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FLSA Child Labor Laws – 14 and 15 Year Olds

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The Fair Labor Standards Act prohibits employers from employing oppressive child labor. **29 US Code 212(c)**

(<https://www.law.cornell.edu/uscode/text/29/212>) It allows employers to employ minors who are 14 and 15 years old for certain jobs or occupations that are deemed by the US Department of Labor not to

be oppressive labor. **29 CFR 570.119** ([https://www.ecfr.gov/cgi-bin/text-idx?](https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_1119&rgn=div8)

[SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_1119&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_1119&rgn=div8))

The number of hours 14 and 15 year olds may work is limited and differs depending on whether school is in session or not. **29 US Code 203(l)**. (<https://www.law.cornell.edu/uscode/text/29/203>); **29 CFR 570.31** (https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_131&rgn=div8)

[https://www.ecfr.gov/cgi-bin/text-idx?](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_131&rgn=div8)

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The specifics of the Fair Labor Standards Act's regulation of the employment of 14 and 15 year olds are discussed below.

Topics Covered

- Occupations 14 and 15 year olds may perform
- Occupation 14 and 15 year old may not perform
- Hours of work and conditions of employment for 14 and 15 year olds
- General hours of work and conditions of employment exceptions
- Sport-attending services exception
- Work-experience and career exploration programs exception
- Work-study programs exception
- Age certification

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Occupations 14 and 15 year olds may perform

Minors who are 14 or 15 years old may work in the occupations listed below if the work does not interfere with their schooling or with their health and well-being. 29 US Code 3(l)(1)
(<https://www.law.cornell.edu/uscode/text/29/203>)29 CFR 570.31
(https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_131&rgn=div8);
29 CFR 570.119 (https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_1119&rgn=div8)

The following is a list of occupations that may be performed by 14 and 15-year-olds.

- office and clerical work, including operating office machines
- intellectual or artistically creative work such as, but not limited to, computer programming, writing software, teaching or tutoring, serving as a peer counselor or teacher's assistant, singing, playing a musical instrument, and drawing (artistically creative work is limited to work in a recognized field of artistic or creative endeavor)
- cooking with electric or gas grills so long as it does not require cooking over an open flame or cooking with deep fryers so long as the fryer utilizes a device that automatically lowers and raises the basket(s) into and out of the hot oil or grease (this provision does not permit youth who are 14 and 15 years old to cook with equipment such as rotisseries, broilers, pressurized equipment, and cooking devices that operate at extremely high temperatures)
- cashing
- selling
- modeling
- art work
- work in advertising departments
- window trimming
- comparative shopping
- price marking and tagging by hand or machine
- assembling orders
- packing
- shelving
- bagging and carrying out customers' orders
- errand and delivery work by foot, bicycle, and public transportation

- clean up work, including the use of vacuum cleaners and floor waxers
- grounds maintenance, not including the use of power-driven mowers, cutters, trimmers, edgers, or similar equipment
- kitchen work involved in preparing and serving food and beverages, including operating machines and devices such as dishwashers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, coffee grinders, automatic coffee machines, warmers, steam tables, heat lamps, and microwave ovens that do not have the capacity to warm above 140 degrees fahrenheit (minors are permitted to enter freezers momentarily to retrieve items in conjunction with restocking or food preparation)
- cleaning kitchen equipment, including removing oil or grease filters, pouring oil through filters, and moving receptacles containing hot grease or hot oil so long as the equipment, surfaces, containers, and liquids do not exceed a temperature of 100 degrees fahrenheit.
- cleaning vegetables and fruit
- wrapping, sealing, labeling, weighing, pricing, and stocking items, including vegetables, fruits, and meats, when performed in areas physically separate from a freezer or meat cooler
- loading onto and unloading from motor vehicles light, non-power-driven, hand tools, personal protective equipment, and other equipment that will be used in the youth's employment on a work site, such as rakes, hand-held clippers, shovels, and broom, backpacks, lunch boxes, and clothing. Items a 14 or 15-year-old would not be able to unload include trash, sales kits, promotion items, items for sale, lawn mowers, power-driven lawn maintenance equipment, barriers, cones, or signage
- performing lifeguard duties (only applies to 15 year olds; 14 year olds are not permitted to perform lifeguard duties) – See FLSA Lifeguard Requirements for 15 Year Olds (<https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/lifeguard-requirements/>)
- work inside and outside places of business where machinery is used to process wood products (only applies to 14 or 15 year old youth who by statute of judicial order are exempt from compulsory school attendance beyond 8th grade) – See Wood Products Processing for 14 and 15 Year Olds – FLSA Child Labor Laws (<https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/wood-products-processing-for-14-and-15-year-olds-flsa-child-labor-laws/>)

