

Small Business Guide to Hiring Minors

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Stacie Haller has spent over 30 years in staffing and recruiting, career counseling, and job search coaching – assisting and mentoring candidates in achieving their career goals. Her real world hiring and staffing experience in every economic climate spans major global staffing organizations as a senior executive. Stacie has hands on executive recruiting expertise and experience as well as having hired hundreds of candidates herself.

There are several reasons small businesses choose to hire minors. A company often employs minors despite their inexperience and sometimes limited availability to reduce labor costs or bolster their team for seasonal crowds. Teens may not

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have extensive work experience, but they're ready and willing to earn some extra cash seasonally, flooding the workforce when school is out. During the summer months, the youth labor force of 16- to 24-year-olds has a history of growth. Between April and July of 2022, over [2.5 million youth workers](#) entered the U.S. workforce. This guide will help you decide whether or not hiring minors is the right move for your business and teach you the important considerations to make before taking on teen employees.

Understanding Federal and State Child Labor Laws

The first thing to be aware of when hiring minors is the unique hourly and job duty restrictions set forth by the Wage and Hour Division (WHD) of the U.S. Department of Labor (DOL) through the Fair Labor Standards Act. One facet of this act is used to uphold youth employment standards which work to protect minors by limiting working hours and prohibiting the performance of [hazardous occupations](#). Each age group has its own unique set of restrictions that must be followed. If employers are found to be in violation of child labor laws at the federal or state level, they can be fined, taken to court, and even imprisoned. Let's discuss what you need to know about the legalities of hiring a minor.

How to obtain a work permit for hiring a minor

Some states require employers to obtain a work permit if they plan on hiring minors. Employers will often be required to fill out an application to receive this permit. This process allows the DOL to collect information on the age of the individual being hired and

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the duties to be performed for the position. Some states also require the minor themselves to apply for and receive a minor work permit before beginning employment. These may be distributed by the DOL or the teen's school district. Visit [the DOL's website](#) to learn more about your state's minor work permit process.

What is the 90-day eligibility period?

The first day of work marks the beginning of the 90-day eligibility period. This is not the job offer, acceptance, or hire date but the first actual day of work. This period lasts for 90 consecutive calendar days regardless of how many days were worked by the minor. During these 90 days, employers must pay youth workers under 20 years old a minimum of \$4.25 per hour unless prohibited by local or state laws. When this period is over, employers must increase pay to at least the state's minimum wage. If a worker turns 20 at any point during this 90-day period, employers must raise their wage on the employee's birthdate.

Child labor laws by age group

Under 14: The FLSA has set the minimum working age to 14. Therefore any "work" performed by those under 14 years old can only include duties such as casual babysitting, delivering newspapers, wreath making, acting, etc. Minors can also perform non-hazardous agricultural work under 12 with parental consent. Technically there are no federally set hourly restrictions for minors under 14 years old because they are not legally allowed to work a regular job, but states often have their own laws for this age group.

Ages 14 and 15: The FLSA states that 14- and 15-year-olds are allowed to work jobs that do not interfere with their schooling, health, or well-being. There are also limitations on when and how often work is done and the type of work performed. It's important to note that there are some exceptions to these rules that can be found here in [this FLSA bulletin](#).

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Fourteen- and 15-year-olds can only work:

Non-school hours

Up to 3 hours on a school day

Up to 8 hours on a non-school day

Up to 18 hours a week during the school year

Up to 40 hours a week during school breaks

From 7 am to 7 pm between Labor Day and May 31

From 7 am to 9 pm between June 1 and Labor Day

Fourteen- and 15-year-olds are prohibited from working jobs that involve:

Manufacturing

Mining

Processing

Motor vehicle operation

Window washing

Baking and cooking

Peddling

Ages 16 and 17: There are no hourly restrictions for this age group. Most of the same limitations apply when working a nonagricultural occupation considered hazardous by the Secretary of Labor. They are, however, allowed to work agricultural jobs that have been deemed hazardous.

