

■ CHILD LABOR LAWS

TERMS:

Age Restrictions —

Children Age 9 to 11 — In general, a child who is under 12 years of age but no younger than 9 may be employed in agriculture only to pick berries or beans, only outside school hours, and only if (1) the child is employed with permission from his or her parent or guardian, (2) the child is paid at the same rate as workers age 12 and over performing the same work for the same employer, (3) the crop involved is sold only within Oregon and not transported out of the state in any form, and (4) the state enforcement agency has certified that there are not sufficient workers in the immediate area to harvest the crop without using 9- to 11-year-old pickers.

Children Age 12 and 13 — Most forms of agricultural employment are open to minors 12 and 13 years of age, but only outside the local school year.

Children Age 14 and Over — As long as work occurs only outside local school hours and complies with the work time limits noted below, children 14 years of age and older may work in non-hazardous agricultural activities with no other state restrictions.

Maximum Hours —

During the School Year — No child under the age of 16 may be employed in agriculture for longer than 3 hours a day on school days, 10 hours a day on non-school days, or 25 hours a week during school weeks.

Outside the School Year — From the last day of the most recently completed local school year until the first day of the next local school year, no one under the age of 16 may work more than 10 hours a day, or more than 60 hours or 6 days in any week.

Exceptions for Work with Power-Driven Machinery — When a worker under age 16 is employed to operate or assist in operation of power-driven farm machinery, or to ride in or on such machinery, maximum hours during the school year are 3 hours a day on school days, 8 hours a day on non-school days, and 18 hours a week during school weeks; between school years (during "summer vacation" periods), employment time generally may not exceed 10 hours a day and 60 hours a week during the harvest season, and 10 hours a day and 44 hours a week outside the harvest season. Minors 16 and 17 years old working in or on power-driven farm machinery are generally limited to working 25 hours a week during school weeks, and 60 hours a week between school years ("summer vacation" periods).

Hazardous Occupations — In general, no minor may operate or assist in the operation of power-driven farm machinery, or ride in or on any such machinery, unless (1) the employer obtains an employment certificate from the state labor department, and (2) the minor has obtained a certificate of training on tractor or related machinery operation issued by an approved training provider.

Employment Permits — Employment of a minor under the age of 14 requires an employment permit, issued by the state labor department. Likewise, farm operators who wish to employ minors as young as 14 to operate or to ride in or on power-driven farm machinery, or to ride in or on trailers or similar equipment connected to power-driven farm machinery, are required to obtain a special certificate from the department as well; a certificate authorizing such work may be issued only with proof that the minor has completed some form of pre-employment training approved by the department.

Meal Periods — Without exception, every employee under 18 years of age is entitled to a meal period of no less than 30 minutes. The meal period is not included as part of the day's work time.

Rest Periods — Each minor must have a paid 15-minute break every 4 hours, to be given as close to the middle of the 4-hour period as possible.

ENFORCEMENT: *Wage and Hour Division, Oregon Bureau of Labor and Industries, Portland, Oregon 97232 (971-673-0844).*