[employment-and-labor-laws/flsa/child-labor-laws/wood-products/](#) for more information

- work in conjunction with cars and truck, so long as the work is confined to:
 - dispensing gasoline and oil
 - courtesy service
 - car cleaning, washing, and polishing by hand
- work in conjunction with riding in motor vehicles except where prohibited by 29 CFR 570.33(f) or (j), or when a significant reason, although not necessarily the primary reason, for the minor being a passenger is for the purpose of performing work in transporting people or property. For this exception to apply, each minor riding as a passenger must have his or her own seat with a seat belt or other restraining device and minors must be instructed to use the seat belt or other restraining device. Additionally, the driver must have a driver's license valid for the type of driving performed, and if under 18 years of age, his or her employment must comply with 29 CFR 570.52

[29 CFR 570.34 \(https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_134&rgn=div8\)](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_134&rgn=div8)

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Occupation 14 and 15 year old may not perform

The following is a list of occupations that may not be performed by 14 and 15 year olds:

- manufacturing, including occupations requiring the performance of any duties in work rooms or places where goods are manufactured
- mining, including occupations requiring the performance of any duties in work rooms or places where goods are mined
- processing, including occupations requiring the performance of any duties in work rooms or places where goods are processed
- operating, tending, setting up, adjusting, cleaning, oiling, or repairing hoisting apparatus
- work in or around boiler or engine rooms or in connection with maintaining or repairing the establishment, machines, or equipment
- operating, tending, setting up, adjusting, cleaning, oiling, or repairing power-driven machinery, including but not

limited to lawn mowers, golf carts, all-terrain vehicles, trimmers, cutters, weed-eaters, edgers, food slicers, food grinders, food choppers, food processors, food cutters, and food mixers

- operating motor vehicles or serving as a helper on a motor vehicle
- riding on a motor vehicle except in those cases where is explicitly permitted (see above)
- outside window washing if it involves working from window sills
- work requiring the use of ladders, scaffolds, or similar equipment
- baking and cooking activities except in those cases explicitly permitted (see above)
- working in freezers and meat coolers, unless it is only momentarily to retrieve items (see above)
- preparing meats for sale except in those cases explicitly permitted (see above)
- youth peddling, which entails selling goods or services to customers at locations other than their employer's establishment, including customers' residences, customers' places of business, or public places such as street corners and public transportation stations and includes preparatory and concluding tasks such as loading and unloading vans or other motor vehicles, stocking and restocking of sales kits and trays, exchanging cash and checks with the employer, and transporting of minors to and from the various sales areas by the employer. Youth peddling also includes promotional activities such as holding, wearing, or waving of signs, merchandise, costumes, sandwich boards, or placards in order to attract potential customers, except when performed inside of, or directly in front of, the employer's establishment providing the product, service, or event being advertised. Prohibited youth peddling does not include youth from conducting sales on property controlled by the employer that is outdoors but may properly be considered part of the employer's establishment, such as garden centers, sidewalk sales, and parking lot sales. Youth peddling also does not include the activities of youth who volunteers without compensation to sell goods or services on behalf of charitable organizations or public agencies
- loading and unloading of goods or property onto or from motor vehicles, railroad cars, or conveyors, except the loading and unloading of personal non-power-driven hand tools, personal protective equipment, and personal items to and from motor vehicles (see above)

- catching and cooping of poultry in preparation for transport or for market
- public messenger service
- occupations in connection with transporting people or property by rail, highway, air, water, pipeline, or other means, except office work (including ticket office) or sales work if it does not involve performing any duties on trains, motor vehicles, aircraft, vessels, or other media of transportation
- occupations in connection with warehousing and storage, except office work or sales work
- occupations in connection with communications and public utilities, except office work or sales work
- occupations in connection with construction, including demolition and repair, except office work or sales work if it does not involve performing duties at the actual site of construction operations.

[29 CFR 570.33 \(https://www.ecfr.gov/cgi-bin/text-idx?](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_133&rgn=div8)

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Hours of work and conditions of employment for 14 and 15 year olds

Minors who are 14 and 15 years old and are employed in a permissible occupation may work the following hours.