Ages 18 and up: Individuals 18 and older are permitted to do any job and do not have hourly restrictions. The only minor-related law that affects this age group is the 90-day eligibility period wage rule. Employers are allowed to pay anyone under the age of 20 the youth minimum wage of \$4.25 per hour for the first 90 calendar days of employment.

Child Labor Laws by Age Group Comparison Table

	Under 14	Ages 14 and 15	Ages 16 and 17	Ages 18 and over
Number of hours a minor can work	No restrictions	18 hours per school week; 40 hours per non-school week	No restriction	No restriction
Workday hours	No restrictions	3 hours per school day; 8 hours per non-school day	No restriction	No restriction
Payment of minor	Set by private agreement	\$4.25 per hour for the first 90 days; at least \$7.25 per hour after 90 days	\$4.25 per hour for the first 90 days; at least \$7.25 per hour after 90 days	\$4.25 per hour for the first 90 days; at least \$7.25 per hour after 90 days
Approved job positions	Babysitting, acting, newspaper delivery, chores, select agricultural labor, family business, etc.	Non-hazardous positions	Non-hazardous positions	Approved positions
Special safety requirements	Subject to state-level laws	NO jobs operating, repairing, or cleaning power-driven machines	NO jobs operating, repairing, or cleaning power-driven machines; CAN operate lawn	No special requirements

	Under 14	Ages 14 and 15	Ages 16 and 17	A a
			machinery such as lawnmowers, weed cutters, etc.	
School requirements (Note: This is intended to detail any measures required to ensure the job doesn't interfere with a minor's education.)	No requirements due to limited jobs available for the age group	Work can only be scheduled between 7 am and 7 pm; work can extend to 9 pm June 1 through Labor Day	None	N



Child labor law by job type

The DOL classifies child labor under two categories, nonagricultural and agricultural. Each category holds similar restrictions, but there are exceptions for select age groups depending on the work performed. For example, 16- and 17-year-olds are prohibited from performing nonagricultural duties [deemed hazardous](#) by the Secretary of Labor but are allowed to perform hazardous agricultural duties. Two resources that go into detail about the prohibited and permitted job duties for either category are the [Child Labor Bulletin 101](#) and [Child Labor Bulletin 102](#), which declare the child labor provisions for both types of work.

Nonagricultural Job Child Labor Laws

	Under 14	Ages 14 and 15	Ages 16 and 17	Ages 18 and up
Hour restrictions	No restrictions due to limited jobs available for age group	18 hours per school week and 3 hours per school day; 40 hours per non-school week and 8 hours per non-school day Work can only be scheduled between 7 am and 7 pm; work can extend to 9 pm June 1 through Labor Day	No restrictions	No restrictic
Job restrictions	No restrictions due to limited jobs available for age group	May NOT work a hazardous job, do door-to-door sales, or act as a lifeguard or swim instructor	May NOT work a hazardous job	No restrictic

Agricultural Job Child Labor Laws

	Under 14	Ages 14 and 15	Ages 16 and 17	Ages 18 and up
Hour restrictions	May only work hours outside of school	May only work hours outside of school	No restrictions	No restrictic
Job restrictions	Ages 12 and older can only work non-hazardous jobs; Minors under 12 may be employed with parental consent on a farm with a federal minimum wage provision exemption.	May only work non-hazardous jobs	No restrictions	No restrictic

Child labor law by state

Alabama	<input type="radio"/>	Alaska	<input type="radio"/>
Arizona	<input type="radio"/>	Arkansas	<input type="radio"/>
California	<input type="radio"/>	Colorado	<input type="radio"/>
Connecticut	<input type="radio"/>	Delaware	<input type="radio"/>

