

CHILD LABOR LAWS

What is a student learner?

- Must be attending an accredited school.
- Employed on a part-time basis to obtain scholastic credit and employment training.
- Must have a written training agreement that contains progressive work processes to be completed on the job; student shall work under a qualified supervisor (YA program format.)

When can a student learner work?

- State and federal laws do not limit the hours that minors 16 years of age or over may work, except that they may not be employed during hours of required school attendance unless they are a student learner.
- Hours worked during the school day do not count toward the daily or weekly maximum.

Can minors work overtime?

- Yes, but only in non-school weeks (summer vacation, winter and spring breaks.)

How much do student learners have to get paid?

- Youth Apprentices must receive minimum wage.

Can minors operate a vehicle on the jobsite? Yes, IF....

- The driving is only occasional and incidental to the minor's employment and restricted to daylight hours.
- The driving takes place within a 30-mile radius of the minor's place of employment.
- The vehicle does not exceed 60,000 pounds of gross vehicle weight.
- The minor has a valid driver's license and no records of any moving violations at the time of hire.
- The vehicle has seat belts and the minor has been instructed to wear them when driving and riding.
- The driving does not involve the towing of vehicle; route delivery or sales; transportation for hire of property, goods or passengers; urgent time sensitive deliveries; transporting more than 3 passengers who are employees of the employer.

Important things to remember...

- The Student Learner exemption to Child Labor regulation is based on the fact that the minor is receiving educational instruction at the workplace during the regular school day.
- The employer and the school have the burden to ensure that this minor is receiving on-going instruction, and that the work performed is within the restrictions of the child labor regulations. If the minor has become proficient at the job, new educational opportunities must be provided.
- If the minor is no longer receiving instructional experience, they may not qualify under the student learner exceptions to the child labor regulations. Any work that the minor performs outside of the school day or on a non-school day is subject to the restrictions under the child labor laws.
- Minors must receive a 30 minute break if they work a shift of more than six consecutive hours; the start and stop times of the break periods must be documented.

