

# A guide to Minnesota's Child Labor Standards Act

## MINORS UNDER 16 MAY NOT WORK

**FEDERAL LAW** (employers with annual sales or revenue of \$500,000 or more)

- During the school year:
  - later than 7 p.m.;
  - more than three hours a day; or
  - more than 18 hours a week.

**STATE LAW** (all employers)

- Before 7 a.m. or after 9 p.m., with the exception of a newspaper carrier
- For more than 40 hours a week or more than eight hours per 24-hour period, except in agricultural operations

## 16- AND 17-YEAR-OLDS MAY NOT WORK

**STATE LAW** (all employers)

- Later than 11 p.m. on evenings before school days or before 5 a.m. on school days. With written permission from a parent or guardian, these hours may be expanded to 11:30 p.m. and 4:30 a.m.

**Note:** If employers are covered by state and federal requirements, both laws must be followed.

## PROOF OF AGE

A minor's proof of age must be maintained as part of the payroll records. Acceptable proof is one of the following: a copy of a birth certificate; a copy of a driver's license or permit; an age certificate issued by the school; or an I-9.



## STATE AND FEDERAL CHILD LABOR LAWS

Employers are generally subject to both state child labor laws and the federal child labor provisions of the Fair Labor Standards Act (FLSA). Certain Minnesota child labor laws are more protective than federal law and vice versa. Employers covered by both Minnesota child labor laws and the federal FLSA must follow the most protective provisions that apply to their employees. Visit [dol.gov/agencies/whd/child-labor](http://dol.gov/agencies/whd/child-labor) for more information about federal child labor law.



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## MINIMUM AGE

A minor younger than 14 years of age **may not be employed**, except:

- as a newspaper carrier, if at least 11 years of age;
- in agriculture, if at least 12 years of age and with parent or guardian consent;
- as an actor or model; or
- as a youth athletic program referee, if at least 11 years of age and with parent or guardian consent.



## PROHIBITED OCCUPATIONS FOR MINORS

Minors cannot work in the following capacities:

- serving liquor;
- working with hazardous materials such as explosives;
- operating or assisting in the operation of power-driven machinery, such as forklifts, meat saws and grinders, milling machines, punch presses, press brakes and shears, and woodworking machinery; and
- on or about construction sites.

A detailed list of prohibited work for minors can be found in Minnesota Rules 5200.0910 and 5200.0920.

## PENALTIES FOR VIOLATION OF CHILD LABOR STANDARDS ACT

An employer that fails to comply with provisions of the Minnesota Child Labor Standards Act will be subject to penalties under Minnesota Statutes §181A.12. Penalties range in amount from \$250 to \$5,000 for each employee, for each violation.

Notice: This flyer is a brief summary of Minnesota law. It is intended as a guide and is not to be considered a substitute for Minnesota Statutes regarding child labor laws.

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