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Are you Guilty of Oppressive Child Labor?

Hiring a minor to work for you

Is that child employee trouble?

What is oppressive child labor? It's employing those under age 18 in a hazardous occupation. Even if you don't think the occupation you hired that minor for is hazardous, there are rules that apply to hiring minors you must be familiar with.

Add the myriad of rules to the knowledge that the Federal Government is cracking down on child labor law violations, and you have one more labor headache to take aspirin for. The Federal child labor law pertains to:

- Type of work permitted
- Minimum ages
- Work time limitations

Every state also has its own definition and where there is a conflict you must follow the stricter limitations.

How do you know if you are covered by these child labor law regulations? If the Wage and Hour regulations cover you, the child labor law provisions then apply to you.

The only exemptions to the federal level are children employed by their parents, as actors, and delivering newspapers.

Minors under 14, with very few exceptions dealing with agriculture may be employed. Sixteen is usually considered the minimum age, and there are more guidelines if the minor is between 16 and 18 years old.

Fines for violating the federal child labor standards can be as high as up to \$1,000 per violation or \$10,000 per violation if the violation is willful. Increased fines and even jail may be the penalty for repeat offenders.

Federal regulations do not require you to have proof of age, even

though several states do. It is always a good idea to secure the document that proves age and keep it on file.

Here is an example of what the law allows if you want to hire that 16-year old computer genius. Let's assume the job is not considered hazardous. Your employee may not work:

- During school hours
- Before 7:00 AM or after 7:00 PM unless between June 1 and Labor Day, then your employee may work to 9:00 PM.
- More than 3 hours a day on school days
- More than 8 hours a day on non-school days.
- More than 40 hours week in non-school weeks – 14 or 15 year olds may not work overtime at all.

What are some hazardous duties the Act prohibits?

1. Motor vehicle driving
2. Meat processing or packing
3. Operating power driven bakery machines
4. Operating power saws

If your insurance company pays a workers compensation claim to an illegally employed minor, they may recover whatever they pay from you.

The right way to employ minors may seem like common sense. However, if you decide to hire minors, it's best to check with your attorney.

Remember that your State has its own set of rules to supplement the Federal Government's and the stricter of the two apply.

