

CHILD LABOR EMPLOYMENT FORM (updated July 2019)

University of Idaho

Human Resources--Employment Services

Moscow, Idaho 83844-4332

Phone: (208) 885-3638 Fax: (208) 885-3602

The following must be completed prior to the minor's first day of employment:

**All parties are to thoroughly read the attached information pertaining to the employment of minors and complete their respective portions of the Child Labor Employment Form.*

1. The supervisor to complete SECTION 1
2. The legal guardian is to review SECTION 1 and then complete SECTION 2
3. The completed Child Labor Employment Form and the minor's proof of age document (list of approved documents attached) are turned into Human Resources for processing
4. Please allow 24 hours for processing
5. Supervisor will be notified of determination via email
6. Employee MUST PRESENT NOTIFICATION EMAIL to Human Resources to complete I-9

SECTION 1 – TO BE COMPLETED BY IMMEDIATE SUPERVISOR

Supervisor's Printed Name _____

Supervisor's Title _____ Department _____

Supervisors Telephone _____ Supervisor's Email _____ @uidaho.edu

Supervisor Signature _____ Date _____

By signing, I agree that I have read and understand my responsibility as a supervisor of a minor working under my direction.

Age of Minor: _____ Expected Start Date: _____ Expected Shift/Scheduled Hours: _____

Please List the Duties of Position (see attached information for age-appropriate duties):

*Attach additional page if needed

SECTION 2 – TO BE COMPLETED BY LEGAL GUARDIAN

Printed Name of Minor _____

Signature of Minor _____ Date _____

Minor's Date of Birth _____ Copy of Proof of Age Document Attached

Printed Name Legal Guardian _____

Signature of Legal Guardian _____ Date _____

By signing, I agree that I have read and understand my responsibility as a minor and guardian of a minor.

UNIVERSITY HR USE ONLY:

Date Rcd: _____ Docs.. Rcd: Y___N___ Approved: Y___N___ Processed By: _____

SUMMARY

Federal Law (FLSA)	The Fair Labor Standards Act (FLSA) regulates the minimum age, the maximum hours worked and the type of employment tasks performed by minors. Minors are those individuals who are below the age of 18 at the time of their employment. The University of Idaho complies with all federal and state regulations addressing employment of minors. This information provides the supervisor, the legal guardian and the minor with the general guidelines for employing minors under the child labor provisions of the FLSA.
Child Labor Law	<p>State and local governments may employ minors as part of their regular workforce or in summer jobs for youth programs. In either context, they must be careful to comply with federal law, as well as their own state and local laws regulating child labor.</p> <p>The Fair Labor Standards Act (FLSA) regulates the minimum age and maximum hours of employment in certain occupations. The act is very clear that nothing in the FLSA authorizes or permits noncompliance with any other federal or state law, regulation or municipal ordinance that establishes a higher standard of regulation of child labor. If standards applicable to the employment of a minor differ between the FLSA and another federal or state statute or regulation, then the higher standard is always applicable. The FLSA cites different standards for the employment of minors who are 14 and 15 years old and for minors who are 16 to 18 years old.</p>
Additional Resources	For more information you can access http://www.wagehour.dol.gov or www.youthrules.dol.gov

PERIODS AND CONDITIONS OF EMPLOYMENT

13 years of age and under	14 is generally the minimum age for employment under the FLSA.
14 – 15 years of age	<p>Child Labor Regulation (29 C.F.R. 570.35), limits the hours and the times of day that 14 and 15 year olds may work to:</p> <ul style="list-style-type: none"> • outside school hours; • no more than 3 hours on a school day, including Fridays; • no more than 8 hours on a non-school day; • no more than 18 hours during a week when school is in session; • no more than 40 hours during a week when school is not in session; • between 7 a.m. and 7 p.m. - except between June 1 and Labor day when the evening hour is extended to 9 p.m. <p><i>**Please note an exception listed below.</i></p>
16 – 17 years of age	16 and 17 year olds may be employed for unlimited hours in any occupation other than those declared hazardous by the Secretary of Labor.
18 years of age and up	Once a youth reaches 18 years of age, he or she is no longer subject to the Federal child labor provisions.
<p><i>**There is an exception in the case of enrollees in work training programs conducted under Part B of Title I of the Economic Opportunity Act of 1964. Such minors 14 and 15 years old are allowed to work during school hours if the employer has on file an unrevoked written statement of the regional manpower administrator (or his/her representative) that sets out the periods in which the minor will work and certifies that the employment will not interfere with the minor's health and well-being. This statement has to be countersigned by the principle of the school the minor is attending with the principal's certificate that such employment will not interfere with the minor's schooling. 29 C.F.R. 570.35.</i></p>	

