



Pointers for Employing Teen Workers

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You may be familiar with the saying “If you want teens to keep their feet on the ground, put some responsibility on their shoulders.” Employing minors can be a great business decision, but employers must adhere to the restrictions imposed on the employment of teens by the federal Fair Labor Standards Act (FLSA) and Ohio law. Ohio and federal law generally define a “minor” as any individual under the age of 18.

Basic Requirements

- **Work Permit:** Generally, every minor age 14–17 must have a work permit. During summer months when school is not in session, however, a 16- or 17-year-old minor is not required to obtain a work permit, but the employer must maintain proof of the minor’s age and a signed statement from a parent/guardian consenting to the proposed employment.
- **Wage Agreement:** Employers must have a written agreement with the minor as to the wages or compensation to be paid for each day, month or year or per piece for work performed.
- **Rest Period:** Minors must be given a rest period of at least 30 minutes when working more than 5 consecutive hours.
- **Time Records:** Employers must keep a written record, such as a time book, showing the minor’s actual starting and stopping time of each period of work or rest. These records must be kept for two years.
- **Postings:** The State of Ohio Minor Labor Laws poster must be posted in a conspicuous place frequented by minors together with a complete listing of all minors employed at the particular establishment.

Summer Hours

Restrictions on a minor’s work hours when school is not in session during the summer months (June 1 to September 1) differ by age category:

- Minors 14 and 15: May not perform work before 7:00 a.m. or after 9:00 p.m. and may not work more than 8 hours per day or 40 hours per week. The only exception to the 40-hours-per-week limit is for employment incidental to bona fide programs of vocational cooperative training, work-study or other work-oriented programs with educational purposes.
- Minors 16 and 17: Face no restrictions on the starting and ending time and no restrictions on the number of hours worked per day or per week.

Occupational Restrictions

Due to the dangerous nature of particular types of jobs, minors are restricted from performing certain types of work. Such restrictions include:

- All Minors: Prohibited from operating power-driven bakery machines or woodworking machines (including saws). Minors may not distribute or use fertilizers or insecticides and may not work in roofing operations. All minors are generally prohibited from driving a motor vehicle on public roads or highways in the course of their employment. An employer may permit a 17-year-old employee to drive on public roads/highways in the course of work if the "incidental and occasional" driving exemption under the FLSA applies. But even this exemption is subject to the additional restrictions under the Teen Drive for Employment Act of 1988 (i.e., daylight hours only, clean driving record, and no urgent time-sensitive deliveries).
- Minors 14 and 15: Prohibited from additional hazardous occupations, including all manufacturing jobs, working in freezers or meat coolers, loading or unloading delivery trucks, and all warehouse and construction work except clerical jobs. Door-to-door sales activities are prohibited unless very specific criteria are met. Under federal regulations, minors under the age of 16 may not cook on a grill that has an open flame and may not use cooking devices or clean equipment when the surface is hotter than 100 degrees F.
- Minors Under 14: Federal law prohibits employment of minors under age 14, with very limited exceptions (i.e., newspaper delivery, actors and performers).

Teen-aged employees can be valuable contributors to an organization. Employers must be mindful of the restrictions imposed by the FLSA and Ohio law. Local laws should also be checked to learn of any additional restrictions imposed. Employers should adhere to the most restrictive law if a contradiction exists between the applicable federal, state and/or local law addressing the employment of minors.