

Hiring Iowa Teens:

A Guide for Employers about Iowa Child Labor Law





As an employer, you are always seeking good employees to add to your business. Many youth are eager to work in Iowa, especially during the summer months. To a teenager, a job means money for school and other expenses, work experience and help in deciding on a career.

If you have positions available for teens, please contact your nearest Iowa Workforce Development Center for help with filling those positions.

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The information provided in this book includes new regulation changes that took effect July 1, 2009.

Child Labor Laws

Child Labor laws dictate:

- the hours youth may work
- how many hours may be worked per day/week
- the time of the year youth may work
- types of jobs or occupations they may have
- when work permits are required.

In Iowa, both federal and state child labor laws may apply. Sometimes there are differences between the federal and state laws, and it is important for employers to understand which laws apply to specific circumstances. Access www.iowaworkforce.org/labor/childlabor.htm for a review of both state law versus the federal law.

Work Permits and Certificates of Age

Iowa law requires youth to obtain a child labor form (work permit, form 62-2203) from an issuing officer to give to employers. The employer needs to complete the employer portion of the child labor form (right side of the work permit) stating the types of work to be done and the hours to be worked. The parent, along with the youth, signs the form and the youth returns it to the issuing officer for final review. If the form has been satisfactorily completed by all the parties, the issuing officer completes the last portion of the form, forwarding copies to the employer, the Division of Labor, and the parent.

A work permit applies to minors who are **14 or 15 years old** for most jobs in Iowa. Youth who are **10 through 15** must have street trade permits to deliver newspapers or perform any other street occupations such as selling items door-to-door. Minors who are **12 through 16 years old** working migrant labor must also obtain a work permit.

Employers may require a Certificate of Age for youth **who are 16 and older**. Having a valid Certificate of

Age on file for each of your **16 or 17 year old** employees protects both the employer and employee.

Work permits and Certificates of Age are issued by local school officials or at Iowa Workforce Development Centers. Hours of work do not need to be specified for the Certificate of Age unless the work involves delivering goods or transmitting messages.

The young worker provides identification to prove his/her age before the form is valid. Acceptable evidence of age includes a certified copy of the minor's birth certificate, passport, or certified baptismal record. Birth certificate copies are available from the county of birth or state health department in Iowa. If none of these proofs of age can be obtained, documentation provided by the federal government may be used or a physician may certify that, in the physician's opinion, the applicant for the work permit is **14 years of age or older**.

For more information, contact the Labor Services Division at www.iowaworkforce.org/labor or (515) 281-6374 or (515) 242-5869.

Hours Teenagers can Work

Iowa law allows young people, who are **16 and older**, to work any hours except in transmission, distribution or delivery of goods or messages.

Teens **14 and 15 years old** may work:

- Outside school hours
- Between 7 a.m. and 7 p.m. after Labor Day through May 31
- Between 7 a.m. and 9 p.m. from June 1 through Labor Day.

But they may not work more than:

- Four hours a day on school days
- 28 hours a week during a school week
- Eight hours a day during vacations and on weekends and holidays
- 40 hours a week during the summer (June 1 through Labor Day), or during the school year if there is a full week of vacation

Workdays of five hours or more must allow for a 30 minute break.



Special Hours for Street Occupations and Migratory Labor

Minors who are **10 through 15 years** may work in street occupations, such as delivering newspapers, magazines, shoppers, circulars or selling items door-to-door. To do this type of work, youth need a street trades permit. With a street trades permit, they may work:

- Between 4 a.m. and 7:30 p.m. while local public schools are in session.

- Between 4 a.m. and 8:30 p.m. for the remainder of the year

Minors who are **12 to 16 years** performing migrant labor need a work permit. With a migrant labor work permit they may work:

- Between 5 a.m. and 7:30 p.m. from Labor Day through June 1
- Between 5 a.m. and 9 p.m. the remainder of the year

Types of Employment for Teens

If **18 years or older**, teens may work at any job without restrictions under the child labor law.

