

# Teens at Work: Facts for Employers, Parents and Teens

*This brochure covers all industries other than agriculture.*



This brochure answers many questions employers, teen workers and parents have about non-agricultural work rules, permits and conditions for working minors, including teens working in their family's non-agricultural business.

## What does an employer have to do to hire minors?

### Post a current Minor Work Permit endorsement

Employers need a Minor Work Permit endorsement on their business license for each work site where they employ minors. They can apply to get one with the business license application through the Department of Revenue's Business Licensing Services ([www.bls.dor.wa.gov](http://www.bls.dor.wa.gov)) or any L&I office. The business license with current Minor Work Permit endorsement must be posted and renewed every year.

### Keep specific information on file for each minor worker

An employer must have the information below about each minor worker on file at the minor's work site and maintain these records for three years from the last date of the minor's employment:

#### Proof of age

The date of birth must be supported by proof:

- Driver's license.
- Birth certificate.
- Passport.
- Baptismal record.
- Notarized statement of a parent or guardian.

### Job description

The job description must include a complete description of duties.

### A Parent/School Authorization form

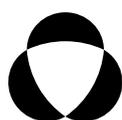
If the student is working during the school year, a *Parent/School Authorization* form must be completed by the employer and kept on file at the minor's work site. The employer must complete this form before obtaining signatures from the employee, parent/guardian and school representative. The employer needs to renew this form every school year by Sept. 30, or when the minor's schedule changes. If the minor has their General Education Diploma (GED) or high school diploma or is home schooled, parents may certify this on the form.

Parents and schools may adjust the minor's work schedule if academic performance or attendance is suffering due to working too many hours.

A *Parent Authorization for Summer Work* form is required for minors who are hired during summer break only.

## What is the minimum age to work?

Youth must be 14 years old to work at non-agricultural jobs. A child younger than 14 can work if the employer completes the *Court Form Granting Permission* and *Employer Petition to the Court* forms (available from L&I) and has them signed by a superior court judge in the county where the minor lives.



Washington State Department of  
**Labor & Industries**  
*Employment Standards / Workplace Rights*

*Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 360-902-5797. L&I is an equal opportunity employer.*

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## What is the minimum wage for minor workers?

The minimum wage for 16- and 17-year-old workers is the same as for adults. Minors under 16 may be paid 85% of the state minimum wage. Find out more at: [www.Lni.wa.gov/Wages](http://www.Lni.wa.gov/Wages).

## What about meal and rest breaks?

Fourteen- and 15-year-old workers may not work more than four hours without a 30-minute uninterrupted meal period. The meal period must be separate from, and in addition to, rest breaks. These minors must be provided a paid rest break of at least 10 minutes for every two hours worked. When working a four-hour period, they cannot be required to work more than two hours without either a 10-minute rest break or a 30-minute meal period.

Sixteen- and 17-year-old workers are entitled to an uninterrupted meal period of at least 30 minutes for every five hours of work. These meal periods must start no less than two hours but no more than five hours from the beginning of their work shift. These minors are entitled to at least a 10-minute paid rest break for each four hours worked. They must receive a rest break at least every three hours.

## What about paid sick leave?

Paid sick leave must be provided for most employees, including workers under the age of 18. Eligible employees must earn one hour of paid sick leave for every 40 hours they work. They may begin using it after 90 days of employment. Find out more at: [www.Lni.wa.gov/SickLeave](http://www.Lni.wa.gov/SickLeave).

## When can 16- and 17-year-olds work extra hours?

If there is “good cause” why a 16- or 17-year-old needs to work more hours per week than shown on the back page, the employer can apply for a variance.

### Special variance — up to 28 hours per week

Many older teens have a reduced school schedule or have shown that they are able to work additional hours on top of their school schedule and extracurricular activities. The parents and the public or private school can grant permission to work up

to eight extra hours during the school week. They must complete the special variance section of the *Parent/School Authorization* form. This does not apply to homeschooled students.

### Regular variance — more than 28 hours per week

If the extra hours provided by the special variance are not enough, or if the minor does not qualify for the special variance, the employer can request a regular variance.

### Theatrical variance

Youth may be employed as actors, performers or models in film, video, audio or theatrical productions in Washington State under certain conditions. These conditions apply if the minor is working in Washington — regardless of where they live. In most cases, employers must complete and submit a *Theatrical Minor Work Variance Application* to L&I.

### No work for minors during school hours

Minors are prohibited from working during the hours that their neighborhood school is in session. For example, if the neighborhood school website shows that school is in session from 8 a.m. to 3 p.m., the minor **may not** work between those hours. This also applies to homeschooled minors and those not enrolled in school. If an employer wants a minor to work during school hours, the employer must apply for a variance.

## Are there exemptions for hours of work?

A 16- or 17-year-old may work non-school hours during the school year if he/she is:

- Married.
- A parent.
- Registered in accredited college course(s), including Running Start.
- Emancipated by court order.

Minors who have a high school diploma or GED may also work non-school hours during the school year.

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## Prohibited work for teens

Some jobs are potentially hazardous for young workers. Washington State and federal laws spell out which jobs are prohibited.

