



We're not kidding around

What **grocery store operators** should know about child labor requirements under the Fair Labor Standards Act

As a **grocery store operator**, you may be experiencing a spike in the number of teenagers approaching your business looking for work as they seek opportunities to make their nights and weekends profitable. While this swell in the available workforce may provide welcome relief to any human capital shortages your business faces, you should be aware of what you must do to comply with federal child labor regulations and to keep minor employees safe on the job.

The U.S. Department of Labor, Wage and Hour Division (WHD), enforces the Fair Labor Standards Act (FLSA), the federal law that establishes minimum wage, overtime, child labor, and recordkeeping requirements for covered employers in the U.S. The child labor provisions of the FLSA were enacted to ensure that when young people work, the work does not jeopardize their health, well-being, or educational opportunities.

WHD finds violations of the child labor regulations at **grocery stores, supermarkets and convenience stores**, nationwide. Some of the problem areas seen in this industry include minors who:

- Operate or clean meat slicers
- Operate or clean commercial mixers
- Load, operate, or unload balers or compactors
- Drive motor vehicles on the job
- Bake (for 14- or 15-year-olds)
- Work outside of allowable hours (for 14- or 15-year-olds)

KNOW THE RULES:

- Rules vary depending upon the age of the employee. Once an employee is 18 years old, child labor rules no longer apply. Many [states](#) have enacted child labor laws as well. When federal and state laws are different, the rules that provide the most protection to young workers apply.

WHEN AND HOW MANY HOURS CAN MINORS WORK?

Under the FLSA, the minimum age for employment in non-agricultural jobs is **14 years old**. Hours worked by 14- and 15-year-olds are limited to:

- Non-school hours;
- 3 hours in a school day;
- 18 hours in a school week;
- 8 hours on a non-school day;
- 40 hours on a non-school week; and
- Hours between 7 a.m. and 7 p.m. (except from June 1 through Labor Day, when evening hours are extended to 9 p.m.)

The FLSA does not limit the number of hours or times of day for workers **16 years old and older**.

WHAT KINDS OF WORK CAN MINORS DO?

Sixteen- and 17-year-olds may work unlimited hours in any occupation other than those declared hazardous by the Secretary of Labor. Examples of occupations declared hazardous that are commonly found in food service establishments include using the following:

Power-driven meat processing machines (meat slicers, meat saws, patty forming machines, meat grinders, and meat choppers). Employees less than 18 years of age may not operate, feed, set-up, adjust, repair, or clean any of these machines or their disassembled parts.

Power-driven bakery machines (dough and batter mixers; dough rollers, rounders, dividers, and sheeters; and cookie or cracker machines). Employees 16 and 17 years old may operate certain lightweight, small, portable counter-top mixers and certain pizza dough rollers under certain conditions.

Balers and Compactors. Minors less than 18 years of age generally may not load, operate, or unload balers or compactors. Sixteen- and 17-year-olds may load, but not operate or unload, certain scrap paper balers and paper box compactors under certain specific circumstances .

Motor Vehicles. Generally, no employee less than 18 years of age may drive on the job or serve as an outside helper on a motor vehicle on a public road, but 17-year-olds who meet certain specific requirements may drive cars and trucks that do not exceed 6,000 pounds gross vehicle weight for limited amounts of time as part of their job. See WHD's Fact Sheet #34 for more details.

SPECIAL RULES FOR 14- AND 15-YEAR-OLDS

Fourteen- and 15- year-olds may be employed in **grocery stores, supermarkets and convenience stores** outside school hours in a variety of jobs for limited periods of time and under specified conditions.

14 & 15 YEAR OLD WORKERS MAY:

- Perform cashiering, **shelf stocking, bagging, and carrying out customers' orders.**
- Perform cleanup work, including using vacuum cleaners and floor waxers.
- Perform kitchen work and other work involved in preparing food and beverages, including operating devices used in such work, such as dishwashers, toasters, milk shake blenders, warming lamps, and coffee grinders.
- Perform limited cooking duties involving electric or gas grills that do not entail cooking over an open flame.
- Clean kitchen surfaces and non-power-driven equipment, and filter, transport, and dispose of cooking oil, but only when the temperature of the surface and oils do not exceed 100° F.

14 & 15 YEAR OLD WORKERS MAY NOT:

- Perform any of the work prohibited in the Hazardous Occupations Orders (discussed above for 16- and 17- year-olds), such as **operating, cleaning, adjusting, repairing, or oiling power driven machines including food slicers, grinders, processors, or mixers.**
- Perform ***any part of the baking process.***
- **Work in in warehousing or load or unload goods to or from trucks or conveyors.**
- Work in freezers or meat coolers, but they may occasionally enter a freezer briefly to retrieve items.
- **Operate power-driven lawn mowers or cutters, or load or unload goods to or from trucks or conveyors.**

For more information on the FLSA youth employment requirements, including a complete list of all hazardous occupation orders, visit the YouthRules! website at www.youthrules.dol.gov.

Most states have child labor protections of their own. Employers subject to both state and federal laws must abide by the stricter standard to be in compliance with both. You can find links to your state labor department at: www.dol.gov/whd/contacts/state_of.htm.

ENFORCEMENT

Child labor protections continue to be a priority for the Department of Labor. Accordingly, strong enforcement of these regulations includes a penalty structure designed to encourage employers to take compliance, and the safety of young employees, seriously. Violators of the youth employment provisions may be subject to a civil money penalty of more than \$13,000 for each minor employed in violation. Penalties for violations that cause the death or serious injury of a minor may be increased to more than \$59,000 and those penalties may be doubled (to more than \$118,000) when the violations are determined to be willful or repeated.

For additional information on the Fair Labor Standards Act, visit the Wage and Hour Division website: at <https://www.dol.gov/agencies/whd> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).