

What You Need to Know Before Hiring Teens for Summer Jobs

As the longer and warmer days of springtime begin knocking on our doors, so too will teenagers seeking summer jobs. Before hiring teens, employers should be educated about both federal and state youth employment regulations.

Contrary to what many may think, the Occupational Safety and Health Administration (OSHA) does not actually set the standards for young workers. Employers often believe that OSHA regulations cover worker age limits, however, it is the Department of Labor's Fair Labor Standards Act (FLSA) that sets these guidelines.

FLSA prohibits workers under the age of 18 from operating hazardous equipment — including forklifts — in non-agricultural operations. Under the FLSA, the age of the young worker typically determines which child labor rules apply. In particular, the age of the worker determines how many hours in a day or week, or what hours during the day, they may work.

Work Hour Restrictions

The basic rules for when and where a youth may work are:

- Youth 18 years or older may perform any job, whether hazardous or not, for unlimited hours.
- Youth 16- or 17-year-olds may perform any non-hazardous job for unlimited hours.
- Youth 14- and 15-year-olds may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs.

They cannot work more than:

- 3 hours a day on school days (including Friday);
- 8 hours a day on non-school days;
- 18 hours per week in school weeks;
- 40 hours per week when school is not in session.

Also, 14- and 15-year-olds may not work before 7:00 am, nor after 7:00 pm, except from June 1 through Labor Day, when their permissible hours are extended to 9:00 pm. Under a special provision, 14- and 15-year-olds who are enrolled in an approved Work Experience and Career Exploration Program may be employed for up to 23 hours during school weeks and three hours on school days (including during school hours).

Hazardous Job Restrictions

In addition to restrictions on hours, the Labor Department has determined that certain jobs (outlined in the FLSA's prohibited occupations section) are too hazardous for anyone under 18 to perform. These rules must be followed unless one of the FLSA's child labor exemptions applies:

- 18 years or older may perform any job, whether hazardous or not.
- 16- or 17-year-olds may not perform any hazardous job.
- 14- and 15-year-olds may not work in the manufacturing or mining industries, or in any of the following hazardous jobs:
 - Public utilities jobs;
 - Construction or repair jobs;
 - Driving or helping a driver;
 - Manufacturing and mining occupations;
 - Power-driven machinery or hoisting apparatus other than typical office machines;
 - Processing occupations;
 - Public messenger jobs;
 - Transporting persons or property;
 - Workrooms where products are manufactured, mined or processed;
 - Warehousing and storage.

Parents who employ their own children are subject to these same rules. Some of these hazardous occupations have definitive exemptions (more information about exemptions can be found through the U.S. Department of Labor, <http://tinyurl.com/3fondck>).

For more details about work hours and hazardous occupations, see the child labor regulations for North Carolina at <http://tinyurl.com/3nlrwt7> and for South Carolina at <http://tinyurl.com/z6eutgz>.

Did You Know the U.S. Department of Labor Enforces Labor Laws Regarding Minors?

Every year, millions of teens work in part-time or summer jobs. Early work experiences can be rewarding for young workers, providing great opportunities to learn important skills. The U.S. Department of Labor's goal is to ensure that minors have safe work experiences that do not jeopardize their health or well-being. There are regulations regarding the type of jobs minors can perform, what duties are considered hazardous and the hours they can work. The YouthRules! Initiative promotes positive and safe work experiences for minors by educating parents, teens, employers and education about these rules. Learn more at www.youthrules.dol.gov.