

STATE LAWS SUMMARY:

CHILD LABOR CERTIFICATION REQUIREMENTS BY STATE

THE PROBLEM: Federal child labor laws limit the kinds of work for which kids under age 18 can be employed. But as with OSHA, federal child labor rules are minimum standards; states are free to adopt stricter rules. And most have in the form of rules requiring employers to get different forms of certification to hire minors under age 18. So you need to be aware of these state certification requirements if you hire minors.

HOW TOOL HELPS SOLVE THE PROBLEM: There are 2 types of certifications required by states: certification of employment—essentially a form of permit, and/or certification of the worker's age. Of course, the rules vary by state. Here's a rundown of the state child labor certification requirement in each of the 50 states.

KNOW THE LAWS OF YOUR STATE

CERTIFICATIONS REQUIRED TO HIRE MINORS UNDER STATE LAW

ALABAMA: a. Certification of employment issued by school required for workers under 18 (18 in mines); b. No minor under age 18 may be employed in tunnels or excavations deeper than 4 feet; c. No minors under 18 for excavating, working in or backfilling trenches (except manually excavating or backfilling trenches that don't exceed 4 feet deep at any point); and d. Minors 16 or older can work in excavations less than 4 feet deep if they get a permit.

ALASKA: a. State labor dept. employment certification needed to employ worker under 17; b. State labor dept. certification needed to hire worker under 19 if employer is licensed to sell alcohol; and c. Employers may get advance approval to hiring minors of at least 14 years' old for specific jobs involving specifically listed duties.

ARIZONA: No additional state restrictions.

ARKANSAS: a. State labor dept. employment certification needed to employ worker under 16; and b. State labor dept. age certification also needed to employ worker 16 and 17.

CALIFORNIA: a. Employment certification issued by school kid is enrolled in needed to employ worker under 18; and b. State labor dept. employment certification needed to employ worker under 18 in entertainment industry.

COLORADO: a. Employment certification issued by school needed to employ worker under 16 during school hours; and b. Age certification issued by school needed to employ worker under 18 (which won't be issued if kid is under 16 and job is during school hours).

CONNECTICUT: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification issued by school needed to employ worker age 16 and 17.

DELAWARE: Employment certification issued by state labor dept. or school needed to employ worker under 18.

DISTRICT OF COLUMBIA: Employment certification issued by school needed to employ worker under 18.

FLORIDA: a. Neither employment nor age certification required; however, b. employers must get and keep record of proof of kid's age, which they can get via age certification issued by school.

GEORGIA: Employment certification issued by state labor dept. or school needed to employ worker under 18.

HAWAII: a. Employment certification issued by state labor dept. needed to employ worker under 16; and b. Age certification issued by state labor dept. needed to employ worker age 16 and 17.

IDAHO: No additional state restrictions.

ILLINOIS: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification issued by school needed to employ worker ages 16 to 20.

INDIANA: a. Employment certification issued by school needed to employ worker under 18; and b. Age certification issued by school needed to employ worker ages 18 to 21.

IOWA: a. Employment certification issued by both Iowa Workforce Development Dept. and schools needed to employ worker under 16; and b. Age certification issued by both Iowa Workforce Development Dept. and schools needed to employ worker ages 16 to 18.

KANSAS: Employment certification needed to employ worker under 16 who's not enrolled in school.

KENTUCKY: Employers must maintain proof of age of workers under 18.

LOUISIANA: Employment certification issued by school needed to employ worker under 18.

MAINE: a. Employment certification issued by state labor dept. needed to employ worker under 16; and b. Age certification issued by state labor dept. needed to employ worker age 16 and 17.

MARYLAND: Employment certification issued by either state labor dept. or school needed to employ worker under 18.

MASSACHUSETTS: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification needed to employ worker age 16 and 17.

MICHIGAN: Employment certification issued by school needed to employ worker under 18.

