



Agricultural Labor Report

Colorado
State
University

Extension

Department of Agricultural and Resource Economics, Fort Collins, CO 80523-1172
<http://dare.colostate.edu/pubs>

CHILD LABOR

Dawn D. Thilmany, Mike Miller, and Jeff Tranel ¹

- *Youths under the age of sixteen are prohibited from working in hazardous environments unless granted an exemption*
- *Children may not work until they are **14 years of age** for most non-agricultural employment.*
- *Youth ages 14-15 are not to work during regular school hours, cannot work more than three hours on any day and cannot work more than eighteen hours in a week during the school year.*
- *For agricultural employment, **children as young as ten** may work in certain non-hazardous, non-minimum wage jobs when a parent is working on the same farm.*

Introduction

For most of the history of the United States, there were few or no laws to protect children from abuses in the workforce. They were required to work long, often dangerous, jobs, while being prevented from attending school. The children were often hired because they were paid considerably less than adults.

The child labor laws came into existence to stop the abuses. On June 25, 1938, President Franklin D. Roosevelt signed into law the Fair Labor Standards Act. This was the first law to effectively improve working conditions and limit the hours children were allowed to work, and thus protected the health and safety of the children. The act also made it easier for children to stay in school and advance the general welfare of the nation.

Non-Agricultural Requirements for Employment

There are restrictions on the age at which children can work, the number of hours they may work, and the times that children may work. Those restrictions include:

- In general, a child must be at least 14 years of age to be employed in most jobs.
- For children of the ages 14-15, they may not work during school hours and on school days they may work only three hours a day.
- On non-school days, 14-15 year olds may work up to eight hours in a day.
- During school weeks these children may not work more than eighteen hours during the week.
- During non-school weeks (summer vacations, for example), the children may work no more

¹ Associate Professor and Graduate Research Assistant in the Department of Agricultural and Resource Economics at Colorado State University and Agricultural and Business Management Economist with Colorado State University Cooperative Extension.

Extension programs are available to all without discrimination.

than forty hours during the week. In addition, the hours of work are restricted to between 7:00 a.m. to 7:00 p.m., except between June 1 and Labor Day when the end of day standard is 9:00 p.m.

- Fourteen year olds may perform most office jobs, some retail jobs, and many jobs in restaurants and fast food operations. They may also do jobs around the house, such as babysitting, paper delivery, and assigned “chores” around the home.

Agricultural Requirements for Child Employment

In agricultural jobs the following requirements must be adhered to:

- Children as young as ten years of age may perform jobs on farms owned or operated by the parent(s) of the child or with a parent’s written consent.
- Local minors who are permanent residents and 10-11 years of age may be employed outside school hours to help harvest short season crops for no more than 8 weeks between June 1 and October 15 in any calendar year, upon approval of an employer's application for a waiver from the child labor provisions for such employment by the Secretary of Labor.
- For children 10-11 of age, work must be performed outside of school hours and be in non-hazardous jobs that are not covered by minimum wage requirements.
- For slightly older children, ages 12-13, the same basic restrictions apply, except that minimum wage restrictions become applicable.
- Youth ages 14-15 may perform any non-hazardous farm job outside of school hours.
- Youths 16 and older may perform any job, hazardous or not, for unlimited hours.
- Minors under 16 years of age may not be employed during school hours unless employed by their parent or guardian. School hours are those set for the school district in which a minor is living while employed in agriculture.

The Secretary of Labor has found and declared that the eleven major categories of occupations in agriculture are hazardous for minors under the age of 16. No minor under 16 may be employed at any time in these occupations unless given an exemption. The exemptions may be granted for the following reasons:

- Student-learners in a bona fide vocational agriculture program may work in certain hazardous

occupations under a written agreement which provides that the student-learner's work is incidental to training, intermittent, for short periods of time, and under close supervision of a qualified person; that safety instructions are given by the school and correlated with on-the-job training; and that a schedule of organized and progressive work processes has been prepared.

- Minors 14-15 years old who hold certificates of completion of either the tractor operation or machine operation program may work in the occupations for which they have been trained.
- Minors 14-15 years old who hold certificates of completion from either the tractor operation or machine operation program of the U. S. Office of Education Vocational Agriculture Training Program may work in the occupations for which they have been trained.

Summary

Child labor laws in the United States and Colorado allow for children as young as fourteen to work in non-agricultural jobs as long as the children do not work any more than three hours on a school day or more than eighteen hours in a school week. During non-school periods, children may work up to eight hours in any twenty-four hour period and up to forty hours in a week. For individuals over the age of sixteen, there is no limit on the number hours that can be worked. However, there are seventeen jobs that individuals under the age of eighteen are prohibited from working by the Department of Labor.

For agricultural jobs, children as young as ten may be employed in non-hazardous, minimum wage exempt jobs, as long as a parent or guardian owns or operates the farm or has given written permission for the child to work. Youths over the age of sixteen may work any job, hazardous or not, in an agricultural environment.

For further information on child labor laws, please see the following web sites:

1. <http://www.dol.gov/dol/esa/public/youth/cltour5.htm#Q3> - Frequently Asked Questions About Child Labor
2. <http://laborstand.cdle.state.co.us/> - Colorado Child Labor Laws
3. <http://laborstand.cdle.state.co.us/cyeoa.pdf> - Colorado Youth Employment Opportunity Act
4. <http://www.ae.iastate.edu/safety/clb102.htm> - Child Labor Requirements In Agriculture Under The Fair Labor Standards Act