

Youth Workers in Manufacturing

The federal government places young workers into three age categories: 16-17 year olds, 14-15 year olds, and under 14. Age 14 is considered the minimum age for employment by the Fair Labor Standards Act, with the same act limiting the number of hours worked by minors under the age of 16. Once a worker turns 18, they are no longer subject to child labor laws, however they are still protected by workplace health and safety regulations.

16 and 17-Year-Olds

There are no restrictions on the hours worked by 16 and 17-year olds, however the type of work is only open to any job that has not been declared “hazardous” by the Secretary of Labor. Those hazardous occupations are banned for all persons under the age of 18.

Hazardous occupations banned for all minors regardless of age involves:

- Manufacturing or storing explosives.
- Driving a motor vehicle or work as an outside helper on motor vehicles.
 - 17-year-olds may drive a car or small truck during daylight hours under very specific circumstances.
- Coal Mining.
- Occupations in forest fire fighting, forest fire prevention, timber tract, forestry service, and occupations in logging and sawmilling operations
- Use of power-driven woodworking machines.
- Exposure to radioactive substances and ionizing radiation.
- Power-driven hoisting apparatus.
- Power-driven metal-forming, punching, and shearing machines.
- Mining other than coal.
- Power-driven meat processing machines, slaughtering and meat packing plants.
- Power-driven bakery machines.
- Balers, compactors, and power-driven paper products machines.
 - 16 and 17-year-olds may load, but not operate and unload certain scrap paper balers and paper box compactors under specific guidelines.
- Manufacturing of brick, tile, and related products.
- Power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs.
- Wrecking, demolition, and ship-breaking operations.
- Roofing operations and work performed on or about a roof.
- Trenching and excavation operations.

Exemptions

There are certain exemptions to the hazardous occupations for 16 and 17- year old apprentices and student-learners provided that they are employed under certain conditions.

These include:

Apprentices:

1. the apprentice is employed in a craft recognized as an apprenticeable trade;
2. the work of the apprentice in the occupations declared particularly hazardous is incidental to his training;
3. such work is intermittent and for short periods of time and is under the direct and close supervision of a journeyman as a necessary part of such apprentice training; and
4. the apprentice is registered by the Bureau of Apprenticeship and Training of the United States Department of Labor as employed in accordance with the standards established by that Bureau, or is registered by a State agency as employed in accordance with the standards of the State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, or is employed under a written apprenticeship agreement and conditions which are found by the Secretary of labor to conform substantially with such Federal or State standards.

Student-Learners

1. the student-learner is enrolled in a course of study and training in a cooperative vocational training program under a recognized State or local educational authority or in a course of study in a substantially similar program conducted by a private school and;
2. such student-learner is employed under a written agreement which provides:
 - a. that the work of the student-learner in the occupations declared particularly hazardous shall be incidental to his training;
 - b. that such work shall be intermittent and for short periods of time, and under the direct and close supervision of a qualified and experienced person;
 - c. that safety instructions shall be given by the school and correlated by the employer with on-the-job training; and
 - d. that a schedule of organized and progressive work processes to be performed on the job shall have been prepared.

Each such written agreement shall contain the name of student-learner, and shall be signed by the employer and the school coordinator or principal. Copies of each agreement shall be kept on file by both the school and the employer. This exemption for the employment of student-learners may be revoked in any individual situation where it is found that reasonable precautions have not been observed for the safety of minors employed thereunder.

A high school graduate may be employed in an occupation in which he has completed training as provided in this paragraph as a student-learner, even though he is not yet 18 years of age.

14 and 15-Year-Olds

As these youth are younger, the regulations protecting them are stricter than that of a 17 or 18-year-old.

Hours worked by this age group are restricted to:

- outside school hours;
- no more than 3 hours on a school day, including Fridays;
- no more than 8 hours on a nonschool day;
- 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 a.m. and 7 p.m.—except between June 1 and Labor day when the evening hour is extended to 9 p.m.

The following are examples of jobs this age group cannot hold:

- They are prohibited from working in any of the Hazardous Orders or in most occupations involving transportation, construction, warehousing, communications and public utilities.
- They may **not** work in processing, mining, in any workroom or workplace where goods are manufactured or processed, in freezers, or in meat coolers.
- They may not operate or tend any power-driven machinery, except office machines.
- They may not perform any baking operations.
- They may **not** be employed in youth peddling, sign waving, or door-to-door sales activities.
- They may **not** work from ladders, scaffolds, or their substitutes.
- They may **not** be employed to catch or coop poultry.

In terms of jobs that a 14 or 15-year-old can have, they are listed here:

- They may work in most office jobs and retail and food service establishments.
- They may be employed in occupations such as bagging groceries, office work, stocking shelves, and cashiering.
- They may work in intellectual or artistically creative occupations such as teacher, musician, artist, and performer.
- They may perform limited kitchen work involving the preparation of food and beverages.
- They may perform only limited cooking duties (see Fact Sheet #58). They may cook over electric or gas grills that do not involve cooking over an open flame and they may cook with deep fryers that are equipped with and utilize a device that automatically lowers the baskets into the hot oil or grease and automatically raised the baskets from the hot oil or grease.
- They may clean cooking equipment and surfaces (not otherwise prohibited), and filter, transport, and dispose of grease as long as the temperature of the surfaces, containers, and grease do not exceed 100°F.
- Properly certified 15-year-olds may work as lifeguards and swimming instructors at traditional swimming pools and water amusement parks.

Under 14

Typically, the only jobs a minor this young may have is to deliver newspapers, babysit on a casual basis, and work as an actor or performer. They may also work in a business operated

solely owned or operated by the youth's parents, although this does not count for manufacturing, mining, or other occupations deemed hazardous. Typically, this means helping out in the family restaurant or store.

State vs. Federal Child Labor Laws

Some states have child labor laws that differ from that of the federal government. When the two come into conflict, the more stringent law will apply. In New York, for example, the state puts limitations on the hours that 16 and 17-year-olds may work while federal law does not. Employers in this case will have to abide by New York state law. While federal law has an exemption for family businesses employing their children, Pennsylvania does not have such an exemption under their Child Labor Act. That means family businesses in Pennsylvania must abide by the state law. State law mostly tends to deviate in relation to the amount of hours worked by 14 and 15-year-olds. Many states also require all minors, regardless of age, to acquire a work permit, often through their school district, to qualify for employment. If employing minors, always check state labor laws to ensure compliance.