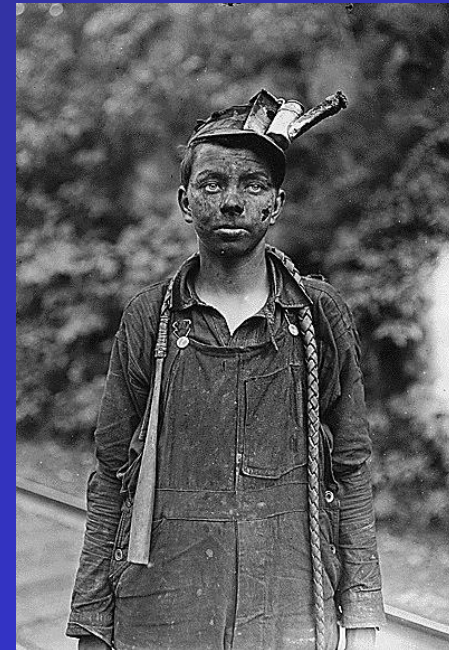


Indiana Department of Labor Bureau of Child Labor

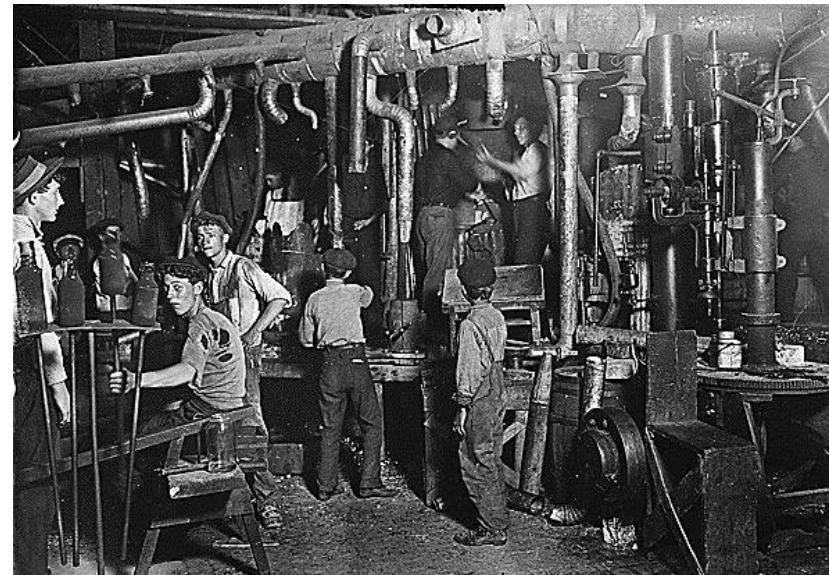
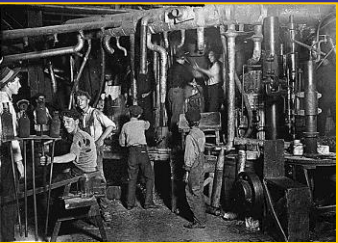
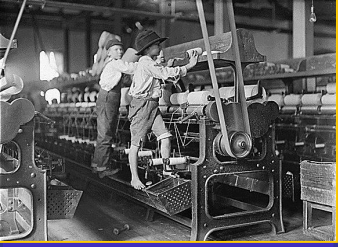


Presenter:
Kenneth Boucher
**Director of Child Labor,
Training and Education**



Topics of Discussion

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



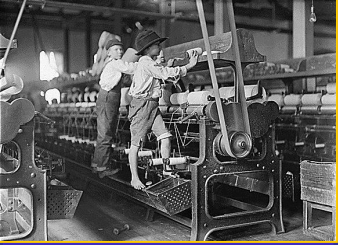
Historical photography of early child labor conditions by Lewis W. Hine (1874-1940). Borrowed, with permission, from www.historyplace.com .

Indiana's Child Labor Laws

Overview

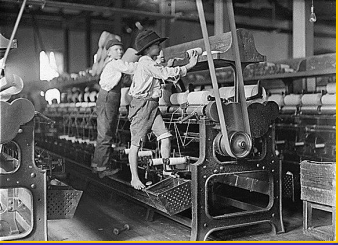
General Definitions

- Minor = Less than 18 and has not graduated from High School
- “School Day” = More than 4 hours of classroom instruction
- “School Week” = 3 or more school days
- “Non-school Week” = 2 or fewer school days



