



Wage and Hour Division U.S. Department of Labor



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

dol.gov/whd
1-866-4-US-WAGE

Wage and Hour Division

Who we **are**



Wage and Hour Mission

To promote and achieve compliance with labor standards to protect and enhance the welfare of the nation's workforce.

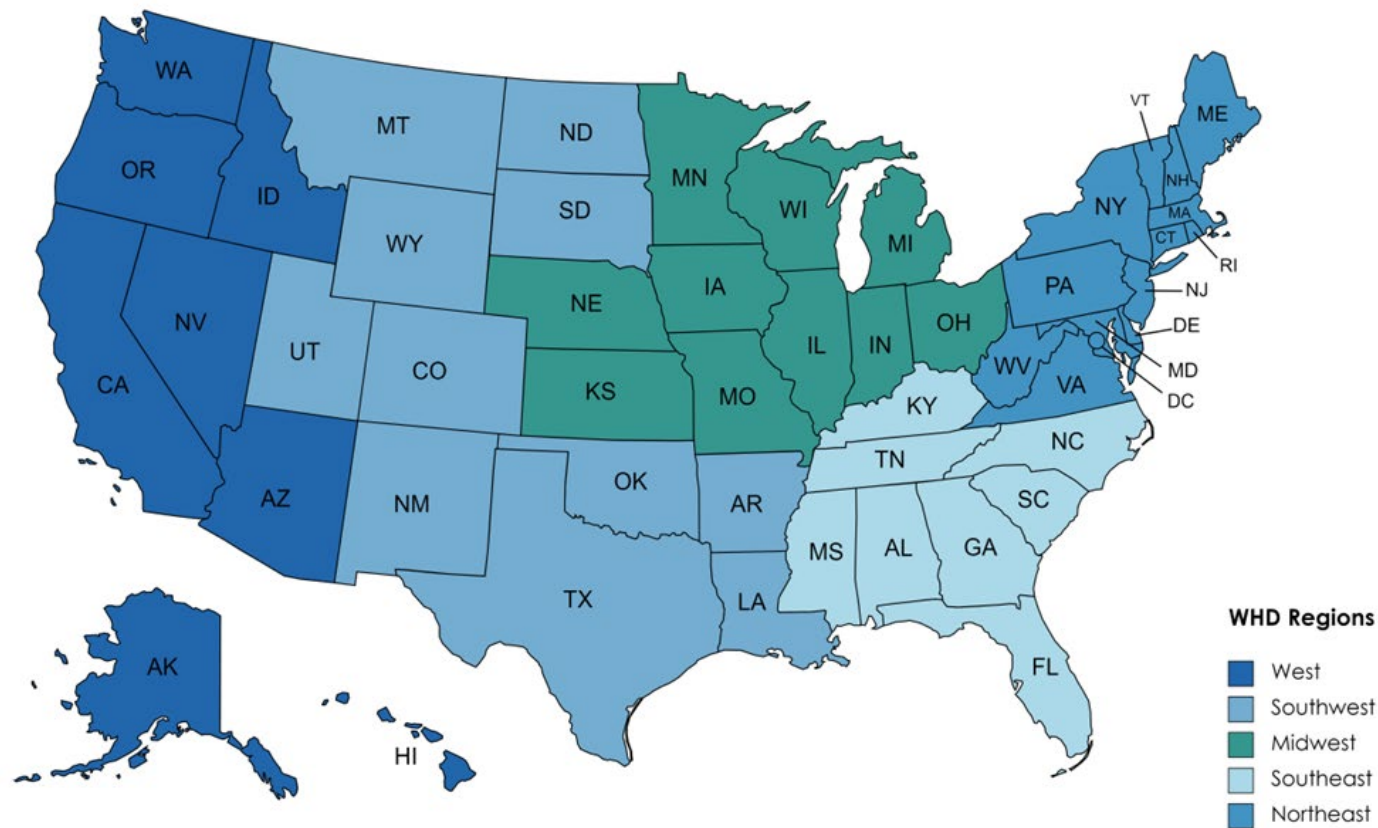


About WHD

- **165** million workers served
- **11** million establishments nationwide
- More than **200** languages spoken