**All minors under 18 are prohibited from doing the following work in any industry** (refer to WAC 296-125-030 for more detail):

### Restaurants, delis and grocery stores

- Operating meat slicers or powered bakery equipment such as a Hobart mixer.
- Regular driving of motor vehicles to make deliveries, such as pizza delivery. (No driving on public roads for those 16 or under.)
- Working at heights greater than 10 feet off the ground or floor level.
- Loading, operating or unloading of paper balers and compactors.
- Work in freezers (occasional entry not prohibited), meat coolers and in preparing meats for sale. Wrapping, sealing, labeling, weighing, pricing and stocking is permitted if work is performed away from meat-cutting and preparation areas.
- Slaughtering, meatpacking or food processing.
- Working alone past 8 p.m. without supervision by someone 18 years or older who is on the premises at all times, in service occupations.

### Construction and related activities

- Roofing – All work on or around a roof.
- Working at heights greater than 10 feet off the ground or floor level.
- Driving, or working near, a forklift.
- Wrecking and demolition.
- Hoists and cranes.
- Flagging and work on roadways.
- Trenching or excavating.
- Boilers or in engine rooms.

- Power-driven woodworking or metal-forming machines.
- Earth-moving machines or working in proximity to earth-moving machines.
- Explosives and mining.

### Other prohibited duties

- 17-year-olds may drive only under very limited circumstances.
- Firefighting.
- Logging and sawmill work.
- Selling candy, flowers or other items to motorists on a public roadway.
- Manufacturing of brick, tile and similar products.
- Jobs where exposures require the use of respiratory protection or hearing protection.
- Nurses' aide or nurses' assistant, unless the minor is in or has completed a state-certified training program.
- Jobs with possible exposure to bodily fluids, or radioactive and hazardous substances.

### Additional prohibited duties for minors under age 16 (WAC 296-125-033)

- House-to-house sales.
- Cooking and baking.
- Any power-driven machinery.
- Construction.
- Manufacturing.
- Commercial packing and processing operations.
- Public messenger.
- Amusement park rides.
- Loading or unloading trucks.
- Transportation, warehouse, storage and work around conveyors.
- Any work above ground, including ladders.
- Maintenance and repair in gas stations.

## What hours are teens under 18 allowed to work in non-agricultural jobs?

|  | Hours per day                  | Hours per week | Days per week | Begin  | Quit  |
|--|--------------------------------|----------------|---------------|--------|---|
| <b>14–15 year-olds</b>                           |                                |                |               |        |   |
| School weeks                                     | 3 hours<br>(8 hours Sat.–Sun.) | 16 hours       | 6 days        | 7 a.m. | 7 p.m.  |
| Non-school weeks                                 | 8 hours                        | 40 hours       | 6 days        | 7 a.m. | 7 p.m.<br>(9 p.m. June 1 to Labor Day;<br>this is a federal rule) |
| <b>16–17 year-olds</b>                           |                                |                |               |        |   |
| School weeks                                     | 4 hours<br>(8 hours Fri.–Sun.) | 20 hours       | 6 days        | 7 a.m. | 10 p.m.<br>(Midnight Fri.–Sat.)                                   |
| School weeks with a special variance from school | 6 hours<br>(8 hours Fri.–Sun.) | 28 hours       | 6 days        | 7 a.m. | 10 p.m.<br>(Midnight Fri.–Sat.)                                   |
| Non-school weeks                                 | 8 hours                        | 48 hours       | 6 days        | 5 a.m. | Midnight  |

### Please note:

- An adult must supervise minors working after 8 p.m. in service occupations, such as restaurants and retail businesses.
- Overtime rules apply for all hours worked over 40 in one week.
- These rules also apply to home-schooled teens and teens not enrolled in school.

## What are the penalties for violating non-agricultural child labor laws?

### Permit revocation

L&I can revoke an employer's Minor Work Permit if proper working conditions are not being met or if there are conditions that are detrimental to the health, safety or welfare of minor workers.

### Penalties

L&I can assess civil penalties on employers in violation of child labor laws. The size of the civil penalty depends on the severity of the violation. Violations that result in the death or permanent disability of a child may result in a Class C felony charge. An employer who knowingly or recklessly violates child labor laws may be charged with a gross misdemeanor. Under federal law, child labor violations by employers may be subject to a civil penalty up to \$11,000 for each minor worker.

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## Employer checklist

Here's a checklist of what an employer needs when hiring a minor:

- A Minor Work Permit endorsement
- A signed *Parent/School Authorization* form or *Parent Authorization for Summer Work*
- Proof of minor's age
- Personal data and employment description

### For more information

[www.Lni.wa.gov/TeenWorkers](http://www.Lni.wa.gov/TeenWorkers)

TeenSafety@Lni.wa.gov

1-866-219-7321

Federal laws

(U.S. Department of Labor, Wage and Hour Division):

[www.youthrules.dol.gov](http://www.youthrules.dol.gov)

[www.osha.gov/SLTC/teenworkers](http://www.osha.gov/SLTC/teenworkers)

206-398-8039