Florida	<input type="radio"/>	Georgia	<input type="radio"/>
Hawaii	<input type="radio"/>	Idaho	<input type="radio"/>
Illinois	<input type="radio"/>	Indiana	<input type="radio"/>
Iowa	<input type="radio"/>	Kansas	<input type="radio"/>
Kentucky	<input type="radio"/>	Louisiana	<input type="radio"/>
Maine	<input type="radio"/>	Maryland	<input type="radio"/>
Massachusetts	<input type="radio"/>	Michigan	<input type="radio"/>
Minnesota	<input type="radio"/>	Mississippi	<input type="radio"/>
Missouri	<input type="radio"/>	Montana	<input type="radio"/>
Nebraska	<input type="radio"/>	Nevada	<input type="radio"/>
New Hampshire	<input type="radio"/>	New Jersey	<input type="radio"/>
New Mexico	<input type="radio"/>	New York	<input type="radio"/>
North Carolina	<input type="radio"/>	North Dakota	<input type="radio"/>
Ohio	<input type="radio"/>	Oklahoma	<input type="radio"/>
Oregon	<input type="radio"/>	Pennsylvania	<input type="radio"/>
Rhode Island	<input type="radio"/>	South Carolina	<input type="radio"/>
South Dakota	<input type="radio"/>	Tennessee	<input type="radio"/>
Texas	<input type="radio"/>	Utah	<input type="radio"/>
Vermont	<input type="radio"/>	Virginia	<input type="radio"/>
Washington	<input type="radio"/>	West Virginia	<input type="radio"/>
Wisconsin	<input type="radio"/>	Wyoming	<input type="radio"/>

What Small Business Owners Need to Know About Hiring Minors

Now that we've covered the legal side of hiring a minor, we'll discuss how to effectively hire a teen job seeker and the documentation that may or may not be required to employ them. This section will discuss where to find minor job applicants, how to interview them, and how to create a youth-friendly work environment. Then we'll discuss the penalties an employer could be charged with if found violating child labor laws, both federally and at the state level.

Where to find minor job applicants

Job Boards: Online job boards are a great place to advertise new job openings and even high school internships to the local teen population. There are, however, a few websites specifically designed for teens looking for work. Posting job listings on websites such as [HireTeen](#), [Teens4Hire](#), and [SummerJobs](#) is a great way to broaden your hiring pool to include minor applicants.

Local Schools: Employers can work with local schools to present job opportunities to teens interested in landing their first job or earning money over summer break. Both high schools and colleges will host a career fair at least once a year to bring local businesses and teens together in a more casual environment. This is a great place to offer both jobs and internships for students in the area.

Social Media: According to [a recent survey](#) conducted by Pew Research, 35% of U.S. teens admit to being on at least one of the five leading social media platforms almost constantly, with YouTube and TikTok being the most popular choices. Launching

an age-targeted hiring campaign through social media is one great way to get the attention of the job-seeking teens in your area.

How to interview minor job applicants

It's helpful to use [behavioral interview questions](#) to assess key skills and how they will relate to the job. For example, you can ask: Tell me about a time you were given an assignment and didn't understand what you needed to do. What did you do?

Here are some additional questions to ask your minor job applicant:

1. What skills and experience do you have that will help you be successful in this position?
2. Tell me about a time when you had to work on a team through a challenging situation. What did you do?
3. What is one of your biggest accomplishments?
4. How will you balance work, school, and extracurricular obligations?
5. Why do you want to work for our company?
6. Do you have any questions about the position?

Also, remember when interviewing a minor that it could very well be their first interview. Chances are they're nervous and not sure what to expect. Kindness, patience, and a little humor go a long way.

What work permits and documentation is required?

As we briefly mentioned above, work permit requirements vary from [state to state](#). In some instances, employers will need to obtain their own permits before they even consider hiring a minor and will need to keep copies of certain documents on file for the duration of the minor's employment. States may also require minors to hold permits of their own verifying their age and ability

to work. These work permits are supplied by the DOL or the minor's school. Here is a list of documents that may or may not be needed for the legal employment of a minor:

Child Labor Certificate

School Release Permit

Age Certificate

Written parent authorization

Copy of birth certificate, driver's license, passport, state-issued ID, or Form I-9

How to create a minor-friendly workplace

Keep required documentation handy: Any permit, certificate, or authorization necessary to employ minors in your state should be available onsite, either physically or digitally. Be sure to stay on top of annual updates for minor employees working more than one year in the same position within your company.