WHD Offices

- 5 Regions
- **200** [WHD offices](#) throughout the country



WHD Strategies

- **Prevention** through Outreach and Education
- **Compliance** and Technical Assistance
- **Enforcement** and Regulatory Certainty



Laws WHD Enforces



Fair Labor Standards Act



Migrant and Seasonal Agricultural Worker Protection Act



Family and Medical Leave Act



Polygraph Protection Act



Davis Bacon and Related Acts



Wage Garnishment



Service Contract Act



Temporary Worker Programs



Child Labor Protections under the Fair Labor Standards Act



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Child Labor Protections by Age

- **Under 14** - limited to work that is exempt from the FLSA such as delivering newspapers to the consumer, acting, or casual baby-sitting
- **14 and 15** - may only work outside school hours, restrictions on type of work, may NOT work in dangerous jobs
- **16 and 17** - may be employed for unlimited hours, but may NOT work in dangerous jobs
- **18** - no longer subject to Federal Child Labor Laws.

Please Note: Different standards apply to farm work. See slides #21-23

Child Labor – 14- and 15-year-olds - Hours

- No more than 3 hours on a school day, including Fridays, or 18 hours during a school week
- No more than 8 hours on a non-school day, or 40 hours during a week when school is not in session
- Between 7 a.m. and 7 p.m. - except between June 1 and Labor day when the evening hour is extended to 9 p.m.

Child Labor – 14- and 15-year-olds – Jobs

Work a 14- and 15-year-old generally <u>CAN</u> do	Work a 14- and 15-year-old generally <u>CANNOT</u> do
Cashier, modeling, art work, advertising	Manufacturing, Mining or Processing
Dishwasher	Baking or Cooking
Office and Clerical Jobs	Public Messenger
Bagging and Carrying out Groceries	Construction work, including Roofing
Food Prepping by hand	Use or Clean Power-Driven Equipment
Server/Busser	Loading/Unloading equipment
Stocking Shelves	Work in Freezers or Coolers
Certified 15-year-olds may work as lifeguards at swimming pools and amusement parks	Door-to-Door Sales

Dangerous Jobs- no children under 18

- Hazardous Occupations (HOs)
- [Fact Sheet #43](#) lists dangerous jobs in non-agricultural settings
- [Fact Sheet #40](#) lists dangerous jobs on farms
- The following slides are examples, but not exhaustive. Please refer to the website for complete information.

Explosives

Children cannot work where explosives are manufactured or stored. But children can work in retail stores selling ammunition, gun shops, trap and skeet ranges, and police stations.

Read [Fact Sheet #43](#) to learn more.



Motor Vehicles

Children cannot drive motor vehicles or work outside the vehicle as a driver's helper to assist with tasks such as loading, unloading, or securing cargo.

Seventeen-year-olds can drive cars or small trucks during daylight hours for limited times and under strictly limited circumstances.

Read [Fact Sheet #34](#) to learn more.



Forestry / Forest Fire Fighting

Children cannot do most jobs in forest fire fighting, forest fire prevention that entails extinguishing an actual fire, timber tract management, forestry services, logging, and sawmills.

Read [Fact Sheet #43](#) to learn more.



Woodworking

Children cannot use power-driven woodworking machines, like circular saws, chain saws, nailing machines, and sanders.

Read [Fact Sheet #43](#) to learn more.



Hoisting Apparatus

Children cannot operate or ride a power-driven hoisting apparatus, like forklifts, non-automatic elevators, skid-steers loaders, backhoes, manlifts, scissor lifts, cherry pickers, work-assist platforms, boom trucks, or cranes.

Read [Fact Sheet #43](#) to learn more.



Meat Processing

Children cannot use or clean power-driven meat-processing machines, like meat slicers, saws and meat choppers.

This ban also includes the use of this machinery on items other than meat, like cheese and vegetables.

Read [Fact Sheet #43](#) to learn more.



Bakery Machines

Children cannot use, clean, or repair power-driven bakery machines, including vertical dough and batter mixers, dough rollers, rounders, dividers and sheeters, and cookie or cracker machines.