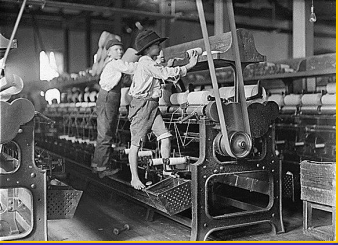
Record Keeping Requirements

- Employers must maintain records of days and hours worked for minors
 - Breaks and Lunches
 - Terminations
 - Parental Permission
 - Graduation or Withdrawal from High School
 - Employment Certificates (Work Permits)
- Most frequently cited violations are for poor or inaccurate recordkeeping



Inspection Authority

- Inspections may be conducted at any business in the state
 - Inspect records related to workers under 18
 - Examine work areas
 - Interview employees
- Inspections may be initiated
 - By Complaint
 - Randomly
 - Targeted based on employment data

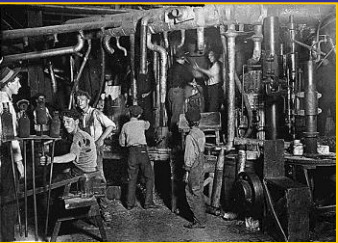
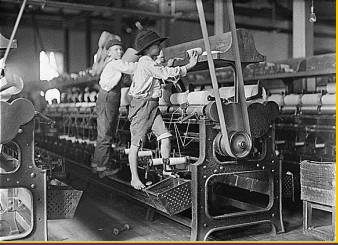


Child Labor Laws

Detailed Explanation

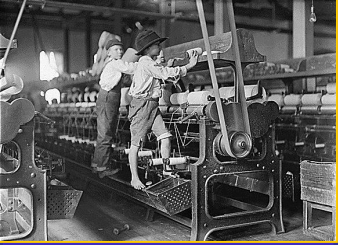
Work Permits

- 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 can obtain Work Permits from Accredited High Schools



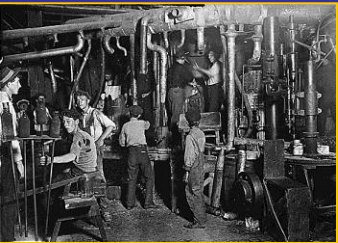
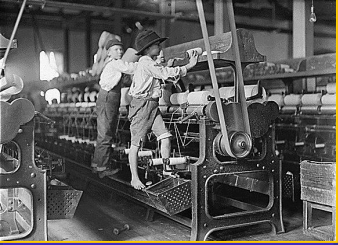
Employer's Requirements

- 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
- Cannot be used at more than 2 locations within an enterprise – hour restrictions still apply



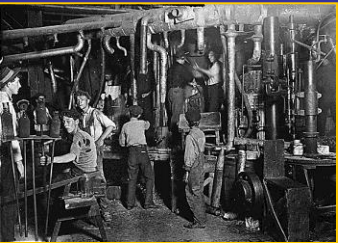
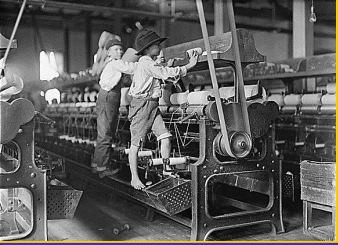
Child Labor Poster

- 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
- Also available from third-party vendors



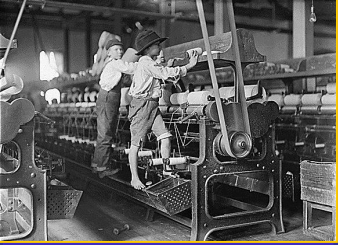
Employer's Requirements

- Teen Work Hours Restrictions poster **MUST** be displayed
- Must be in a conspicuous place in the business, or
- Where employee notices are customarily posted



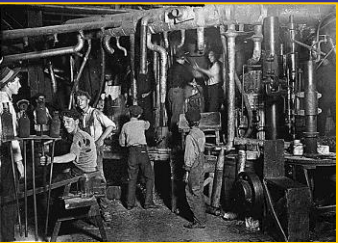
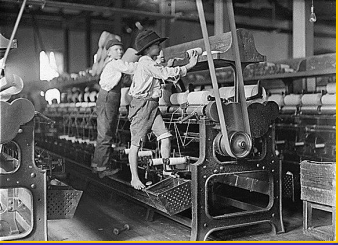
Termination notices

- 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



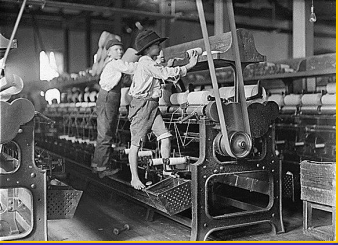
Hours of Work

- 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



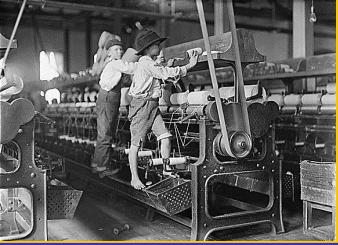
16 Year Olds May work

- 8 hours per school day
- 30 hours per week
- No more than 6 days per week
- Not before 6:00 am
- Until 10:00 pm on nights followed by a school day