- outside school hours
- while school is in session:
 - not more than 18 hours in a week; and
 - not more than 3 hours in a day, including Fridays
 - between 7 a.m. and 7 p.m. in any one day
- while school is out of session:
 - not more than 40 hours in a week; and
 - not more than 8 hours in a day
 - between 7 a.m. and 9 p.m. (this applies during summer defined as June 1 through Labor Day)

[570.32 \(https://www.ecfr.gov/cgi-bin/text-idx?](https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_132&rgn=div8)

[SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_132&rgn=div8\);](https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_132&rgn=div8)

[29 CFR 570.35\(a\) \(https://www.ecfr.gov/cgi-bin/text-idx?](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8)

[SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8\)](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8)

Time considered to be outside school hours includes periods before and after school hours, holidays, summer vacations, weekends, and any other day or part of a day when school is not in session according

to the local public school district. Summer school sessions are considered to be outside school hours. School hours include the hours the local public school district is in session during the regularly scheduled school year. Weeks school is considered to be in session include any week in which students are required to attend for at least one day or partial day. [29 CFR 570.35\(b\)](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8) (https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8)

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General hours of work and conditions of employment exceptions

School is not considered to be in session at any time for 14 and 15 year olds that meet one of the following criteria:

- the minor has graduated from high school;
- the minor has been excused from compulsory school attendance by the state or other jurisdiction after completing 8th grade;
- the minor's employment complies with the requirements of the state school attendance law;
- the minor has a child to support and appropriate state officers have waived school attendance requirements, according to state laws;
- the minor is prohibited from attending school due to a state or federal court order; or
- the minor has been permanently expelled from the local public school he or she would normally attend, unless the minor is required to attend another school by state or local law or court order.

[29 CFR 570.35\(c\)\(1\)](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8) (https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8)

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Sport-attending services exception

When employed to perform sport-attending services at professional sporting events, youth who are 14 and 15 years old are exempt from any hour requirements if the youth performs duties of the sports-attendant occupation that consist of:

- pre-and post-game or practice setup of balls, items, and equipment
- supplying and retrieving balls, items, and equipment during a sporting event

- clearing the field or court of debris, moisture, etc., during play
- providing ice, drinks, towels, etc., to players during play
- running errands for trainers, managers, coaches, and players before, during and after sporting events
- returning and/or storing balls, items, and equipment in a club house or locker room after a sporting event

Sport-attending Duties that are not permissible and are not subject to the hours exception include:

- grounds or field maintenance such as grass mowing and spreading or rolling tarpaulins used to cover playing areas, etc.
- cleaning and repairing equipment
- cleaning locker rooms, showers, lavatories, rest rooms, team vehicles, club houses, dugouts, or similar facilities
- loading and unloading balls, items, and equipment from team vehicles before and after a sporting event
- doing laundry
- working in concession stands or other selling and promotional activities

29 CFR 570.35(c)(2) (https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_135&rgn=div8)

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Work-experience and career exploration programs exception

Minors who are 14 through 16 years old may be granted exceptions to child labor rules that would otherwise apply to them if they are enrolled in and employed pursuant to a school-supervised and school-administered work-experience and career exploration program. For more information about the rules and restriction on the employment of 14 and 15-year-olds, visit [Work Experience and Career Exploration Programs – FLSA Child Labor Law Exceptions](https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/work-experience-programs/) (<https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/work-experience-programs/>)

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Work-study programs exception

Minors who are 14 and 15 years old may be granted exceptions to child labor rules that would otherwise apply to them if they participate in a work-study program. For more information about the rules and

restriction on the employment of 14 and 15-year-olds, visit [Work-Study Programs – FLSA Child Labor Law Exceptions](https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/work-study-programs/) (<https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/work-study-programs/>)

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Age certification

Employers who employ minors are not in violation of the Fair Labor Standards Act's child labor laws if they keep on file unexpired certificates of age for each minor employed. [29 US Code 203\(l\)\(2\)](https://www.law.cornell.edu/uscode/text/29/203) (<https://www.law.cornell.edu/uscode/text/29/203>); [29 CFR 570.5\(a\)](https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_15&rgn=div8) (https://www.ecfr.gov/cgi-bin/text-idx?SID=78c173e29b6a4b539a5ba4c073954ee4&node=se29.3.570_15&rgn=div8); [29 CFR 570.38](https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_138&rgn=div8) (https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_138&rgn=div8); [29 CFR 570.121](https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_1121&rgn=div8) (https://www.ecfr.gov/cgi-bin/text-idx?SID=b70e8350e91f21f476a2d0189bca7a62&node=se29.3.570_1121&rgn=div8)

For more information, visit our page on [Age Certificates](https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/age-certificate/) (<https://www.employmentlawhandbook.com/federal-employment-and-labor-laws/flsa/child-labor-laws/age-certificate/>).

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