Amends 610 IAC 10-1-2, 610 IAC 10-2-1, and 610 IAC 10-2-2 by changing the term "child labor" to "youth employment". Amends 610 IAC 10-1-2 and 610 IAC 10-3-1 by referencing the new law. Amends 610 IAC 10-1-4 and adds 610 IAC 10-1-5 and 610 IAC 10-1-6 to define terms applicable to the new law. Amends 610 IAC 10-3-2 by changing break requirements into recommendations. Adds 610 IAC 10-5 for the new youth employment registration system. Repeals 610 IAC 10-4 regarding work permits. Effective 30 days after filing with the Publisher.

IC 4-22.1-5 Statement Concerning Rules Affecting Small Businesses

610 IAC 10-1-2; 610 IAC 10-1-4; 610 IAC 10-1-5; 610 IAC 10-1-6; 610 IAC 10-2-1; 610 IAC 10-2-2; 610 IAC 10-3-1; 610 IAC 10-3-2; 610 IAC 10-4; 610 IAC 10-5

SECTION 1. 610 IAC 10-1-2 IS AMENDED TO READ AS FOLLOWS:

610 IAC 10-1-2 "Youth employment laws" defined
Authority: IC 22-1-1-8
Affected: IC 22-2-18.1

Sec. 2. "Child labor" "Youth employment laws" means IC 20-33-3 IC 22-2-18.1, and any rules adopted to enforce or interpret IC 20-33-3 them.

(Department of Labor; 610 IAC 10-1-2; filed Nov 6, 2006, 8:47 a.m.: 20061206-IR-610060159FRA; readopted filed Nov 30, 2012, 11:14 a.m.: 20121226-IR-610120578RFA; readopted filed Nov 21, 2018, 12:10 p.m.: 20181219-IR-610180417RFA)

SECTION 2. 610 IAC 10-1-4 IS AMENDED TO READ AS FOLLOWS:

610 IAC 10-1-4 "Minor" defined
Authority: IC 22-1-1-8
Affected: IC 22-2-18.1

Sec. 4. "Minor" means a person who:
(1) is less than eighteen (18) years of age; and
(2) has not graduated from high school is not subject to the exemptions described in IC 22-2-18.1-2 and IC 22-2-18.1-13.

(Department of Labor; 610 IAC 10-1-4; filed Nov 6, 2006, 8:47 a.m.: 20061206-IR-610060159FRA; readopted filed Nov 30, 2012, 11:14 a.m.: 20121226-IR-610120578RFA; readopted filed Nov 21, 2018, 12:10 p.m.: 20181219-IR-610180417RFA)

SECTION 3. 610 IAC 10-1-5 IS ADDED TO READ AS FOLLOWS:

610 IAC 10-1-5 "Qualifying location" defined
Authority: IC 22-1-1-8; IC 22-2-18.1-31
Affected: IC 22-2-18.1

Sec. 5. "Qualifying location" means each separate and distinct location operated by a required employer that has five (5) or more minors who work at that location.

(Department of Labor; 610 IAC 10-1-5)
SECTION 4. **610 IAC 10-1-6** IS ADDED TO READ AS FOLLOWS:

**610 IAC 10-1-6 "Required employer" defined**

**Authority:** [IC 22-1-1-8; IC 22-2-18.1-26; IC 22-2-18.1-31]

**Affected:** [IC 22-2-18.1]

Sec. 6. "Required employer" means an employer who:
1. is not subject to the exemptions described in [IC 22-2-18.1-2]; and
2. meets the criteria set forth in [IC 22-2-18.1-26(a)] at one (1) or more locations in Indiana.

*(Department of Labor; 610 IAC 10-1-6)*

SECTION 5. **610 IAC 10-2-1** IS AMENDED TO READ AS FOLLOWS:

**610 IAC 10-2-1 Authority of department**

**Authority:** [IC 22-1-1-8]

**Affected:** [IC 22-2-18.1]

Sec. 1. (a) The department may inspect any employer in the state to ensure compliance with Indiana's child labor youth employment laws.

(b) An employer shall allow the department's inspectors to:
1. inspect records related to employees under eighteen (18) years of age;
2. examine work areas; and
3. interview employees.

(c) An employer shall produce all requested records promptly while the inspector is on-site or within twenty-four (24) hours of the request if the records are not maintained on-site.