Sixteen- and 17-year-olds can use certain lightweight, small portable, counter-top mixers and certain pizza dough rollers under certain conditions.

Read [Fact Sheet #43](#) to learn more.



Compactors and Balers

Children cannot use balers, compactors, and power-driven paper-products machines.

Sixteen- and 17-year-olds can load, but cannot operate or unload, certain scrap paper balers and paper box compactors under very specific guidelines.

Read [Fact Sheet #57](#) to learn more.



Child Labor – Farm Jobs

- **16** and above may work in any farm job at any time.
- **14 and 15** may work outside school hours but may NOT work in dangerous jobs.
- **12 and 13** may work outside of school hours, may NOT work in dangerous jobs, must work with or have written consent from a parent.
- **Under 12** years of age may work outside of school hours, may NOT work in dangerous jobs, **only** on farms where none of the employees are subject to the FLSA.

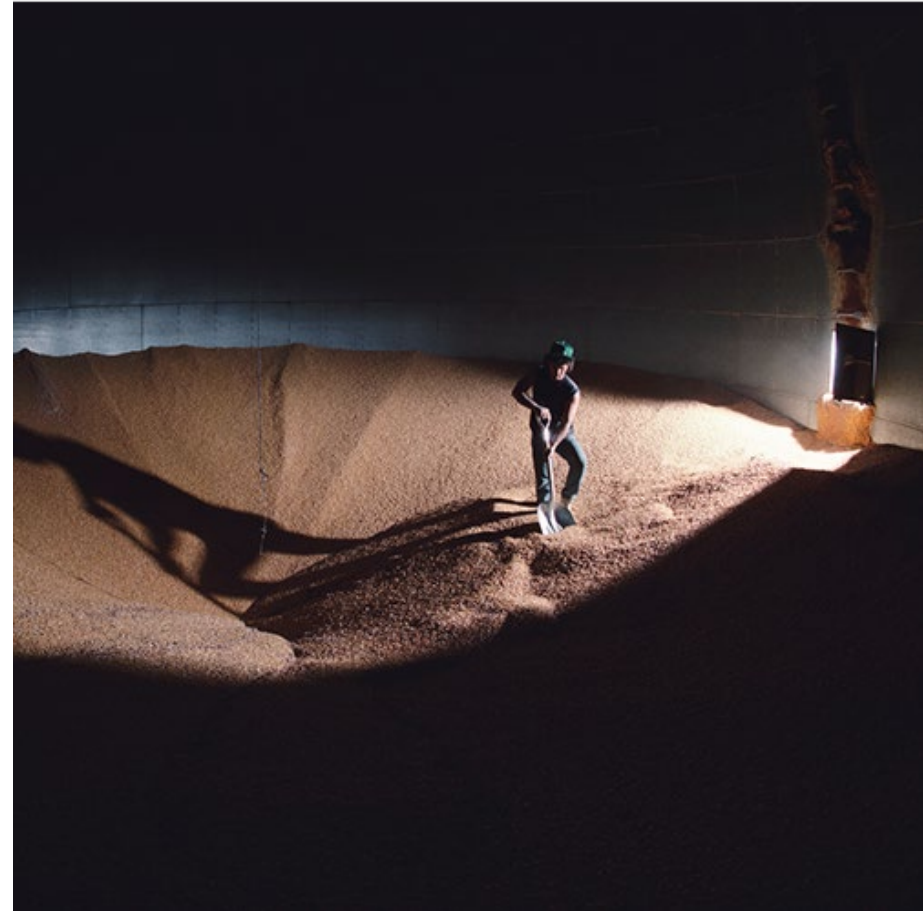
What Children Can and Cannot Do on Farms

