

What are the rules regarding hiring minors?

Child labor is strictly regulated by the Fair Labor Standards Act and by Vermont Labor laws (21 V.S.A. §§ 431 *et seq.*). When these two laws differ, the stricter regulation applies. Generally, minors fall into two categories: 14 to 16 years of age, and 16 to 18 years of age. A municipality typically cannot employ minors under the age of 14. These laws exist to protect minors from working under unsafe conditions, with dangerous machinery, and for excessive hours. The penalties for violating the child labor laws are substantial.

The duration and time of day 14 to 16 year-olds may work depend on whether work is performed on school days and/or during the school year. The permitted length of a workday for a 16 to 18 year-old is longer; a 16 year-old may work up to nine hours in a day, and up to 50 hours a week.

All minors under the age of 18 are limited in the type of work they can perform. Permitted employment for 14 to 16 year-olds include clerical/office work; retail including pricing, packing and shelving; food service including the preparation and service of food and beverages; custodial work using vacuum cleaners and grounds maintenance (except for the use of lawn mowers and power-driven shears). Minors under 16 are prohibited from repairing vehicles, operating hoisting equipment or power-driven machinery (including commercial mixers, slicers, grinders, and food choppers, etc.) and working at any occupation found to be hazardous. This list should be consulted prior to employing any minors.

The State of Vermont recommends that an employer request copies of birth certificates for all employees 19 years of age and under to insure against accidental and illegal employment. An employment certificate from the commissioner of the Department of Labor may also be necessary for employees under the age of 16.

For additional information regarding youth employment, please visit the Vermont Department of Labor's Web site at <http://labor.vermont.gov/>. VLCT also advises municipalities to contact their insurance carriers before hiring an employee under 18 years of age.

- Stephanie Smith, Senior Associate, VLCT Municipal Assistance Center

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