PERMITTED AND PROHIBITED EMPLOYMENT FOR MINORS 16 AND 17 YEARS OF AGE

Permitted	16 and 17 year olds may be employed in any occupation other than those declared hazardous to the health or well-being of minors by the Secretary of Labor (29 C.F.R. 570).
Prohibited	<p>The FLSA establishes an 18-year minimum age for those nonagricultural occupations that the Secretary of Labor finds and declares to be particularly hazardous for 16 and 17-year-old minors, or detrimental to their health or well-being.</p> <ol style="list-style-type: none"> 1. Manufacturing or storing explosives—bans minors working where explosives are manufactured or stored, but permits work in retail stores selling ammunition, gun shops, trap and skeet ranges, and police stations. 2. Driving a motor vehicle or work as an outside helper on motor vehicles—bans operating motor vehicles on public roads and working as outside helpers on motor vehicles, except 17-year-olds may drive cars or small trucks during daylight hours for limited times and under strictly limited circumstances. 3. Coal mining—bans most jobs in coal mining. 4. Occupations in forest fire fighting, forest fire prevention, timber tract, forestry service, and occupations in logging and sawmilling operations—bans most jobs in: forest fire fighting; forest fire prevention that entails extinguishing an actual fire; timber tract management; forestry services; logging; and sawmills. 5. Power-driven woodworking machines—bans the operation of most power-driven woodworking machines, including chain saws, nailing machines, and sanders. * 6. Exposure to radioactive substances and ionizing radiation—bans employment of minors where they are exposed to radioactive materials. 7. Power-driven hoisting apparatus—bans operating, riding on, and assisting in the operation of most power-driven hoisting apparatus such as forklifts, non-automatic elevators, skid-steers, skid-steer loaders, backhoes, man lifts, scissor lifts, cherry pickers, work-assist platforms, boom trucks, and cranes. Does not apply to chair-lifts at ski resorts or electric and pneumatic lifts used to raise cars in garages and gasoline service stations. 8. Power-driven metal-forming, punching and shearing machines—bans the operation of certain power-driven metal-working machines but permits the use of most machine tools. * 9. Mining, other than coal—bans most jobs in mining at metal mines, quarries, aggregate mines, and other mining sites including underground work in mines, work in or about open cut mines, open quarries, and sand and gravel operations. 10. Power-driven meat-processing machines, slaughtering and meat packing plants—bans the operation of power-driven meat processing machines, such as meat slicers, saws and meat choppers, wherever used (including restaurants and delicatessens). Also prohibits minors from cleaning such equipment, including the hand-washing of the disassembled machine parts. This ban also includes the use of this machinery on items other than meat, such as cheese and vegetables and most jobs in meat and poultry slaughtering, processing, rendering, and packing establishments. * 11. Power-driven bakery machines—bans the operation of power-driven bakery machines such as vertical dough and batter mixers; dough rollers, rounders, dividers, and sheeters; and cookie or cracker machines. Permits 16 and 17 year olds to operate certain lightweight, small, portable, counter-top mixers and certain pizza dough rollers under certain conditions. 12. Balers, compactors, and power-driven paper-products machines - bans the operation of all compactors and balers and certain power-driven paper products machines such as platen-type printing presses and envelope die cutting presses. Sixteen and 17 year olds may load, but not operate or unload, certain scrap paper balers and paper box compactors under very specific guidelines. * 13. Manufacturing of brick, tile and related products - bans most jobs in the manufacture of brick, tile and similar products.