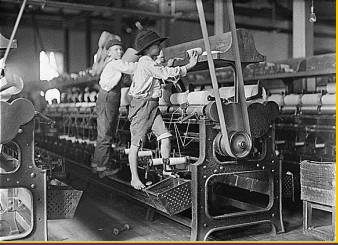
With Parental Permission, 16 Year Olds May work

- 9 hours per day not followed by a school day
- 40 hours per school week
- 48 hours per non-school week
- Until 12:00 am on nights not followed by a school day

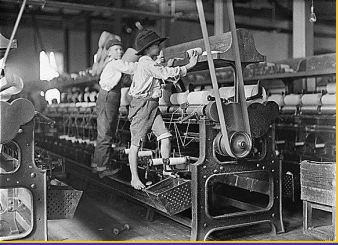


17 Year Olds May work

- 8 hours per school day
- 30 hours per 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



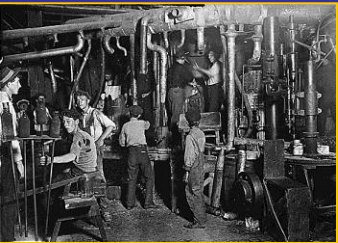
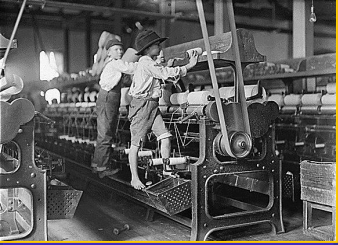
With Parental Permission 17 Year Olds May work



- 9 hours per day not followed by a school 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

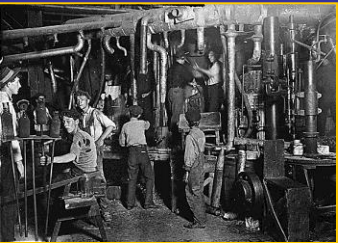
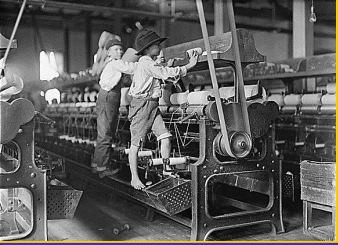
Employer's Requirements

- Keep track of school and parental permission forms
- Ensure minors are not working past hours defined in law
- Review with 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



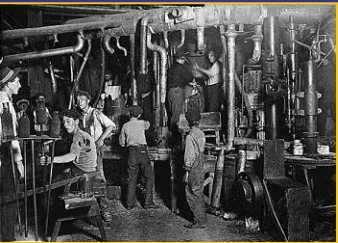
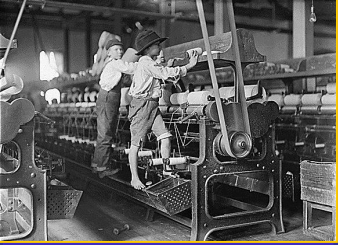
Prohibited/Hazardous occupations

- 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



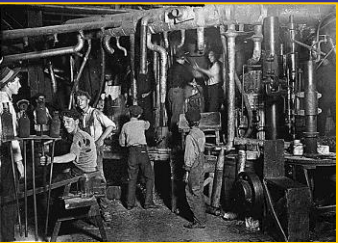
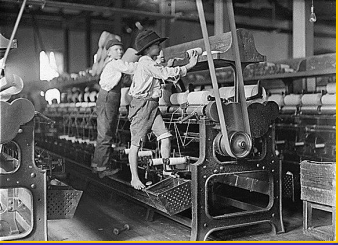
Prohibited/Hazardous Occupations

- 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 metal shearing or forming equipment
 - Participate in the actions of mining or logging
 - 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



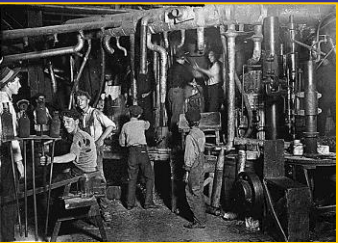
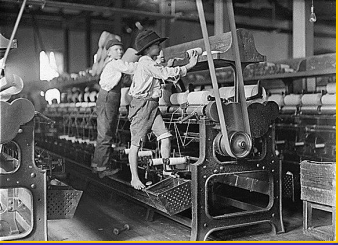
Prohibited/Hazardous Occupations

