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# **Important Information for Employers of Minors in the State of Vermont on Federal and State Child Labor Laws**



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The United States Department of Labor and the Vermont Department of Labor enforce the provisions of federal and state child labor laws in Vermont. This booklet reflects both federal and state law for the employment of minors in non-agricultural jobs. For further information, contact these offices:

### **UNITED STATES**

Department of Labor  
Wage And Hour Division  
2 Wall St., 1st Floor  
Manchester, NH 03101  
Telephone: (603) 666-7716

### **STATE OF VERMONT**

Department of Labor  
Wage And Hour Program  
P.O. Box 488  
Montpelier VT 05601-0488  
Telephone: (802) 828-0267

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711(TTY/Relay Service) or 802-828-4203 TDD (Vermont Department of Labor).

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Federal and state child labor laws generally prohibit minors from working excessive hours, operating unsafe machinery, and working in dangerous occupations. These laws were adopted to protect children. Unfortunately, they are often violated. Despite intensive enforcement efforts by government investigative agencies, effective child labor laws depend on the good-faith cooperation of hiring establishments. You can help by being part of the solution - not the problem. A healthier, better educated, more promising younger generation will be your contribution to the future.

- Children under 14 years of age are generally prohibited from performing any non-agricultural work. Certain exceptions apply to employment by a parent or person having custody of a child, employment as an actor or performer, and employment as a newspaper carrier.
- Children between the age of 14 and 16 are prohibited from working in an extensive list of occupations, and their hours of work are restricted.
- Children between 16 and 18 years of age are prohibited from working in certain occupations found to be hazardous by the Secretary of Labor.

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## I. EMPLOYMENT CERTIFICATES

**Employment certificates are not required for the employment of minors in the state of Vermont unless the minor is:**

**A. UNDER 16 YEARS OF AGE, AND**

**B. EMPLOYED DURING SCHOOL HOURS IN OTHER THAN A DULY APPROVED EDUCATIONAL OR VOCATIONAL COURSE OF STUDY.**

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## II. TIME AND HOUR RESTRICTIONS

### **Fourteen and fifteen year-old minors may not be employed:**

1. During school hours. (Exceptions are provided for minors employed pursuant to a work experience and career exploration [WECEP] program for batboys and batgirls, and for performers and actors in motion pictures, theatrical productions, radio and television.)
2. Before 7 AM or after 7 PM. (after 9:00 p.m. between June 1st and Labor Day)
3. More than three hours per day, on school days.
4. More than eight hours per day, on non-school days.
5. More than 18 hours per week, in school weeks.
6. More than 40 hours per week, in non-school weeks.
7. More than six days in a week.

A child over sixteen and under eighteen years of age shall not be employed in a manufacturing or mechanical establishment more than nine hours in any one day or more than fifty hours in any one week.

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## III. PROOF OF AGE

Federal law requires that, if subject to federal jurisdiction, the employer must keep a record of the date of birth on file for all minors under the age of nineteen. However, even if only subject to Vermont State law,

**For their own protection, employers are strongly encouraged to maintain a certified copy of a birth certificate for all minors under the age of 18.**

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## IV. PERMITTED OCCUPATIONS FOR 14 AND 15 YEAR-OLD MINORS IN RETAIL, FOOD SERVICE AND GASOLINE SERVICE STATIONS

1. Office and clerical work, including operation of office machines.
2. Cashiering, selling, modeling, art work, work in advertising departments, window trimming, and comparative shopping.
3. Price marking and tagging by hand or by machine, assembling orders, packing and shelving.
4. Bagging and carrying out customers' orders.
5. Errand and delivery work by foot, bicycle, and public transport.
6. Cleanup work, including the use of vacuum cleaners and non-commercial floor waxers, and maintenance, of grounds, but not including the use of power driven mowers or cutters.
7. Kitchen work and other work involved in preparing and serving food and beverages, including the operations of machines and devices used in the performance of such work, such as dishwashers, toasters, dumb waiters, popcorn poppers, and milk shake blenders.
8. Work in connection with cars and trucks, if confined to the following: Dispensing gas and oil. Courtesy services on the premises of the gasoline service station. Hand car cleaning, washing, and polishing. Other occupations permitted by this section, BUT NOT INCLUDING WORK: *involving the use of pits, racks, or lifting apparatus, or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.*
9. Cleaning vegetables and fruits, and wrapping, sealing, labeling, weighing, pricing, and stocking goods when performed in areas physically separate from areas where meat is prepared for sale, and outside freezers or meat coolers.

