Dear Indiana Employer,

Because properly preparing teenagers for life must include work experiences, we thank you for taking on the task of helping and training our Indiana teenagers.

Thank you also for taking the time and effort to learn Indiana’s Child Labor Laws. We hope that you will find the instruction helpful, rewarding, and that it will equip you with the knowledge and resources to better manage your teenage work force.

We wish you the very best in achieving all of your company’s endeavors. As always, feel free to contact us if you have any questions.

Indiana Department of Labor
Bureau of Child Labor

The first and last pages of this booklet will be collected at the end of the training. The last page of this sheet contains a survey we ask you to complete and return to us to help us more efficiently train the managers of Indiana teenagers.
Topics of Discussion

- General Definitions and Recordkeeping
- Explanation of Violations
- Question and Answer/Additional Resources

Resources

• IDOL
  • Phone: (317) 232-2655
  • Fax: (317) 233-3790
  • Email: childlabor@dol.in.gov
  • Website: www.in.gov/dol

• USDOL
  • Phone: (317) 226-6801
  • Website: www.youthrules.dol.gov

Indiana’s Child Labor Laws
Overview
General Definitions

- Minor = Less than 18
- “School Day” = More than 4 hours of classroom instruction
- “School Week” = 3 or more school days
- “Non-school Week” = 2 or fewer school days
This form is available online at:
Child Labor Laws
Detailed Explanation

INDIANA DEPARTMENT OF LABOR

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**Roster of Minors**

This form is available online at:


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**If you are 14 or 15 you may work**

- 3 hours per school day
- 8 hours per non-school day
- 18 hours per school week
- 40 hours per non-school week
- No work before 7:00 a.m. or after 7:00 p.m.

> Between June 1 and Labor Day you may work until 9:00 p.m.

**If you are 16 you may work**

- 8 hours per day
- 30 hours per school week
- 40 hours per non-school week
- No more than 6 days per week
- Not before 6:00 a.m.
- Until 10:00 p.m.

**With parental permission you may work**

- 9 hours per day
- 40 hours per school week
- 48 hours per non-school week
- Not before 6:00 a.m.
- Until 11:00 p.m. on nights followed by a school day
- Until 12:00 a.m. on nights not followed by a school day

**If you are 17 you may work**

- 8 hours per day
- 30 hours per school week
- 40 hours per non-school week
- No more than 6 days per week
- Not before 6:00 a.m.
- Until 10:00 p.m. on nights followed by a school day
- No restricted end time on days not followed by a school day

**With parental permission you may work**

- 9 hours per day
- 40 hours per school week
- 40 hours per non-school week
- Not before 6:00 a.m.
- Until 11:30 p.m. on nights followed by a school day
- Until 1:00 a.m. on nights followed by a school day
- No more than two shifts
- Not consecutively

**Breaks**

Every minor that works 6 or more hours is required to take 30 minutes of documented breaks.

Take 30 minutes or more, but never less.

**School Hours**

Minors may not work during school hours, defined as 7:30 a.m. to 2:30 p.m., unless they have documented school permission.

**Graduates/Withdraws**

Minors who have graduated or withdrawn from school may work unlimited hours. Documentation must be in personnel files.

**Minors**

It is your responsibility to inform any manager of requests that violate these regulations.

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<table>
<thead>
<tr>
<th>Minor’s Name</th>
<th>Birthday</th>
<th>Age</th>
<th>6th 7th 8th</th>
<th>9th 10th 11th</th>
<th>12th 13th 14th</th>
<th>15th 16th 17th</th>
<th>18th 19th 20th</th>
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This form is available online at:

Teen Work Hour Restrictions

Employers of minors who are 14, 15, 16 or 17 years of age are required by law to post the maximum number of hours that minors may be permitted to work in each day of the week. The information must be posted in a conspicuous place or in places where notices are customarily posted. For additional copies of this poster or for further information, please visit www.in.gov/dol/childlabor.htm.

14 and 15 year olds
Your work permit allows you to work
• 8 hours per day
• 30 hours per school week
• 40 hours per non-school week
• 18 hours per school week
• 24 hours per non-school week
• No more than 6 days per week
• Not before 6:00 a.m.
• Until 9:00 p.m.

16 Year Olds
Your work permit allows you to work
• 8 hours per day
• 30 hours per school week
• 40 hours per non-school week
• No more than 6 days per week
• Not before 6:00 a.m.
• Until 9:00 p.m.