Work that children under 16 generally CAN do on Farms	Work that children under 16 generally CANNOT do on Farms
Operate garden type tractors	Operate a tractor or certain machines (e.g., corn or cotton pickers, hay mower or baler, feed grinders, crop dryer,...) or, operate trencher, earth moving equipment, forklift
Work with beef or range bulls and cattle, dairy cattle, or breeding stock on the range	Work in a yard, pen, or stall occupied by a bull, boar, or stud horse
Work with timber up to 6 inches in diameter, which includes most fence posts and tier poles	Work in felling, buckling, skidding, loading, or unloading timber
Use ladders to reach a worksite above 20 feet, as long as the work is not done from a ladder or scaffold	Work from a ladder or scaffold at a height of over 20 feet
Drive a truck or automobile on the farm itself	Drive a vehicle or transport passengers, or riding on a tractor as a passenger or helper on public roads
Harvest most crops	Work inside a fruit, forage, or grain storage, or upright or horizontal silo
	Handle or apply toxic chemicals identified by the words "danger," "poison," or other warning on the label; nor handle or use explosives

Product Storage on Farms

Children cannot work inside a fruit, forage, or grain storage that is designed to keep out oxygen.

Read [Fact Sheet #40](#) to learn more.



Wage and Hour Division

What we do



Achieving Compliance

- Enforcement – Complaints and Agency-Initiated Investigations
- MOUs and Partnerships
- Outreach and Education

Agency-Initiated Enforcement

National and regional
strategic enforcement
initiatives



National Strategic Initiatives

- Agriculture
 - Building Services
 - Care workers
 - Food Service
 - Government Contracts
 - Residential Construction
 - Warehouse and Logistics
- AND Child Labor



Complaint- Initiated Enforcement

- Complaints can be submitted by phone.
- Complaints can come from third parties.
- Complaints are confidential.
- WHD does not ask workers about their immigration status.
- No fee to file a complaint.

1-866-4US-WAGE (487-9243) or
visit www.dol.gov/agencies/whd



Who May File a Child Labor Complaint?

- Workers
- Parent/Guardian
- School Officials
- Other Employers
- Advocacy Groups
- Other Agencies



Helpful Complaint Intake Information

Employee's name

- Contact information
- Address and phone number
- Employee's duties/work
- Circumstances or actions that caused potential violation of the law
- Copies of pay stubs or personal hours worked records if available

Employer's name

- Point of contact
- Address and phone number

This information is not required, but helps develop the case

Wage and Hour Investigation Process

Investigation Process

1



Initial Conference

Our investigator holds an initial conference with the employer and/or the employer's representative and tours the employer's establishment.

2



Conducting Interviews

Our investigator interviews employees in private.

3



Reviewing Records

The WHD investigator reviews the employer's records to determine compliance.

4



Final Conference

We hold a final conference with the employer and/or the employer's representative to discuss any violations found and how to correct them. If back wages are owed to employees, the investigator will request payment of back wages.

Child Labor Exploitation

- The Wage and Hour Division recently encountered one of the most significant child labor cases in WHD's history.
- Packers Sanitation Services, Inc. (PSSI)
- \$1,500,000 in civil money penalties

WHD's Role in Detecting and Referring Indicators of Human Trafficking



WHD's Role

- **Prevention** of labor trafficking by addressing labor exploitation and collaborating with Human Trafficking Task Forces.
- **Detection** of trafficking indicators during its civil enforcement.
- **Referrals** to criminal and civil law enforcement partners upon detection where appropriate.
- **Protection** of trafficking survivors by assisting with the computation of restitution and leveraging any remedies available under the laws we enforce.