MINNESOTA: a. Employment certification issued by school needed to employ worker under 16 during school hours; and b. Age certificates not required; however, c. Employers of minors must get and keep on record proof of child's age—acceptable certification include: i. age certificates; ii. birth certificates; iii. drivers licenses; and iv. official U.S. govt. immigration Forms I-9.

MISSISSIPPI: Employment certification issued by school needed to employ worker under 16 in mills, canneries, workshops and factories.

MISSOURI: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification issued by school needed to employ worker age 16 and over.

MONTANA: a. Neither employment nor age certification required to hire minors for nonhazardous employment; b. Minors under 16 can't be hired for hazardous employment; and c. Age certification issued by state labor dept. required to hire workers 16 and over for hazardous occupations.

NEBRASKA: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification needed to employ worker age 16 and over.

NEVADA: Employment certification issued with written permission of a district judge required to hire worker under age 14.

NEW HAMPSHIRE: a. Employment certification issued by state labor dept. required to employ worker under 16; and b. Employer must get and maintain on file a signed, written document from parents or legal guardian authorizing employment to hire worker 16 or 17.

NEW JERSEY: a. Employment certification issued by school needed to employ worker under 18; and b. Age certification issued by school needed to employ worker age 18 to 21.

NEW MEXICO: a. Employment certification issued by school and state dept. of labor needed to employ worker under 16; and b. Age certification issued by school and state dept. of labor needed to employ worker age 16 and 17.

NEW YORK: a. Employment certification issued by school needed to employ worker under 18; b. Employment certification issued by state labor dept. required to hire child performers under 18 in entertainment; and c. Age certification issued by school needed to employ worker age 18 and over.

NORTH CAROLINA: Employment certification issued by state dept. of labor or County Director of Social Services needed to employ worker under 18.

NORTH DAKOTA: a. Employment certification issued by state labor dept. needed to employ worker under 16; and b. Age certification issued by state labor dept. needed to employ worker age 16 and over.

OHIO: a. Employment certification issued by school needed to employ worker under 16; b. Employment certification issued by school needed to employ worker 16 to 17 during school year; c. Age certification not issued; however, d. Proof of age required for workers ages 16 to 17 during school vacation; and e. If 16- and 17-year-olds get approval of Superintendent of Schools of school district where they live, they don't need certification to be employed at a seasonal recreational or amusement establishment.

OKLAHOMA: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification issued by school needed to employ worker age 16 and 17.

OREGON: a. Minors age 14 to 17 don't have to get work permits; instead, b. Employers must apply for annual certificates to hire minors age 14 to 17.

PENNSYLVANIA: Employment certification issued by school needed to employ worker under 18.

RHODE ISLAND: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification issued by school needed to employ worker age 16 and 17.

SOUTH CAROLINA: Age certification issued by government needed to employ worker under 18—State Dept. of Labor issues federal age certificates upon request for minors under 18.

SOUTH DAKOTA: No additional state restrictions.

TENNESSEE: a. Neither employment nor age certification issued; however, b. Employers of minors under age 18 must get and keep on file proof of minor's age. Acceptable proof: i. Birth certificate; ii. Passport; iii. Driver's license; iv. State issued identification; or v. Parent's oath as to minor's age.

TEXAS: Age certification issued by state labor dept. needed to hire worker under 18.

UTAH: Age certification issued by school needed to hire worker under 18.

VERMONT: Age certification issued by state labor dept. needed to hire worker under 16 during school hours.

VIRGINIA: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification issued by school needed to employ worker age 16 and 17.

WASHINGTON: Employment certification issued by state labor dept. needed to employ worker under 18.

WEST VIRGINIA: a. Employment certification issued by school needed to employ worker under 16; and b. Age certification issued by school needed to employ worker age 16 and 17.

WISCONSIN: a. Employment certification issued by government via volunteer permit officers representing Dept. of Industry, Labor and Human Relations needed to employ worker under 18; and b. Age certification issued by government via volunteer permit officers representing Dept. of Industry, Labor and Human Relations needed to employ workers 18 and over.

WYOMING: a. Neither employment nor age certification issued; however, b. Employers of workers under 16 must maintain proof of age.