17 Year Olds
Your work permit allows you to work
• 8 hours per day
• 40 hours per non-school week
• No more than 6 days per week
• Not before 6:00 a.m.
• Until 10:00 p.m.

With parental permission you may work
• 9 hours per day
• 48 hours per school week
• 48 hours per non-school week
• Until 11:00 p.m. on nights not followed by a school day
• Until 12:00 a.m. on nights not followed by a school day

Breaks Requirements For Minors
Workers under the age of 18 who work 5.5 hours or more are required to take 30 minutes of documented breaks. The minor may take two 15 minute breaks or one 30 minute break. Breaks must total 30 minutes or more, but never less.

Workday Before 6:00 a.m. Or After 10:00 p.m.
Workers under the age of 18 must be accompanied by a co-worker who is at least 18 years of age when working before 6:00 a.m. or after 10:00 p.m. in an establishment that is open to the public.

Workday During School Hours
14 and 15 year olds may not work on a school day after 7:30 a.m. and before 3:30 p.m. 16 and 17 year olds may not work during school hours unless they have documented school permission.

Graduate/Withdrawn From School
16 and 17 year olds who have graduated or withdrawn from high school may work unlimited hours. Documentation must be in personnel files.

The only reason for Indiana’s Child Labor Laws:
To protect teenagers’ High School education

This form is available online at:
**Work Permits**

- Nearly all minors (14 through 17) in Indiana are required to obtain a work permit
  - Exceptions:
    - High School graduate
    - Parent is the sole proprietor of the business
    - Legally Emancipated
    - Performer, Actor or Model
- Home Schooled students must obtain Work Permits from Accredited High Schools

This form is available online at: http://www.in.gov/dol/files/Sample_Break_Log.pdf
This form is available online at: http://www.in.gov/dol/files/48409_fill-in.pdf
Employer’s Requirements

- Intent to Employ / A1 Form
- Work Permit must be obtained before beginning work OR TRAINING
- Information on Work Permit must be accurate and up-to-date
- Work Permit must remain on file at the location of the minor’s employment (i.e. park office or site office)
- Minors may obtain more than one work permit

This form is available online at:
http://www.in.gov/dol/files/896.pdf
<table>
<thead>
<tr>
<th><strong>Checklist for Employing Minors</strong></th>
<th><strong>Minor’s Name</strong></th>
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<tbody>
<tr>
<td><strong>Indiana Department of Labor</strong></td>
<td><strong>Date of Hire</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Bureau of Child Labor</strong></td>
<td><strong>Date of Birth</strong></td>
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</tbody>
</table>

*Please use this checklist as a guide when hiring employees 14 through 17 years of age.*

1. **Intent to Employ/At form is completed**
   - Employer’s signature was obtained
   - *The minor will be working at more than one location, obtain a separate form for each location. The employer will need a separate At form for each location. Total the minor’s total work hours between locations. Schools cannot issue permits if the total number of hours exceed the maximum hours allowed by law.*

2. The minor has obtained a work permit from an accredited Indiana school
   - The work permit has been properly validated
   - The work permit is on file at the location where the minor is working
   - **Work permits CANNOT be legible and MUST be the original – no photocopies**

3. If 16 or 17, written parental permission was granted to work extended hours
   - 17 year old can work until 11:59 p.m. on nights followed by a school day
   - 17 year old can work until 1:00 a.m. on 2, non-consecutive nights followed by a school day
   - 16 year old can work until 11:00 p.m. on nights not followed by a school day
   - 16 year old can work until midnight of nights not followed by a school day
   - 16 & 17 year olds can work 9 hours on any day
   - 16 & 17 year olds can work 40 hours during a school week
   - 16 & 17 year olds can work 48 hours during a non-school week
   - The parent permission form includes minor's name, parent's signature, and date
   - *Parents of 16 and 17 year olds cannot provide permission to work extended hours*

4. This minor has obtained written school permission to work during school hours
   - Please list the school hours that this minor is permitted to work

5. All hour restrictions have been communicated to managers/shift leaders
   - *Please see the “Teen Work Hour Restrictions” poster for more details.