If at least **16 years old**, teens may work in the following areas with some restrictions:

- Manufacturing and construction (but not with certain powered equipment doing roofing, excavation or demolition work)
- Insurance and real estate
- Retail stores
- Hotels and motels
- Restaurants
- Local government
- Retail lumberyards
- Garages and auto repair shops
- Service/Gas stations
- Hospitals and nursing homes

- Greenhouses and nurseries
- Printing and publishing firms

If **14 years or older**, teens may:

- Pack fresh fruits or vegetables in a retail or agricultural setting but not in a processing setting
- Answer phones and take messages in a telephone answering service
- Caddy on a golf course
- Sell gas and oil or wash and polish cars at service stations (To operate power washers, must be 16 years or older.)
- Do office work, clerical work
- Maintain grounds (To use power lawn mower, or a weed eater as part of the job, must be 16 years old.)

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In retail stores and businesses, **14 years and older** may:

- Run errands or make deliveries by foot, bicycle or on public transportation
- Sell, price, pack and shelve store goods
- Assemble customer orders
- Bag purchases and carry out for customers
- Clean vegetables and fruits
- Do cleanup work (not using chemicals that require or recommend the use of personal protective equipment.)
- Trim windows and make displays without the use of ladders

In food service firms, **14 years or older** may:

- Serve food at lunch counters
- Wash dishes
- Do cleanup work (not using chemicals that require or recommend the use of personal protective equipment.)

Children under **16 years of age** who work as models may work no more than three hours per day and no more than 12 hours per month.

They may work between the hours of 7 a.m. to 10 p.m. with written parental consent. Hours must be outside of regular school hours if the child is of school age.

Youth, who are **14 and 15**, may not work in hazardous occupations in manufacturing, construction and mining, in most processing occupations or as public messengers. They also may not clean, repair or operate power-driven machinery.



Jobs Considered Too Dangerous

Teenagers **under 18** are not allowed to work in dangerous or hazardous jobs, such as:

- In or about plants or establishments manufacturing or storing explosives or articles containing explosive components
- Logging or the operation of any sawmill, lath mill, shingle mill or cooperage-stock mill
- Operating power-driven woodworking machines
- Working where exposed to radioactive substances or to ionizing radiations
- Operating elevators or operating a power-driven hoisting apparatus
- Operating power-driven metal forming, punching or shearing machines
- Slaughtering, meatpacking establishments or rendering plants
- Operating certain power-driven bakery machines or paper products machines
- Operating circular saws, band saws or guillotine shears
- Wrecking, demolition or shipbreaking operations
- Any occupation performed on or about a roof
- Excavating
- Occupations connected with mining
- Motor vehicle driver or outside helper
- Operating power-driven meat processing equipment, including meat and food slicers
- Any occupation in the manufacturing of brick, tile or similar products
- Working in or about foundries (but may work in the office, shipping and assembly area)
- Operating laundry, dry-cleaning or dyeing machinery
- Working where exposed to lead fumes or compounds or to dangerous or poisonous dyes or chemicals
- Transmitting, distributing or delivering goods or messages between 10 p.m. or 5 a.m. (includes telemarketing)
- Operating or assisting to operate heavy equipment, such as forklifts, backhoes or cranes
- Occupations in connection with mining

Federal and State Differences

Employers must comply with the most restrictive law, if both apply.

Employers covered:

State

- Covers all employers in Iowa

Federal

- If covered for federal minimum wage, then covered for federal child labor
- Companies with an annual gross volume of sales/business of \$500,000 or more
- Operating a hospital, institution to care for physically or mentally ill, disabled or the aged
- A school, including preschool, secondary, or institution of higher learning
- Public agency
- Minor employees engaged in interstate commerce or production of goods for interstate commerce

Hours 14- and 15-year-old teens may work:

State

- four hours per day on school days, and up to 28 hours per week when school is in session

Federal

- three hours per day on school days, and up to 18 hours per week when school is in session

Penalties:

State

- The parent, guardian or other person having control of a minor child, who negligently permits the child to work in violation of the act, is guilty of or commits a serious misdemeanor; punishable by up to a \$1,875 fine and/or one year in jail per offense.
- Employers may be charged with a civil penalty of up to \$10,000 per minor, per violation.