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## V. PROHIBITED OCCUPATIONS FOR 14 AND 15 YEAR-OLD MINORS

1. Any **MANUFACTURING** occupation.
2. Any **MINING** occupation.
3. **PROCESSING** occupations, such as filleting of fish, dressing commercial laundries and dry cleaning.
4. Occupations requiring the performance of any duties in **WORKROOMS OR WORKPLACES WHERE GOODS ARE MANUFACTURED, MINED OR OTHERWISE PROCESSED.**
5. **PUBLIC MESSENGER SERVICE.**
6. **OPERATION OR TENDING OF HOISTING APPARATUS or of ANY POWER-DRIVEN MACHINERY** (other than office poultry, cracking nuts or laundering as performed by machines and machines in retail, food service, and gasoline service establishments which are specified in the foregoing list as machines which such minors may operate in such establishments).
7. **ANY OCCUPATIONS FOUND AND DECLARED TO BE HAZARDOUS.**
8. **OCCUPATIONS IN CONNECTION WITH:**
  - a. **TRANSPORTATION** of persons or property by air, highway, air, on water, pipeline, or other means.
  - b. **WAREHOUSING** and **STORAGE.**
  - c. **COMMUNICATIONS** and **PUBLIC UTILITIES.**
  - d. **CONSTRUCTION** (including repair)  
*(EXCEPT office and sales work in connection with a, b, c and d, when not performed at the site of the above.)*
9. **ANY OF THE FOLLOWING OCCUPATIONS**, even in retail, food service, or gasoline service establishments:
  - a. Work performed **IN** or **ABOUT BOILER** or **ENGINE ROOMS.**
  - b. Work in connection with **MAINTENANCE** or **REPAIR** of the **ESTABLISHMENT, MACHINES, or EQUIPMENT.**
  - c. **OUTSIDE WINDOW WASHING** that involves working from windowsills.
  - d. **ALL WORK** requiring the use of **LADDERS, SCAFFOLDS,** or their substitutes.
  - e. **COOKING** (EXCEPT at soda fountains, lunch counters, snack bars, or cafeteria serving counters) and **BAKING.**
  - f. Occupations which involve **OPERATING, SETTING UP, ADJUSTING, CLEANING, OILING OR REPAIRING** power-driven **FOOD SLICERS** and **GRINDERS, FOOD CHOPPERS** and **CUTTERS,** and **BAKERY-TYPE MIXERS.**
  - g. Work in **FREEZERS** and **MEAT COOLERS** and all work in sealing, labeling, weighing, pricing and stocking, when performed in other areas).
  - h. **LOADING and UNLOADING GOODS** to and from trucks, railroad cars, or conveyors.
  - i. All occupations in **WAREHOUSES.**
10. In any of the occupations **PROHIBITED FOR MINORS UNDER THE AGE OF 18 YEARS.**

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## VI. PROHIBITED HAZARDOUS OCCUPATIONS FOR ALL MINORS UNDER THE AGE OF 18 YEARS

1. Manufacturing and storing explosives.
2. Motor vehicle driving and outside helper.
3. Coal mining.
4. Logging and sawmilling.
5. Power-driven woodworking machines.
6. Exposure to radioactive substances.
7. Power-driven hoisting apparatus.
8. Power-driven metal forming, punching, and shearing machines.
9. Mining, other than coal mining.
10. Slaughtering, or meatpacking, processing, or rendering.
11. Power-driven bakery machines.
12. Power-driven paper-products machines.
13. Manufacturing brick, tile, and kindred products.
14. Power-driven circular saws, band saws, and guillotine shears.
15. Wrecking, demolition, and shipbreaking operations.
16. Roofing Operations.
17. Excavation Operations.

**NOTE: EXCEPTIONS TO HAZARDOUS ORDERS 5, 8, 10, 12, 14, 16 & 17 MAY APPLY TO 16 AND 17 YEAR-OLD APPRENTICES AND STUDENT-LEARNERS.**

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### PENALTIES

Under federal law, employers who violate the child labor provisions or any regulation issued under them may be, subject to a civil money penalty of up to \$10,000 for each violation. To avoid penalties under federal and/or state child labor law, make sure your employment of minors meets all the requirements scheduled in this booklet.

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### EMPLOYER'S CHECK LIST FOR CHILD LABOR LAWS

- Child Labor Poster
- Employment certificates when required
- Proof of age
- Restrictions in time and hours of work
- Permitted occupations for 14 & 15 year-old minors;
- Prohibited occupations for 14 & 15 year-old minors
- Prohibited hazardous occupations for all minors under the age of 18