



September 2009

### Child Labor Laws-What Employers Should Know

Below is a summary of the child labor laws effective for New Hampshire that all employers need to consider. When reading this article please keep in mind that these rules are a combination of both federal and state labor laws. Generally when the federal and state laws differ the law most beneficial to the employee prevails. For purposes of this article I have indicated the most restrictive provision parenthetically noting the least restrictive law, where there is a difference between federal and state law.

The *Fair Labor Standards Act* covers youth employment under federal law. RSA 276-A covers youth employment under state law.

Under the labor laws a youth is defined as any individual under age 18. As a general rule minors under age 14 may not work (NH law under age 12). There are exceptions to this including for such jobs as newspaper delivery and babysitting. Minors age 14 and 15 must have a youth employment certificate on file within three days of the first day of employment. Minors ages 16 and 17 are not allowed to work without written consent from a parent/guardian. Forms requesting a youth employment certificate and parental permission can be found on our web site ([www.checkmate-payroll.com](http://www.checkmate-payroll.com)) as well as the NH Department of Labor web site ([www.labor.state.nh.us/youth\\_employment](http://www.labor.state.nh.us/youth_employment)).

Employers must verify and keep a copy on file as proof of age: a birth certificate, passport, baptismal certificate, immigration record, or any other religious or official record showing the minor's age.

Minors age 14 and 15 cannot work: during school hours, before 7 AM or after 7 PM (9 PM under NH law). Under federal law minors can work until 9 PM from June 1 thru Labor Day. Minors cannot work more than three hours per day on school days, more than 8 hours per day on non-school days, more than 18 hours per week during school weeks (23 hours under NH law), or more than 40 hours per week during non-school weeks (48 hours under NH law).

Minors age 16 and 17 cannot work for more than six consecutive days and more than 30 hours per week during the school calendar week (Sunday through Saturday). During school vacation weeks and summer vacation (June 1 through Labor Day) they may not work for more than six consecutive days and more than 48 hours per week. There are different restrictions for sixteen and seventeen year olds who are not enrolled in school. Under federal law there are no restrictions on work hours for youth age 16 or older.

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The labor laws restrict the types of work any youth may perform. As a general rule a youth may not perform hazardous work or work in dangerous occupations such as logging, roofing, or mining. Youth are also restricted from using power driven machines such as woodworking equipment and power driven bakery machines. Industry specific youth employment information may be found on the USDOL web site ([www.youthrules.dol.gov/](http://www.youthrules.dol.gov/)).

Employers must post in a conspicuous place, at the beginning of the work week, the daily schedule for all minors including their starting and stopping times, and the meal time for each day of the work week and the maximum number of hours any youth is permitted to work in any one day.

There are exceptions to these rules. The most common exceptions being children employed by their parents and children employed in agriculture.

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