Federal

- Employers may be charged with an administrative fine up to \$11,000 per minor; for a second offense committed after conviction of a similar offense, a fine of \$11,000 or imprisonment for not more than six months or both. A District Court restraining order can be requested to prevent future child labor violations (civil or criminal). The Genetic Information Nondiscrimination Act (GINA) allows up to \$50,000 for each violation that causes death or serious injury to a minor.

Certificates of Age and Work Permits:

State

- Iowa requires work permits for **14 and 15 year olds** and recommends Certificates of Age for teens who are **16 and 17**.

Federal

- Work permits and Certificates of Age are not required, but are recommended from the state.

Teens 16 and 17 years old:

State

- Prohibits occupations involving operation of laundry, dry cleaning or dyeing machinery, and dangerous or hazardous chemicals

Federal

- Does not specifically prohibit these occupations, but prohibits activities listed on the 17 Hazardous Occupation Orders. (Contact the U.S. Department of Labor at (515) 284-4625 or www.dol.gov)

Child Labor in Agriculture:

State

- Iowa exempts minors who are **14 years and older** and allows them to detassel corn from June through August. It also allows part-time work in agriculture. Part-time is defined as half of the maximum allowed hours.

Federal

- Federal law prohibits work during school hours for **14 and 15 year olds** and prohibits hazardous occupations. **12 and 13 year olds** are allowed to work on their parent's farm and on farms where minimum wage is required, with their parent's written permission.

Teens may:

- Drive a car or truck on a farm property
- Operate garden-type tractors
- Clear brush by hand
- Hand plant seeds or plants
- Weed, hoe, and water plants
- Care for poultry
- Provide care for horses
- Pick produce, and/or place it in containers
- Help in milking operations
- detassel corn (may be full time)
- The complete set of federal agricultural regulations may be found in Child Labor Requirements in Agriculture at www.dol.gov.

School Training:

State

- Iowa allows students to work under an instructor in an industrial arts department, or an instructor in a school shop, industrial plant or vocational education course, or to apprentice under certain conditions; no hour limits, no occupation restrictions, no work permits

Federal

- Teens **14 years and older** may be employed during school hours in approved school-supervised and school-administered programs and apprenticeship programs. These programs can contain exemptions from some of the hazardous occupations orders.

Exceptions:

State

- Part-time, occasional or volunteer work for nonprofit organizations that are educational, charitable, religious or community service in nature
- Detasseling, from June through August
- Children of any age may work in any occupation or business at any time doing any type of work in a business operated by the child's parents if the parent is on the premises.
- modeling under **16 years** of age between 7 a.m and 10 p.m. but for not more than 12 hours per month and with written parental permission
- Juvenile court to orders a child at least 12-years-old to complete work assignments of value to the state or to the public or to the victim of a crime committed by the child

- **14 and 15 year olds** may work part-time in agricultural occupations for 1/2 of the maximum hours allowed: 20 hours per week during the summer, but not more than 4 hours per day; 14 hours per week while school is in session, but not more than two hours per day

Federal

- Exempts for underage and hours for children working in or for parents' business when a parent is the sole proprietor; but prohibits hazardous work even in parents' business
- Allows exemption for actors, performers in motion pictures, radio or television
- Allows exemption for homemakers engaged in wreath making

Special orders:

State

- Iowa may issue written special orders allowing prohibited work or hours

Federal

- No waivers under Federal law

For more Information, please contact:

State Child Labor (800) 562-4852
(515) 281-6374
(515) 242-5869

Federal Child Labor (866) 4-USA-DOL
(515) 284-4625

Additional information regarding Child Labor Law may be found at:

The Division of Labor Services web site
www.iowaworkforce.org/labor/childlabor.htm

Federal Child Labor Law: <http://youthrules.dol.gov/>



Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.

70-3700 (08/09)