations in forest fire fighting, forest fire prevention, timber tract, forestry service, and occupations in logging and sawmilling.
- 5 Operating most power-driven woodworking machines.
- 6 Occupations where minors are exposed to radioactive materials.
- 7 Operating, riding on, and assisting in operating most power-driven hoisting apparatus.
- 8 Operating certain power-driven metal-working machines.
- 9 Mining at metal mines, quarries, aggregate mines, etc.
- 10 Operating power-driven meat processing machines, such as meat slicers, as well as cleaning the equipment. Also working most jobs in meat and poultry slaughtering and packing plants.
- 11 Operating power-driven bakery machines.
- 12 Operating all balers, compactors, and power-driven paper-products machines. Sixteen- and 17-year-olds may load, but not operate or unload, certain scrap paper balers and paper box compactors under very specific guidelines.
- 13 Manufacturing brick, tile, and related products.
- 14 Operating power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs.
- 15 Wrecking, demolition, and ship-breaking work.
- 16 Roofing operations and work performed on or about a roof.
- 17 Trenching and excavation operations.

The regulations provide a limited exemption from hazardous occupations 5, 8, 10, 12, 14, 16 and 17 for apprentices and student-learners who are at least 16 years of age and enrolled in approved programs.

Youth Employment Guide for Agricultural Work

The Fair Labor Standards Act (FLSA) of 1938 sets standards for youth employment in agricultural occupations.

What are the minimum age standards for agricultural employment?

Youths ages 16 and above may work in any farm job at any time.

Youths aged 14 and 15 may work outside school hours in jobs not declared hazardous by the Secretary of Labor.

Youths 12 and 13 years old may work outside of school hours in non-hazardous jobs on farms that also employ their parent(s) or with written parental consent.

Youths under 12 years old may work outside of school hours in non-hazardous jobs with parental consent, but **only** on farms where none of the employees are subject to the minimum wage requirements of the FLSA. Youths under 12 years of age may work outside of school hours in non-hazardous jobs with parental consent, but only on farms where none of the employees are subject to the federal minimum wage requirements.

Youths of any age may work at any time in any job on a farm owned or operated by their parents.

If you are under 16 you may not work in the following occupations declared hazardous by the Secretary of Labor:

- 1 Operating a tractor of over 20 PTO horsepower, or connecting or disconnecting its implements,
- 2 Operating or working with a corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, mobile pea viner, feed grinder, crop dryer, forage blower, auger conveyor, unloading mechanism of a nongravity-type self-unloading wagon or trailer, power post-hole digger, power post driver, or nonwalking-type rotary tiller.
- 3 Operating or working with a trencher or earthmoving equipment, fork lift, potato combine, or power-driven circular, band or chain saw.
- 4 Working in a yard, pen, or stall occupied by a bull, boar, or stud horse maintained for breeding purposes; a sow with suckling pigs; or a cow with a newborn calf (with umbilical cord present).
- 5 Felling, buckling, skidding, loading, or unloading timber with a butt diameter or more than 6 inches.
- 6 Working from a ladder or scaffold at a height of over 20 feet.
- 7 Driving a bus, truck, or automobile to transport passengers, or riding on a tractor as a passenger or helper.
- 8 Working inside a fruit, forage, or grain storage designed to retain an oxygen-deficient or toxic atmosphere; an upright silo within 2 weeks after silage has been added or when a top unloading device is in operating position; a manure pit; or a horizontal silo while operating a tractor for packing purposes.
- 9 Handling or applying toxic agricultural chemical identified by the words "danger," "poison," or "warning" or with a skull and crossbones on the label.
- 10 Handling or using explosives.
- 11 Transporting, transferring, or applying anhydrous ammonia.

The hazardous occupations prohibition does not apply to youths employed on farms owned or operated by their parents.

14 and 15 year old student learners enrolled in vocational agricultural programs are exempt from certain hazardous occupations when certain requirements are met. Minors aged 14 and 15 who hold certificates of completion of training under a 4-H or vocational agriculture training program may work outside school hours on certain equipment for which they have been trained.

Enforcement and Penalties

Investigators of the Wage and Hour Division located across the U.S. enforce the youth employment provisions of the FLSA. As the Secretary of Labor's representatives, they have the authority to conduct investigations and gather data on wages, hours, and other employment conditions or practices in order to assess compliance with all the provisions of the FLSA. An employer that violates the youth employment provisions may be subject to civil money penalties.

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information or to file a complaint:

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dol.gov/agencies/whd

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