Be mindful of scheduling: Outside of regular school hours, employers should be aware of any sports or extracurricular activities they will need to schedule around. Set clear guidelines for how much notice needs to be given when requesting time off or schedule changes, and keep track of hours carefully to stay within the legal limits set by your state.

Enforce duty restrictions: It's unlawful for minors to perform job duties deemed to be hazardous, and those under 18 should not be operating any vehicle or heavy machinery. Be sure your minor employees know the law when it comes to duties that are off-limits.

Assign a mentor: Give your young hire a mentor they can work beside and learn from on the job. As a business owner or manager, you may not have the capacity to train and teach tasks in-depth, so pairing them with a competent employee will give them someone that can answer their many questions and help them feel like they're part of the team.

Take time to coach: If this is a first job for your teen employee, they'll likely need more time and one-on-one help during the first few weeks on the job. Be patient and take the time to coach and encourage them through difficult or stressful situations.

Penalties for violating child labor laws

The FLSA has given the DOL the authority to investigate suspected violations of its child labor rules. Record examination and employee interviews may be conducted during the investigation. The DOL then decides whether to give a warning, a civil money penalty or take offenders to federal court. Let's look at these consequences in detail:

Civil Money Penalties: Employers may be charged anywhere from \$11,000 to \$100,000 for each employee who is a victim of a child labor violation. A written exception from the employer can be filed to the Wage and Hour Division, resulting in a hearing before an administrative law judge.

Injunction: The U.S. District Courts are given authority by the FLSA to stop child labor law violations from occurring. Employers may be summoned to court, where they will be forced to agree to comply or be prohibited from operating.

Criminal Action: If an employer willfully violates any of the child labor rules, they may be fined up to \$10,000. A person can even be imprisoned for up to 6 months if they commit a second offense.

“Hot Goods” Action: Legal action can be taken to prevent the shipment of goods that were produced within a U.S. establishment that has been found in violation of child labor laws within the past 30 days.

Child Labor Law Resources

United States Department of Labor. The DOL's list of general guidance, fact sheets, e-Tools, and other publications on child labor is a great starting point. It also covers FAQs for specific occupations and penalties for violations.

State Child Labor Laws. For detailed information on state-specific child labor laws, check out the DOL's State Labor Laws page. Laws for each state are listed in an easy-to-read table and cover topics such as age certification, entertainment, door-to-door sales, nonagricultural employment, and agricultural employment.

Nonagricultural Child Labor Bulletin. The Wage and Hour Division created two bulletins that outline child labor provisions for both categories of work: nonagricultural and agricultural. This bulletin covers all standards for nonagricultural topics such as minimum age, wages, hours, and duties.

Agricultural Child Labor Bulletin. The second of two bulletins created by the Wage and Hour Division, this bulletin details the same standards as above but for agricultural work. Additional information about the agricultural industry is also covered, such as training programs, student-learners, and 4-H.

YouthRules. Learn more about the YouthRules! Initiative on this DOL webpage. This resource has been tailored to serve young workers, parents, educators, and employers with child labor law information specific to each group.

Youth.gov. The federal rules and regulations for youth employment are clearly laid out on this government website. Job restrictions and unpaid internships are covered in detail for each age group.

Worker.gov. This is a great resource for employers looking for more information about workers' rights and how to be an ethical employer of minors. The webpage also provides links to additional resources on the topic.

Fair Labor Standards Act Compliance Assistance Toolkit. The FLSA Toolkit provides access to The Handy Reference Guide to Fair Labor Standards Act (available in Spanish) and FLSA Fact Sheets. Employers will also find relevant posters that must be hung in the workplace, such as the FLSA Minimum Wage poster.

Hiring Minors FAQ

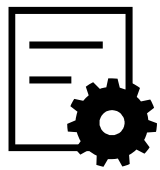
Can I hire my child as an employee?

Is there a youth minimum wage?

What is the legal age to work?

Can you put a minor on your payroll?

Do minors pay taxes on their earnings?



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