

Employment Of Minors: Questions & Answers

Wage and Hour: Child Labor

The employment of minors is heavily regulated, both under Oregon and federal laws. There are strict limitations on the number of hours a minor may work and on the types of work permissible. In addition, Oregon employers who hire minors must apply for and obtain an [annual employment certificate](#) from the Child Labor Unit of the Bureau of Labor and Industries (BOLI), (971) 673-0836.

Q. Who is a minor?

A. For purposes of employment, a "minor" is anyone under the age of 18. In general, a minor must be at least 14 years old to work in Oregon. In rare circumstances, the Oregon Wage and Hour Commission may allow younger individuals to work.

Q. Does a minor still need a work permit in order to be employed?

A. Prior to September 9, 1995, every minor was required to obtain an individual work permit, and each employer was also required to apply for a separate employment certificate for each minor hired. Minors over 14 years old are now no longer required to obtain work permits, and the process for employers has also been greatly simplified.

Q. What steps must an employer take before hiring a minor?

A. An employer must verify the age of every minor hired and must also apply each year for a single annual employment certificate. The certificate covers all minors employed, even in multiple locations. The employer estimates the number of minors to be employed during the year, lists their job duties, and identifies equipment or machinery they will use. BOLI's Child Labor Unit reviews the application and, if approved, sends the validated certificate to the employer. The certificate must be posted in a conspicuous place where employees may readily review it. Yearly renewal notices are sent to employers who have certificates on file.

Q. What employment laws apply to minors? (Is minimum wage required?)

A. Minors are generally protected by the same laws that protect adults. They must be paid the same minimum wage as adults for all hours worked. Minors are also covered by overtime laws and laws regulating paydays, final paychecks, and deductions from wages. Although the age discrimination law in Oregon applies only to persons 18 or older, minors are otherwise

protected by the same state and federal anti-discrimination laws that apply to adults.

Q. How many hours may minors work in a day?

A. There are no limits on the number of hours 16- and 17-year-olds may work in a day. However, 14- and 15-year-olds may not work during school hours, may not work more than three hours on any school day, and may not work more than eight hours on non-school days. Also, 14- and 15-year-olds may only work between the hours of 7:00 a.m. and 7:00 p.m. (and as late as 9:00 p.m. between June 1 and Labor Day).

Q. How many hours may minors work in a week?

A. Sixteen- and 17-year-olds may work up to 44 hours per week. Fourteen- and 15-year-olds may work at most 18 hours per week during the school year and 40 hours per week when school is not in session.

Q. What type of work is prohibited for minors?

A. Several hazardous types of work are completely off-limits for minors. These include the operation of most power-driven machinery, including hoisting, woodworking and cutting/slicing equipment. Also prohibited are tasks involving exposure to dangerous worksites, such as work in mines, on roofs and in areas containing radioactive substances. Fourteen- and 15-year-olds are subject to greater restrictions, and are not permitted to work in or around most kinds of power-driven machinery or on construction sites, in warehouses, or at other locations where power-driven machinery is used. There are some exceptions for work experience/student-learner programs which meet specific criteria.

Q. Are employers required to provide meal periods and rest periods for minors?

A. Yes. As with adults, minors must be given a paid rest period for every work segment of four hours or the major portion thereof (any period longer than two hours). Although rest periods for adults must be at least 10 minutes, they must be at least 15 minutes for minors. In addition, minors must be given at least a 30-minute meal period, beginning no later than five hours and one minute after the minor reports for duty. This meal period can be unpaid as long as the minor is completely relieved of all duties. While 14- and 15-year-olds must always be relieved of all duties during the meal period, 16- and 17-year-olds may work through the meal period when business conditions require it, if they are paid for the meal period.

Q. Is there any work that is excluded from the child labor regulations?

A. Yes. Minors delivering newspapers or performing domestic work (such as

lawn-mowing or baby-sitting) in private residences are not covered by child labor laws.

Q. I need landscaping work done around my office. Can I employ a minor to operate a power-driven lawnmower?

A. Yes, if the minor is 16 or 17. Fourteen- and 15-year-olds may not operate power-driven mowers except at private residences, as indicated above.

Q. If a minor arrives for a scheduled shift but is not needed, must the employer still pay for part of the minor's scheduled hours?

A. Yes, the employer must pay either the amount the minor would have earned for half the shift, or one hour's wages, whichever is greater. [Note: A similar law for adults was repealed in 1990.]

Q. Can I employ a 17-year-old to deliver items to customers?

A. No. Although minors with valid driver's licenses may drive to and from work, they may not drive on public roads while on the job. There are limited exceptions for 16- and 17-year-olds in agriculture.

Q. Can I employ a 15-year-old to cook in my restaurant?

A. No, unless the cooking is done in a place visible to the public, such as a soda fountain, lunch counter, snack bar or cafeteria serving counter. Sixteen- and 17-year-olds may perform kitchen work out of the public view, provided they do not use certain hazardous baking, mixing and slicing machinery.

Q. Are minors in agriculture subject to the same limitations?

A. Different rules apply to minors working in agriculture. For example, minors as young as 12 years old may pick crops on a farm where their parents are employed, or if their parents provide written consent. For details, refer to the information sheet titled Oregon State and Federal Laws Regulating the Employment of Minors in Agriculture.

For more information on this subject, contact Technical Assistance at 971-673-0824.

Technical Assistance offers employer handbooks and other materials covering a number of topics. TA publication titles and costs are as follows:

- Wage and Hour Laws Handbook, \$15
- Civil Rights Laws Handbook, \$15
- White Collar Exemptions Handbook, \$15

- Family Leave Laws Handbook, \$15
- Policy Writing Guidelines Handbook, \$10
- Legal Hiring Practices Handbook, \$10
- Commonly Required Postings in Oregon, \$10
- A Guide to Employee Leaves in Oregon, \$5

[These publications may be ordered online](#) or ordered by mailing a check or money order including \$7.50 shipping and handling to:

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