

■ **FAIR LABOR STANDARDS ACT OF 1938 (*CHILD LABOR*)**

TERMS:

Age Restrictions — No one under the age of 16 may be employed in agriculture during local school hours, even if state law does not require the child to attend school. Outside school hours, no one under the age of 14 may be employed in agriculture, except under the following conditions:

Children Under Age 12 — Children younger than 12 years old may be employed in non-hazardous farm activities outside school hours, but only with the written consent of their parents and generally only on farms where none of the workers are legally entitled to the federal minimum wage.

Exception — On farms subject to the minimum wage, children age 10 and 11 who live permanently in the local area may be employed in hand-harvest piecework-paid jobs for up to 8 weeks between June 1 and October 15, provided the farm operator has obtained special authorization from the U.S. Department of Labor. The Department may grant authorization only after determining, among other things, that employment of 10- and 11-year-olds would not threaten their health and well-being, and that the level and type of pesticides used would not have a negative effect on the children's health.

Children Age 12 and 13 — Children 12 and 13 years of age may be employed in non-hazardous agricultural activities outside school hours, but only with the written consent of their parents, or if the job is on the same farm where their parents are also employed.

Hazardous Occupations — No one under the age of 16 may be employed in any agricultural operation declared hazardous by the Secretary of Labor. This would include, among many other prohibited activities, (1) operating high-power tractors, (2) operating or helping to operate power-driven harvesting machines, (3) driving a bus, truck or automobile transporting passengers, (4) working from a ladder at a height of over 20 feet, and (5) handling or applying agricultural chemicals.

ENFORCEMENT: *Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210 (202-693-0072)*. Local offices of the Wage and Hour Division may be located on the agency's website, at www.dol.gov/whd/america2.htm.