*(Department of Labor; 610 IAC 10-2-1; filed Nov 6, 2006, 8:47 a.m.: 20061206-IR-610060159FRA; readopted filed Nov 30, 2012, 11:14 a.m.: 20121226-IR-610120578RFA; readopted filed Nov 21, 2018, 12:10 p.m.: 20181219-IR-610180417RFA)*

SECTION 6. **610 IAC 10-2-2** IS AMENDED TO READ AS FOLLOWS:

**610 IAC 10-2-2 Inspections**

**Authority:** [IC 22-1-1-8]

**Affected:** [IC 22-2-18.1]

Sec. 2. The department may conduct:
1. an investigation when a member of the public reports a possible violation of child labor youth employment laws;
2. random investigations; and
3. targeted inspections based on industry and employment data.

*(Department of Labor; 610 IAC 10-2-2; filed Nov 6, 2006, 8:47 a.m.: 20061206-IR-610060159FRA; readopted filed Nov 30, 2012, 11:14 a.m.: 20121226-IR-610120578RFA; readopted filed Nov 21, 2018, 12:10 p.m.: 20181219-IR-610180417RFA)*

SECTION 7. **610 IAC 10-3-1** IS AMENDED TO READ AS FOLLOWS:

**610 IAC 10-3-1 Hours of employment; records**

**Authority:** [IC 22-1-1-8]

**Affected:** [IC 22-2-18.1]

Sec. 1. An employer shall maintain records of days and hours worked for all employees under eighteen (18)
years of age in order to verify compliance with IC 20-33-3, IC 22-2-18.1.

Section 8. 610 IAC 10-3-2 is amended to read as follows:

610 IAC 10-3-2 Break recommendations
Authority: IC 22-1-1-8; IC 22-2-18.1-27
Affected: IC 22-2-18.1

Sec. 2. (a) An employer shall comply with the requirements of IC 20-33-3-30 concerning breaks for minors.

(b) The employer’s break policies relating to minors must be documented in writing and communicated to the minor employee at the time the employee is hired.

(c) The employer shall maintain a break log to document the breaks (paid or unpaid) of minor employees.

(d) Break logs are subject to inspection by the department. The department recommends that if any minor works or is scheduled to work more than six (6) hours in a shift, the employer provides the minor with at least two (2) fifteen (15) minute rest breaks or one (1) thirty (30) minute rest break.

Section 9. 610 IAC 10-5 is added to read as follows:

Rule 5. Registration of Minors

610 IAC 10-5-1 Registration timing
Authority: IC 22-1-1-8; IC 22-2-18.1-1
Affected: IC 22-2-18.1

Sec. 1. Each required employer shall complete the registration of all minors employed at all qualifying locations within three (3) business days after becoming a required employer.

610 IAC 10-5-2 Multiple employer locations
Authority: IC 22-1-1-8; IC 22-2-18.1-26; IC 22-2-18.1-31
Affected: IC 22-2-18.1

Sec. 2. A required employer shall register each of its qualifying locations according to this rule.

610 IAC 10-5-3 Registration system
Authority: IC 22-1-1-8; IC 22-2-18.1-25
Affected: IC 22-2-18.1

Sec. 3. To register its minors at each of its qualifying locations, each required employer shall use the Youth Employment System (YES), that can be found by following the link provided under the youth
employment section on the department's website.

(Department of Labor; 610 IAC 10-5-3)

610 IAC 10-5-4 Enter and maintain accurate registration; penalties for failure
Authority: IC 22-1-1-8; IC 22-2-18.1
Affected: IC 22-2-18.1-30

Sec. 4. Each required employer shall enter and maintain an accurate and up-to-date list of minor employees at each qualifying location by using the online Youth Employment System (YES). Required employers shall update, within three (3) business days of the change, any information that has changed regarding qualifying locations and the names and numbers of minors at each of those locations. Failure to accurately and timely enter and update this information as described in this rule may result in a warning or civil penalty as set forth in IC 22-2-18.1-30.

(Department of Labor; 610 IAC 10-5-4)

610 IAC 10-5-5 Public access
Authority: IC 22-1-1-8; IC 22-2-18.1-25
Affected: IC 22-2-18.1

Sec. 5. The public may access the Youth Employment System (YES) as described in this rule to search for registered employers.

(Department of Labor; 610 IAC 10-5-5)

SECTION 10. 610 IAC 10-4 IS REPEALED.

Notice of Public Hearing

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