MOUs and Partnerships



Foreign
Consulates



Business
Associations



Worker Rights
Organizations



Federal & State
Agencies



Advocacy Groups



Community-Based
Organizations

Outreach and Education



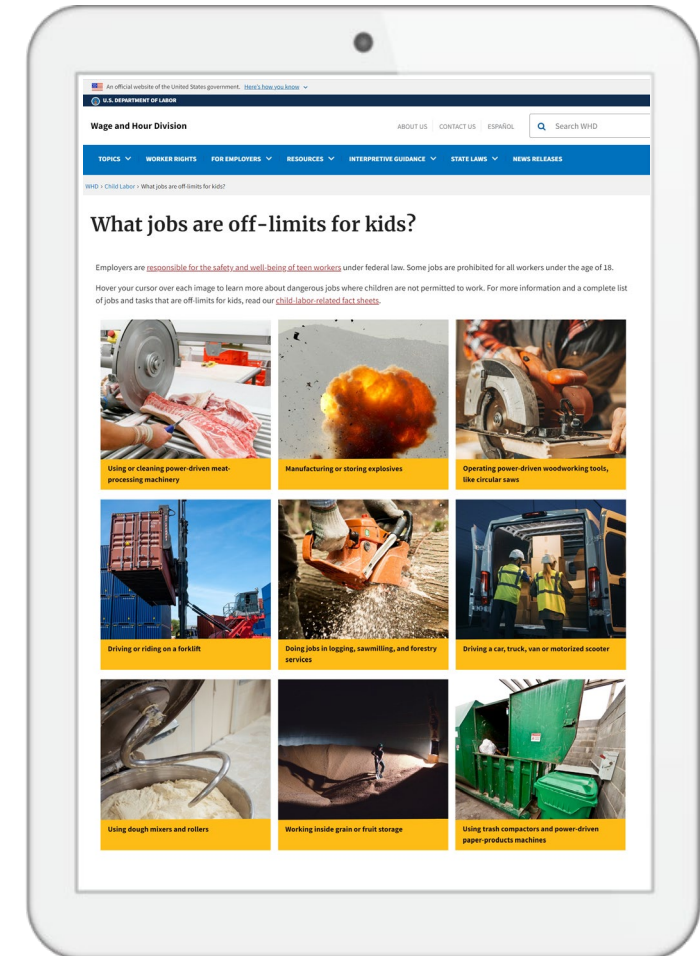
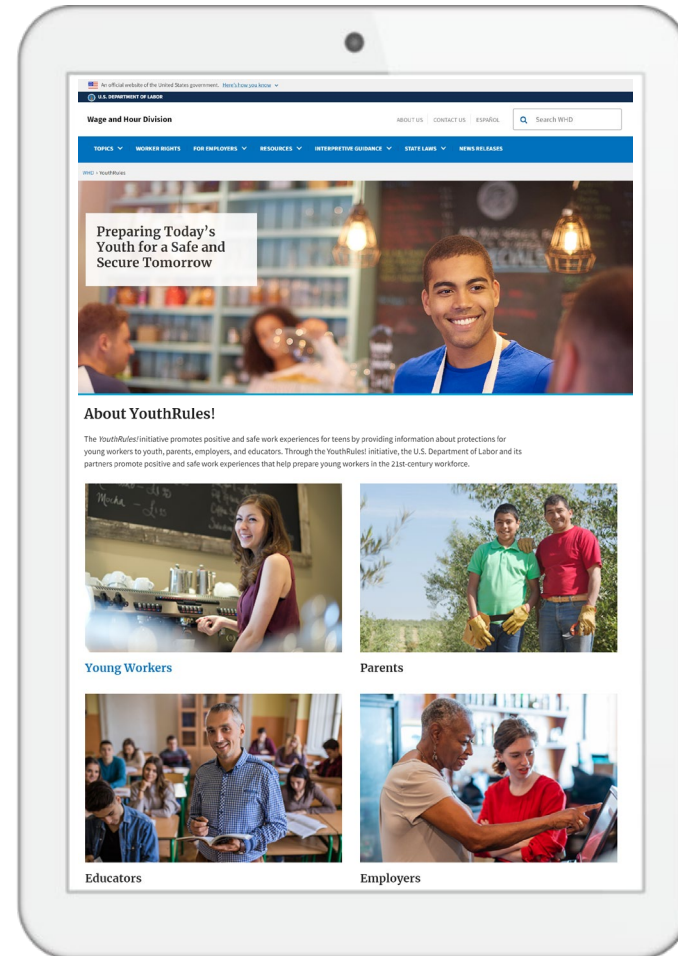
- Education and outreach for workers to understand and exercise their rights
- Education and outreach for employers to increase compliance