	<p>14. Power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs - bans the operation of, and working as a helper on, the named types of power-driven equipment, no matter what kind of items are being cut by the equipment. *</p> <p>15. Wrecking, demolition, and ship-breaking operations—bans most jobs in wrecking, demolition, and ship-breaking operations, but does not apply to remodeling or repair work which is not extensive.</p> <p>16. Roofing operations and work performed on or about a roof—bans most jobs in roofing operations, including work performed on the ground and removal of the old roof, and all work on or about a roof. *</p> <p>17. Trenching and excavation operations—bans most jobs in trenching and excavation work, including working in a trench more than four feet deep. *</p> <p><i>*The regulations provide a limited exemption from 5, 8, 10, 12, 14, 16 and 17 for apprentices and student-learners who are at least 16 years of age and enrolled in approved programs.</i></p>
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PERMITTED AND PROHIBITED EMPLOYMENT FOR MINORS 14 AND 15 YEARS OF AGE

Permitted	<p>Minors 14 and 15 years old are permitted to work in any non-agricultural occupation not deemed hazardous by the Secretary of Labor as long as the employment does not interfere with their schooling or their health and well-being (29 C.F.R. 570.31). <u>Please note that what is not permitted is prohibited.</u> The following occupations are permitted:</p> <ol style="list-style-type: none"> 1. They may work in most office jobs and retail and food service establishments. 2. They may be employed in occupations such as bagging groceries, office work, stocking shelves, and cashiering. 3. They may work in intellectual or artistically creative occupations such as teacher, musician, artist, and performer. 4. They may perform limited kitchen work involving the preparation of food and beverages. 5. They may perform only limited cooking duties. They may cook over electric or gas grills that do not involve cooking over an open flame and they may cook with deep fryers that are equipped with and utilize a device that automatically lowers the baskets into the hot oil or grease and automatically raised the baskets from the hot oil or grease. 6. They may clean cooking equipment and surfaces (not otherwise prohibited), and filter, transport, and dispose of grease as long as the temperature of the surfaces, containers, and grease do not exceed 100°F. 7. Properly certified 15 year olds may work as lifeguards and swimming instructors at traditional swimming pools and water amusement parks.
Prohibited	<p>Minors 14 and 15 years old are not permitted to work in the following occupations (29 C.F.R. 570.33):</p> <ol style="list-style-type: none"> 1. They are prohibited from working in any of the Hazardous Orders or in most occupations involving transportation, construction, warehousing, communications and public utilities. 2. They may not work in processing, mining, in any workroom or workplace where goods are manufactured or processed, in freezers, or in meat coolers. 3. They may not operate or tend any power-driven machinery, except office machines. 4. They may not perform any baking operations. 5. They may not be employed in youth peddling, sign waving, or door-to-door sales activities. 6. They may not work from ladders, scaffolds, or their substitutes. 7. They may not be employed to catch or coop poultry.

PROOF OF AGE DOCUMENTS

To comply with the FLSA, employers must obtain proof of age for all employees under the age of 18. Accepted documents must consist of one of the following, which are listed in order of preference:

1. A birth certificate or a signed statement of the recorded date and place of birth, issued by a registrar of vital statistics or other officer charged with the duty of recording births;
2. A record of baptism or attested transcript showing the date and place of birth and the date and place of the baptism.
3. A passport showing the age of minor, or a certificate of arrival in the United States issued by the United States immigration office and showing the age of the minor;
4. A school record or the school census record of the age of the minor, together with the sworn statement of a parent or person standing in place of the parent AND a certificate signed by a physician specifying what, in his opinion, is the physical age of the minor, and showing the height, weight and other facts concerning his/her physical development which support the physicians statement of age.

Please note that if your work location is outside of the State of Idaho other rules or requirements may apply. Please contact hr@uidaho.edu for more information.

Parental/Guardian Consent for Minor Criminal Background Check

This form must be completed by a parent or legal guardian and returned.

No minor will undergo a criminal background check without this signed consent form.

A minor, _____, is applying for employment or volunteering with
(Print Name of Minor Applying for Employment)

the University of Idaho. The employment/volunteer process includes a criminal background check through a third party company. As the parent or legal guardian of the above-referenced minor, I understand the purpose of these pre-employment/volunteer checks and hereby provide my consent for the background check.

Signature of Parent or Legal Guardian: _____

Print Name/Relationship to Minor: _____

Signature of Minor Applying For Employment: _____

Date: _____

Departments, please include a copy of the signed consent form with the Request for CBC