- 16 and 17 year olds may not
 - Work in areas where explosives are handled or stored
 - Participate in the demolition or razing (total or partial) of any structure or ship
 - Building, bridge, steeple, tower, chimney
 - Includes clean-up and salvage



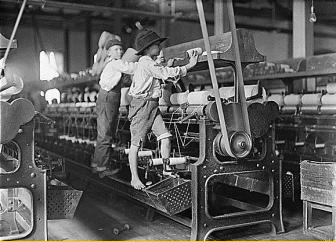
Prohibited/Hazardous Occupations

- Driving Restrictions for 16 year olds
 - 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



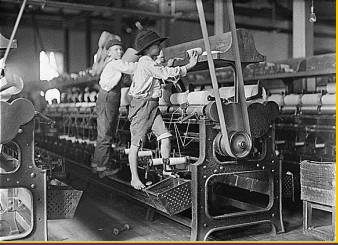
Prohibited/Hazardous Occupations

- Driving Restrictions for 17 year olds
 - 17 year olds may only drive if the following criteria are met:
 - Gross vehicle weight under 6000 lbs and seat belt equipped
 - Only in daylight hours
 - Valid driver's license and no moving violations
 - Completed a state-approved driver's ed course
 - May not tow vehicles or transport goods/passengers for hire
 - No more than two trips away from the primary place of employment per day
 - 30 mile radius of the place of employment
 - May not drive more than 30% of a workday or 20% of a workweek
 - **NO URGENT OR TIME-SENSITIVE DELIVERIES**

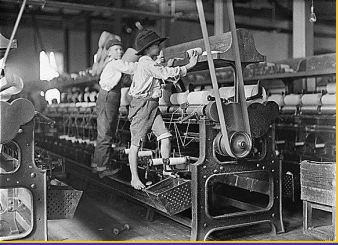


Employer's Requirements

- Make sure tasks minors perform are safe and not defined as prohibited
- Review with 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



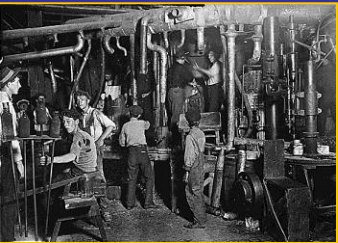
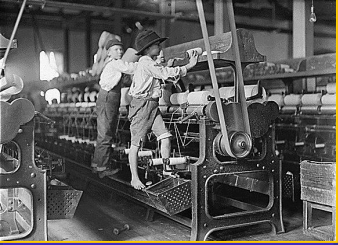
Work during a “School Day”



- Minors may not work during “school hours” from 7:30 am to 3:30 pm on a school day
 - Exceptions
 - Minors 17 and 18 may work during “school hours” with written school permission
 - All minors working as actors, performers or photographic models

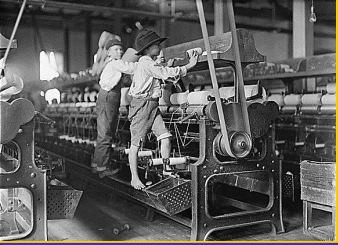
Employer’s Requirements

- 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



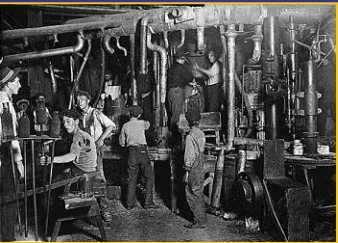
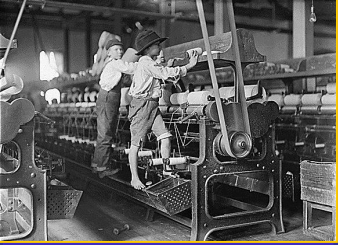
Breaks and Lunches

- *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



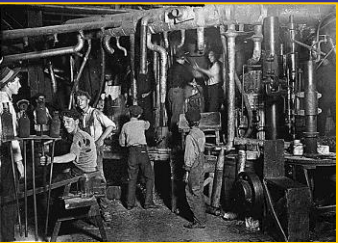
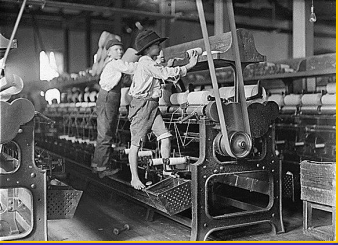
Breaks and Lunches

- 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



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!



Questions and Answers/ Additional Resources

Resources

- **IDOL**
 - Phone: (317) 232-2655
 - Fax: (317) 234-4449
 - Email: childlabor@dol.in.gov
 - Website: www.in.gov/dol
- **USDOL**
 - Phone: (866) 4-USWAGE
 - Website: www.youthrules.dol.gov