Child Labor Websites

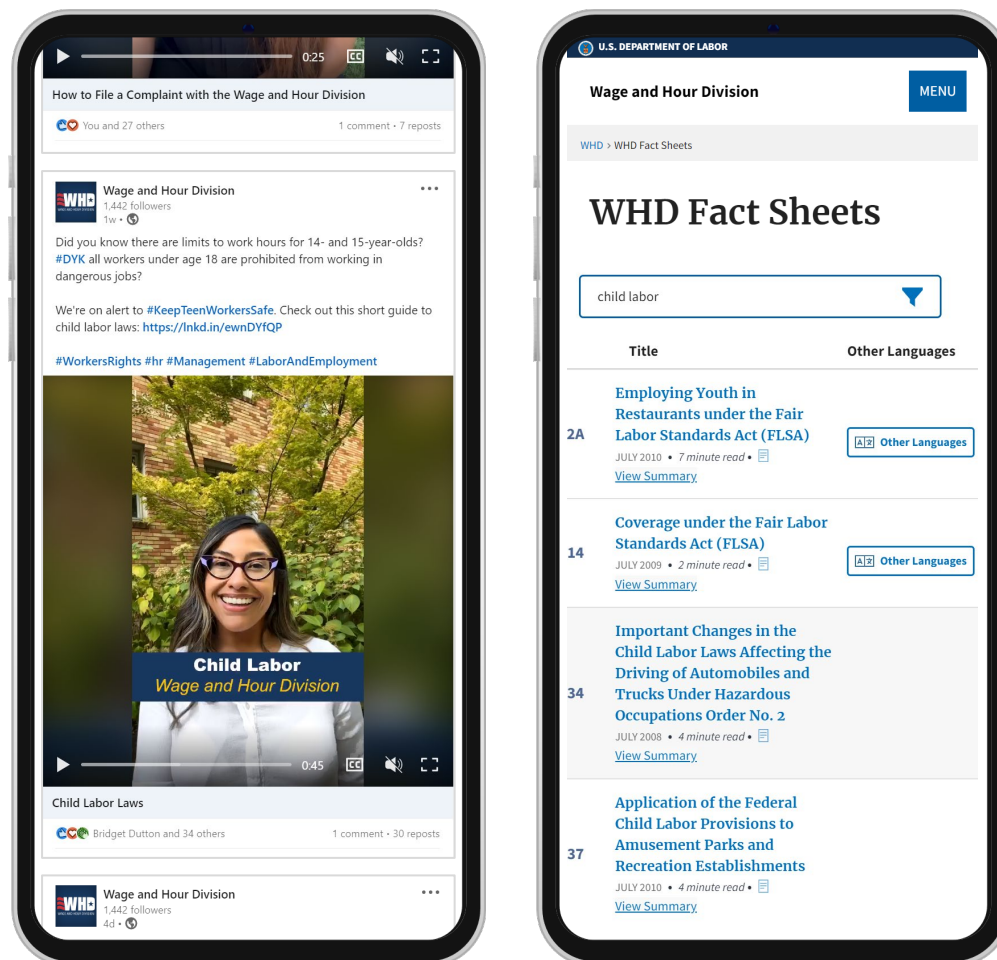
YouthRules.gov



Jobs that are
off-limits for kids



Young Worker Toolkit



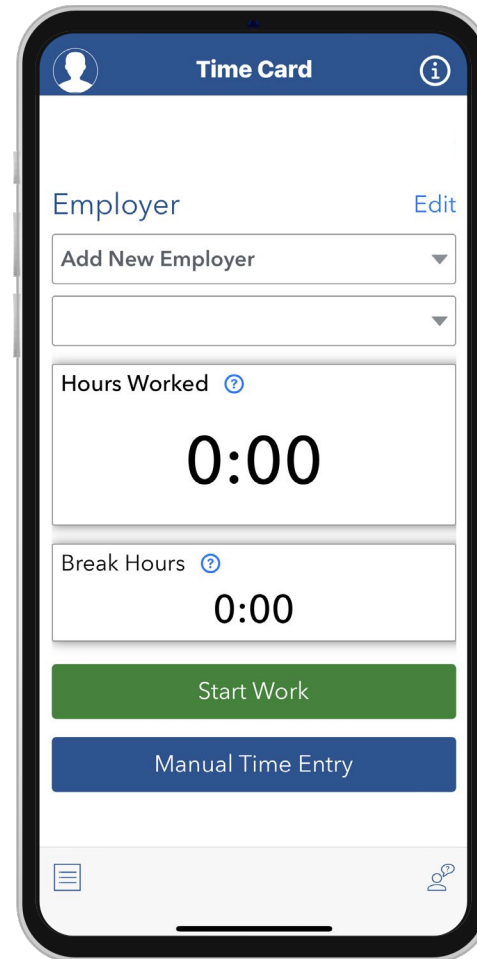
Videos



Fact Sheets



