



**Child Labor Coalition**

# **Child Labor in the US**

## **An Overview of Federal Child Labor Laws**

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, record keeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.

The FLSA's child labor provisions are designed to protect the educational opportunities of minors and prohibit their employment in jobs and under conditions detrimental to their health or well-being.

### **Non-Agricultural Employment**

#### **Minimum Age for Employment:**

The minimum age for employment is 14 years old. There are some exceptions such as newspaper delivery; performing in radio, television, movie, or theatrical productions; and work for parents in their solely-owned non-farm business(except in manufacturing or in hazardous jobs).

#### **Hours of Employment:**

- **14- and 15-year-olds** may be employed outside of school hours for a maximum of 3 hours per day and 18 hours per week when school is in session and a maximum of 8 hours per day and 40 hours per week when school is not in session. This age group is prohibited from working before 7 a.m. and after 7 p.m., except during summers when they may work until 9 p.m. (from June 1 through Labor Day).
- **16- and 17-year olds** may be employed for unlimited hours. There are no federal laws restricting the number of hours of work per day or per week.

## **Hazardous Employment:**

There are seventeen prohibited jobs for youth under the age of 18.

1. Manufacturing or storing explosives
2. Driving a motor vehicle and being an outside helper on a motor vehicle
3. Coal mining
4. Logging and sawmilling
5. Power-driven wood-working machines
6. Exposure to radioactive substances and to ionizing radiations
7. Power-driven hoisting equipment
8. Power-driven metal-forming, punching, and shearing machines
9. Mining, other than coal mining
10. Meat packing or processing (including power-driven meat slicing machines)
11. Power-driven bakery machines
12. Power-driven paper-products machines
13. Manufacturing brick, tile, and related products
14. Power-driven circular saws, band saws, and guillotine shears
15. Wrecking, demolition, and ship-breaking operations
16. Roofing operations
17. Excavation operations

**There are additional prohibited occupations for 14- and 15-year-olds. Check with the U.S. Department of Labor for more information.**

## **Agricultural Employment**

### **Minimum Age for Employment:**

- **10- and 11-year-olds** may perform jobs on farms owned or operated by parent(s), or with a parent's written consent, outside of school hours in non-hazardous jobs on farms not covered by minimum wage requirements.
- **12- and 13-year-olds** may work outside of school hours in non-hazardous jobs, either with a parent's written consent or on the same farm as the parent(s).
- **14- and 15-year-olds** may perform any non-hazardous farm job outside of school hours.
- **16-year-olds and older** may perform any job, whether hazardous or not, for unlimited hours.

## **Hours of Employment:**

Youth under the age of 16 are restricted from employment during school hours.

## **Hazardous Employment:**

Youth under the age of 16 are prohibited from certain occupations and activities which the U.S. Secretary of Labor has determined to be hazardous. Contact the U.S. Department of Labor for more information.

## **Family Farms:**

The above restrictions do not apply to youth who are employed by their parents on a farm owned or operated by their parents.

## **Wages**

The federal minimum wage is \$5.15 per hour. Overtime pay at a rate of not less than one and one-half times their regular rates of pay is required after 40 hours of work in a workweek (except in some agricultural employment).

**Youth Minimum Wage:** A minimum wage of not less than \$4.25 an hour is permitted for employees less than 20 years of age during their first 90 consecutive calendar days of employment with an employer. Employers are prohibited from taking any action to displace employees in order to hire employees at the youth minimum wage. Also prohibited are partial displacements such as reducing employees' hours, wages, or employment benefits.

**Sub minimum Wage Provisions:** The FLSA provides for the employment of certain individuals at wage rates below the statutory minimum. Such individuals include student-learners (vocational education students). Such employment is permitted only under certificates issued by the U.S. Department of Labor's Wage and Hour Division.

## **Federal and State Child Labor Laws**

Most states have child labor laws. A few states solely rely on the federal laws found in the FLSA. State child labor laws may be more restrictive or less restrictive than the federal child labor laws (FLSA). In other words, states may have different minimum ages for employment, different hours of work restrictions, and additional occupations identified as hazardous.

If the employment falls under FLSA jurisdiction, then both federal and state laws apply--and the most restrictive law (whether it is the state or the federal) is followed.

## **For Questions About Federal Child Labor Laws**

Visit the U.S. Department of Labor's [Web site](#), or contact DOL's Wage and Hour Division and ask to speak to the Child Labor Contact.

Call Philadelphia at (215)597-4950 if you live in these states:

- Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia, West Virginia.

Call Atlanta at (404)562-2201 if you live in these states:

- Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Kentucky, Tennessee.

Call Chicago at (312)353-8667 if you live in these states:

- Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin.

Call Dallas at (214)767-6895 (extension 227) if you live in these states:

- Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming.

Call Kansas City at (816) 426-5386 if you live in these states

- Iowa, Kansas, Missouri, Nebraska.

San Francisco at (415)975-4562 if you live in these states:

- Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Washington.

**[Click here for Questions About State Child Labor Laws](#)**

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