6. *Prohibited/hazardous* occupations have identified in your business
   - All managers have been advised of “Hazardous” and “Prohibited” occupations
   - This minor is enrolled in a voc. ed. program that exempts some Hazardous occupations
   - *Please see the “Hazardous Occupations” poster for more details

7. Your company’s break/lunch policy has been clearly explained to the minor
   - The policy was provided to the minor in writing
   - The minor is documenting breaks according to company policy
   - These records are up-to-date and maintained daily

8. If the minor has terminated employment, work permit has been terminated
   - The notice sent via: email, phone, hand-delivered, fax

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This form is available online at:
Civil Penalties – Penalty Structure E-I

Penalty Structure for Violations: E, F, G, H and I

- First Violation = Warning
- Second Violation = $100 per instance
- Third Violation = $200 per instance
- Fourth+ Violation = $400 per instance
**Civil Penalties – Penalty Structure A-D**

Penalty Structure for Violations: A, B, C and D

- First Violation = Warning
- Second Violation = $50 per instance
- Third Violation = $75 per instance
- Fourth+ Violation = $100 per instance

**Child Labor Laws – Termination Notices**

Termination notices

- Termination Notice = bottom half of the Work Permit
- Issuing Officer must be notified immediately and in writing
  - Mail
  - Hand-Deliver
  - Fax
- Do not delay on sending back Termination Notices
Child Labor Poster

- Indiana law requires that employers post notice
  - Maximum allowable hours per day
  - Hours beginning and ending each day
- Poster is developed and distributed by the Indiana Department of Labor
- Online at www.in.gov/dol/2366.htm
- Also available from third-party vendors

9 Types of Violations

A. Minors without Work Permits
B. Poster not displayed
C. Termination notice not returned
D. Hour Violation: Less than 30 mins.
E. Hour Violation: More than 30 mins.
F. Prohibited / Hazardous occupations
G. Under 14 years of age / illegal entertainment
H. After 7:30am/before 3:30pm on school day
I. 6 or more hrs. without documented break
Civil Penalties – Penalty Structure

Penalty Structure
• Amount of Civil Penalties changes based upon the type of violation
• Each separate instance is considered a violation
• Penalty amounts increase based on recurrences from inspection to inspection
• 9 different violations – “A” through “I”

Child Labor Laws – Required Poster

Employer’s Requirements
• Teen Work Hours Restrictions poster MUST be displayed
  – in a conspicuous place in the business
  – where employee notices are customarily posted
Child Labor Laws – Hours of Work

**Hours of Work**

- State and Federal laws mandate acceptable work hours for minors
- Hours vary based on minor’s age
- Parental and/or school permission may allow minors to work extended hours
  - Must be in writing
  - Must be kept on file with the employee’s records
  - IDOL provides a “Parental Permission Form”
  - Available online at www.in.gov/dol

Civil Penalties
**Employer’s Requirements**

- Communicate the break policy clearly to the minor at the time of hire
- Policy must be provided in writing
- Maintain a break log or otherwise note breaks in time punches
- Make sure that break logs are maintained constantly and are readily available to the inspector
- Document, document, document!

**Child Labor Laws – Breaks and Lunches**

**14 and 15 Year Olds May work**

- 3 hours per school day
- 8 hours per non-school day
- 18 hours per school week
- 40 hours per non-school week
- No work before 7:00 am or after 7:00 pm
  - **Exception**
    - 9:00 pm from June 1 through Labor Day
**Child Labor Laws – Hours of Work**

**16 Year Olds May work**
- 8 hours per day
- 30 hours per school week
- 40 hours per non-school week
- No more than 6 days per week
- Not before 6:00 am
- Until 10:00 pm

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**Breaks and Lunches**
- Indiana Administrative Code 610 IAC 10-3-2 requires employers to maintain a break log for minor employees
- Breaks must be documented whether paid or unpaid
- Break logs are subject to inspection by the IDOL
Breaks and Lunches

- The most frequently cited penalty!
- Minors under 18 must receive 1 or 2 breaks totaling at least 30 minutes if working six or more hours
  - Exceptions:
    - Minors withdrawn from school
    - High School/Equivalency Graduates
    - Under 14 working as farm laborer, domestic worker, golf caddie or newspaper carrier
    - Legally emancipated
    - Parent employing own child

