



TECHNICAL UPDATE

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FEDERAL CHILD LABOR REGULATIONS

The [Fair Labor Standards Act \(FLSA\)](#) has been a cornerstone of labor law in the United States since its inception in 1938. Designed to protect workers and establish a minimum standard of living, the FLSA has undergone several amendments to address evolving labor practices. In 2010, significant changes were made to strengthen the Act's provisions, particularly concerning the restriction on the use of child labor.

The federal child labor provisions of the FLSA were enacted to ensure that young people's work is safe and does not jeopardize their health, well-being, or educational opportunities. These provisions also expanded and clarified the types of activities and occupations forbidden to youth under the age of 18. Review the various restrictions to ensure that your county complies. Remember that even where the rules do not apply to volunteers, allowing a minor to engage in an activity regulated or considered hazardous can increase potential liability in the event of an injury.

In 2023, the [U.S. Department of Labor](#) concluded 955 investigations that found child labor violations, a 14% increase from 2022. They found nearly 5,800 children employed in violation of the law, an 88% increase since 2019, and assessed more than \$8 million in penalties, an 83% increase from the previous year.

REPRESENTATIVE HAZARDOUS DUTY RESTRICTIONS ON YOUTH AGED 16-18

Generally, hazardous occupations involve using or being exposed to various hazardous tools, power-driven equipment, and dangerous conditions such as heat, pressure, fire, chemical hazards, explosive substances, etc. Below are some examples:

- Occupations in or about establishments manufacturing or storing explosives or articles containing explosive components.
- Occupations of motor vehicle driver and outside helper on any public road.
- Occupations in operating any sawmill, lath mill, shingle mill, or cooperage stock mill.
- Occupations involved in the operation of power-driven woodworking machines.
- Occupations involved in the operation of power-driven hoisting apparatus.
- Occupations in connection with mining, other than coal.

REPRESENTATIVE HAZARDOUS DUTY RESTRICTIONS ON YOUTH AGED 14-16 AND YOUNGER

This would include all restricted activities for the older age group, plus the following:

- Occupations that involve operating, tending, setting up, adjusting, cleaning, or repairing any power-driven machinery including, but not limited to, lawnmowers, golf carts, all-terrain vehicles, trimmers, cutters, weed-eaters, grass edgers, slicers, grinders, choppers, food processors and mixers.
- Any outside window washing that involves working from window sills or using ladders, scaffolds, or substitutes for ladders.
- Transportation occupations including rail, highway, air, water, pipeline, or other means; warehousing, and storage.
- Communications and public utilities occupations.
- Construction of all kinds, except office work or sales that don't involve performing duties on trains, motor vehicles, aircraft, or other means of transportation, or at a construction site.

These provisions may be viewed on the [Electronic Code of Federal Regulations \(e-CFR\)](#) website. Child labor regulations are covered in Title 29, Subtitle B, Chapter V, Subchapter A, Part 570 -Child Labor Regulations, Orders and Statements of Interpretation.



WHAT THIS MEANS FOR COUNTIES

The FLSA's restriction on the use of child labor is a crucial component of the legislation, which is aimed at protecting the rights and well-being of children in the workforce. CTSI recommends an annual review of county youth employee occupational assignments to address any needed changes. For more information, contact CTSI at (303) 861-0507.