

Frequently Asked Questions about Child Labor Laws

Q. Can a 16- or 17-year old who has quit school work more than four hours per day or 20 hours per week?

A. *If the 16-year-old minor has been allowed to drop out of school, the hourly restrictions no longer apply. If a 17-year-old minor is no longer enrolled in school, the hourly restrictions no longer apply. The employer should obtain a letter from the superintendent of schools stating that the child is no longer enrolled in school and, if under 17, that he or she has been waived from compulsory education laws.*

Q. If a 16- or 17-year-old minor is working toward a High School Equivalency Diploma, are his or her working hours restricted when school is in session?

A. *If the minor has dropped out of the traditional school setting and is no longer "enrolled," the hourly restrictions no longer apply. Again, the employer should get written confirmation from the superintendent that the minor has been allowed to drop out of school.*

Q. Do child labor laws apply to 18-year olds who are still in high school?

A. *No. Once a minor turns 18, none of the child labor laws apply, even if the person is still a student.*

Q. Are the child labor laws any different if you are hiring your own son or daughter?

A. *Work permit requirements, hours limitations and prohibited occupations rules apply even when hiring family members.*

Q. Do OSHA regulations apply to minors?

A. *Yes. OSHA regulations apply to workers regardless of age.*

Q. If an employer complies with Maine law, does that guarantee compliance with Federal law, or vice versa?

A. *Not in all cases. The law that is most restrictive and protects the employee the most is the one that applies.*

Q. Can 14- or 15-year olds have more than one job?

A. *14- and 15-year olds need work permits in order to work. They are allowed one work permit during the school year and two in the summer.*

Q. If a 14- or 15-year old changes jobs, does he or she need a new work permit?

A. *Yes. A work permit is valid only for the occupation and business for which it is approved.*

Q. What is the employer's responsibility regarding work permits?

A. *The employer must keep the approved copy of the work permit on file. Once the child is no longer working, the employer's copy should be returned to the Maine Department of Labor.*

Q. What cooking may minors under 16 years old do?

A. *In most instances, minors may cook at soda fountains, lunch counters, snack bars or cafeteria serving counters if the public can view the cooking areas. Minors under 16 may not cook if the cooking area is away from the view of the public. Minors under 16 cannot bake or use ovens, including pizza ovens and convection ovens.*

Q. What is considered a manufacturing occupation for child labor law purposes?

A. *A process that changes the original product can be considered manufacturing. Child labor laws prohibit minors under 16 years old from working in processing or manufacturing areas except for waiting on customers or performing office work in a separate room.*

Q. Can minors work at a water slide, a ski area, or a boat rental?

A. *Minors under 16 years old may not work at a water slide because it is considered an amusement. Ski areas and boat rentals are considered recreation, so minors may work there.*

Q. Who is considered a “junior firefighter?”

A. *According to Maine law, anyone under 18 who is working as a firefighter or training to become a firefighter is considered a junior firefighter.*

Q. Is the Boy Scout Explorer program covered by the junior firefighter rules?

A. *If the program includes a junior firefighting program, all of the junior firefighter rules apply.*