With Parental Permission, 16 Year Olds May work

- 9 hours per day
- 40 hours per school week
- 48 hours per non-school week
- Until 11:00 pm on nights followed by a school day
- Until 12:00 am on nights not followed by a school day
17 Year Olds
May work
• 8 hours per day
• 30 hours per school week
• 40 hours per non-school week
• No more than 6 days per week
• Not before 6:00 am on school days
• Until 10:00 pm on nights followed by a school day
  – There is no end-time restriction for 17 year olds on nights not followed by a school day

Employer’s Requirements
• Request permission from the minor’s school before scheduling during daytime hours
• If the minor is home-schooled, the parent may provide the permission
• Maintain school permission with minor employee’s file
• Do not allow minors to volunteer to work restricted hours without school permission

Indiana Department of Labor
Child Labor Laws – Work during a “School Day”

Work during a “School Day”

- Minors may not work during “school hours” from 7:30 am to 3:30 pm on a school day
  - Exceptions
    - May work during “school hours” with written school permission
    - All minors working as actors, performers or photographic models

Child Labor Laws – Hours of Work

With Parental Permission, 17 Year Olds May work

- 9 hours per day
- 40 hours per school week
- 48 hours per non-school week
- Until 11:30 pm on nights followed by a school day
- Until 1:00 am on nights followed by a school day
  - Not consecutive nights
  - Not more than 2 school nights per week
**Employer’s Requirements**

- Keep track of school and parental permission forms
- Ensure minors are not working past hours defined in law
- Review with site managers, shift leaders, crew chiefs to make sure they are aware of the hour restrictions
- Instill in the minors how important it is to clock out on time and encourage them to speak up when they have a scheduling conflict

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**Employer’s Requirements**

- Make sure tasks minors perform are safe and not defined as prohibited
- Review with site managers, shift leaders, crew chiefs to make sure they are aware what tasks in your business would be considered “hazardous” or “prohibited”
- Double-check to ensure that minors are not “volunteering” to work in prohibited occupations
Child Labor Laws – Prohibited/Hazardous Occupations

Prohibited/Hazardous Occupations

• Driving Restrictions
  • 16 year olds may not operate any motor vehicle on any public road or highway, or near any mining, logging or sawmilling operation
    – Cars, pickup trucks, motorcycles, vans, semis
  • 17 year olds may only drive under certain limited circumstances
    – Valid driver’s license and no moving violations
    – Only in daylight hours
    – May not be placed on a timed route or delivery
    – May not deliver food
    – Must be instructed on how to use a seatbelt

Three notable exceptions to all hour restrictions:

• High School/Equivalency Graduates
• Legally Emancipated
• Withdrawn from High School

Documentation must be on file!
Child Labor Laws – Prohibited/Hazardous Occupations

• 16 and 17 year olds may not
  • Work in areas where explosives are manufactured or stored
  • Perform mining
  • Be exposed to radioactive substances
  • Use power-driven bakery machines
  • Manufacture brick or tile
  • Use excavating equipment*
  • Process or pack meat
  • Use metal forming equipment*

* May be exempt if enrolled in a vocational program
Child Labor Laws – Prohibited/Hazardous Occupations

**Prohibited/Hazardous Occupations**

- 16 and 17 year olds may not
  - Operate or maintain powered woodworking or saw milling tools*
    - Chainsaws, circular saws, bandsaws
  - Operate or maintain power-driven hoisting machines
    - Cranes, forklifts, person lifts
  - Load or operate power-driven bailers or compactors*
  - Work on the roof of any building in any capacity*
  - Participate in the demolition or razing (total or partial) of any structure or ship

Prohibited/Hazardous occupations

- Minors are prohibited by law from working in hazardous occupations
- Hazardous occupations are defined by the federal Fair Labor Standards Act (FLSA)
- Vary based on age
- Information available online at: [www.youthrules.dol.gov](http://www.youthrules.dol.gov)
**Prohibited/Hazardous Occupations**

- 14 and 15 year olds may not perform
  - Baking
  - Manual deep fat fryers
  - Work in or about boiler or engine rooms
  - Cooking over an open flame
  - Work in freezers or meat coolers
  - Loading or unloading goods on or off trucks, railcars or conveyors
  - Meat/fish/poultry processing

- Maintenance or repair of a building or its equipment
- Outside window washing
- Work standing on a window sill, ladder, scaffold or similar equipment
- Warehouse work, except office and clerical work
- Youth Peddling
- Advertising wearing a costume or carrying a sign