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## **elaws® - Fair Labor Standards Act Advisor**

### **Prohibited Occupations for Non-Agricultural Employees**

The [child labor rules](#) that apply to non-agricultural employment depend on the age of the young worker and the kind of job to be performed. 14 years old is the minimum age for non-agricultural employment covered by the FLSA. In addition to restrictions on [hours](#), the Secretary of Labor has found that certain jobs are too hazardous for anyone under 18 years of age to perform. There are additional restrictions on where and in what jobs 14- and 15-year-olds can work. These rules must be followed unless one of the FLSA's child labor [exemptions](#) apply.

A youth **18 years or older** may perform any job, whether hazardous or not.

A youth **16 or 17 years old** may perform any non-hazardous job. (See the list of hazardous occupations below.)

A youth **14 and 15 years old** may **not** work in the manufacturing or mining industries, or in any hazardous job. (See the list of hazardous occupations below.) In addition, a 14- or 15-year-old may **not** work in the following occupations:

- Communications or public utilities jobs;
- Construction or repair jobs;
- Driving a motor vehicle or helping a driver;
- Manufacturing and mining occupations;
- Power-driven machinery or hoisting apparatus other than typical office machines;
- Processing occupations;
- Public messenger jobs;
- Transporting of persons or property;
- Workrooms where products are manufactured, mined or processed;
- Warehousing and storage.

A 14- or 15-year-old **may work in retail stores, food service establishments and gasoline service stations**. However, a 14- or 15-year-old **may not** perform the following jobs in the retail and service industries:

- Baking;
- Boiler or engine room work, whether in or about;
- Cooking, except with gas or electric grilles that do not involve cooking over an open flame and with deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets in and out of the hot grease or oil;
- Freezers or meat coolers work;
- Loading or unloading goods on or off trucks, railcars or conveyors;
- Meat processing area work;
- Maintenance or repair of a building or its equipment;
- Operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers, grinders, choppers or cutters and bakery mixers;
- Outside window washing, or work standing on a window sill, ladder, scaffold or similar equipment;
- Warehouse work, except office and clerical work.

The jobs a 14- or 15-year-old **may do in the retail and service industries** include:

Bagging and carrying out customer's orders;  
 Cashiering, selling, modeling, art work, advertising, window trimming, or comparative shopping;  
 Cleaning fruits and vegetables;  
 Clean-up work and grounds maintenance - The young worker may use vacuums and floor waxers, but he or she cannot use power-driven mowers, cutters, and trimmers;  
 Clean cooking equipment, including the filtering, transporting and dispensing of oil and grease, but only when the surfaces of the equipment and liquids do not exceed 100° F;  
 Delivery work by foot, bicycle, or public transportation;  
 Kitchen and other work in preparing and serving food and drinks, but not cooking or baking (see hazardous jobs);  
 Office and clerical work;  
 Pricing and tagging goods, assembling orders, packing, or shelving;  
 Pumping gas, cleaning and polishing cars and trucks (but the young worker cannot repair cars, use garage lifting rack, or work in pits);  
 Wrapping, weighing, pricing, stocking any goods as long as the young worker does not work where meat is being prepared and does not work in freezers or meat coolers.

### Hazardous Occupations

18 is the minimum age for employment in non-agricultural occupations declared [hazardous](#) by the Secretary of Labor. The rules prohibiting working in hazardous occupations (HO) apply either on an industry basis, or on an occupational basis no matter what industry the job is in. Parents employing their own children are subject to these same rules. Some of these hazardous occupations have definitive exemptions. In addition, limited apprentice/student-learner [exemptions](#) apply to those occupations marked with an \*.

These rules prohibit work in, or with the following:

- HO 1. Manufacturing and storing of explosives.
- HO 2. Driving a motor vehicle and being an outside helper on a motor vehicle.
- HO 3. Coal mining.
- HO 4. Logging and sawmilling.
- \*HO 5. Power-driven woodworking machines.
- HO 6. Exposure to radioactive substances.
- HO 7. Power-driven hoisting apparatus.
- \*HO 8. Power-driven metal-forming, punching, and shearing machines.
- HO 9. Mining, other than coal mining.
- HO 10. Meat packing or processing (including the use of power-driven meat slicing machines).
- HO 11. Power-driven bakery machines.
- \*HO 12. Power-driven paper product machines, including scrap paper balers and paper box compactors.
- HO 13. Manufacturing brick, tile, and related products.
- \*HO 14. Power-driven circular saws, band saws, and guillotine shears.
- HO 15. Wrecking, demolition, and shipbreaking operations.
- \*HO 16. Roofing operations and all work on or about a roof.
- \*HO 17. Excavation operations.

More detail about the above listings can be obtained by reviewing the [child labor regulations](#).

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