Child Labor Resources for Workers



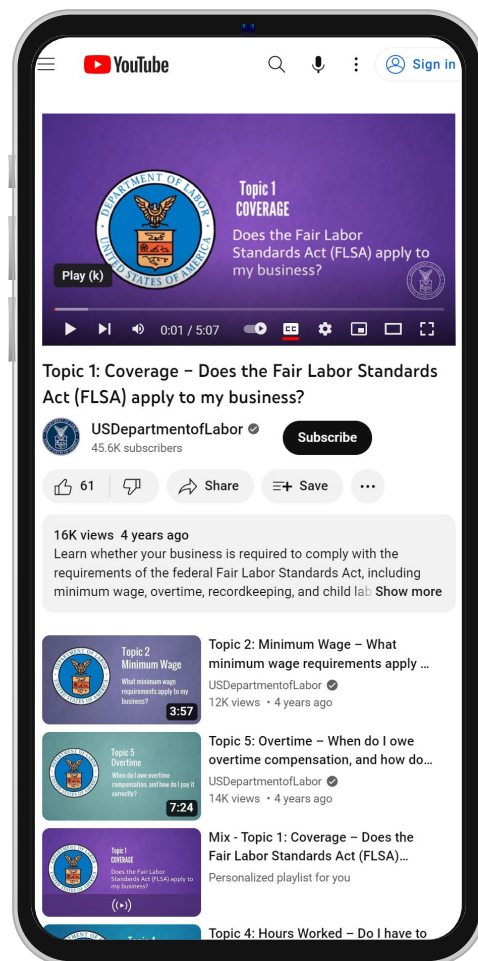
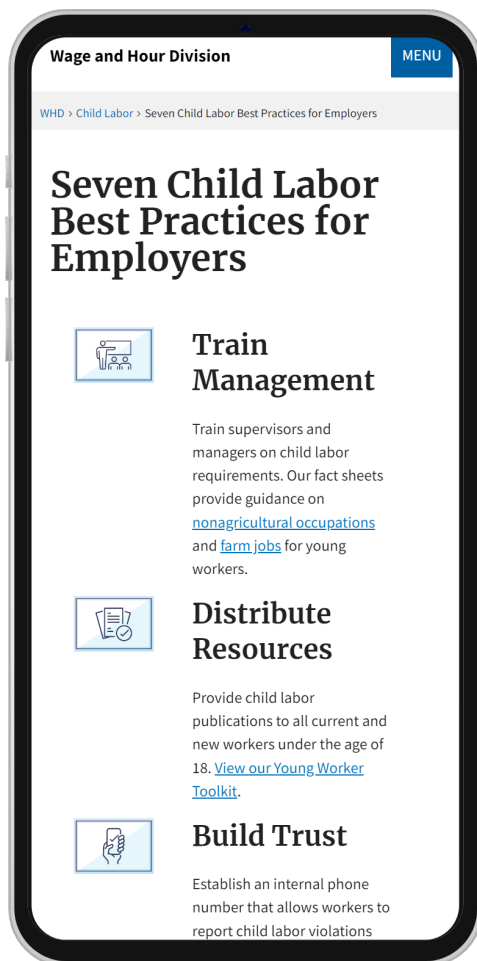
Social Media



Timesheet App



Child Labor Resources for Employers



Best Practices



DOL on YouTube



Conclusion

