



KNOW YOUR RIGHTS AS A WORKER

The Teen Worker Addendum

360-754-1350

INTRODUCTION

As a minor there are special regulations around working. Some may help you while others may make getting/keeping a job very difficult. This Zine is an attempt to explain the basics of those laws and regulations. The laws include a lot of "gray area" and you may find that the letter of the law is not followed in your workplace.

Disclaimer: This publication provides general information about employment rights in Washington State. It is only a brief overview and does not give all the details of the law. It should not replace legal advice from a lawyer.

Getting Hired

What your boss has to do to hire you.

Steps a business must follow

1. **Obtain a Minor Work Permit endorsement prior to hiring a minor.** Contact the Department of Licensing or any L&I office. They must post your Master Business License with current minor work permit endorsement. This must be renewed annually.
2. **Obtain a Parent/School Authorization Form.** Before employing a minor, a business must have the minor's legal guardian and school (during the school year). The completed Parent/School Authorization form must be kept by the employer. This form is sent to employers with the renewal of the minor work permit, or they can obtain it from L&I. They must keep the completed form

Prohibited hazardous duties for all minors:

- Explosives
- Mining
- Elevators
- Flagging
- Excavating
- Roofing
- Driving, if younger than 17. Seventeen-year-olds may drive under very limited circumstances.
- Firefighting
- Boilers or in engine rooms
- Earth-moving machines
- Logging and sawmill work
- Power-driven machines
- Nurses aide or assistant, unless the minor is in a state-certified program
- Work in freezers, meat coolers and in preparing meats for sale
- Operating or cleaning meat slicers
- Selling candy, flowers, etc., to passing motorists on the public right of way
- Work performed more than 10 feet above ground or floor level
- Manufacturing of brick, tile and kindred products
- Wrecking, demolition and shipbreaking operations
- Slaughtering, meat packing or processing
- Work in saunas or massage parlors
- Jobs requiring personal protective equipment
- Jobs with possible exposure to bodily fluids, or radioactive and hazardous substances

on file. It must be renewed annually. When school is not in session, a school signature is not required.

3. **Obtain proof of minor's age.** The boss must keep proof of age on file. Examples include a copy of a birth certificate or driver's license, or a witnessed statement of the parent or legal guardian.
4. **Keep employment records for 3 years after you hire a minor.** The business must keep information such as employee name, address, occupation, dates of employment, rate(s) of pay, amount paid each pay period and the hours worked. These records must be available to you (the employee) on request at any reasonable time.

Under 14? It's very difficult to get a job if you're under 14. Unless you work a reasonable amount at a family (your family) owned business. There is a special process available but it's meant to discourage you from working.

There are a host of exemptions in Labor law for agricultural jobs. One of the big one for young workers is the ability to start working at age 12.

HOURS

There are limits on how many hours you may work, depending on your age. This handy chart from the Dept of Labor & Industries lays it all out.

Hours and Schedules Minors are Permitted to Work in Non-Agricultural Jobs

	Hours a Day	Hours a Week	Days a Week	Begin	Quit
14-15 year-olds					
School weeks	3 hours (8 hours Sat.-Sun.)	16 hours	6 days	7 a.m.	7 p.m.
Non-school weeks	8 hours	40 hours	6 days	7 a.m.	7 p.m. (9 p.m. June 1 to Labor Day)

16-17 year-olds

School weeks 4 hours (8 hours Fri.-Sun.) 20 hours 6 days 7 a.m. 10 p.m. (Midnight Fri.-Sat.)

School weeks with a special variance 6 hours (8 hours Fri.-Sun.) 28 hours 6 days 7 a.m. 10 p.m. (Midnight Fri.-Sat.)

Non-school weeks 8 hours 48 hours 6 days 5 a.m. Midnight

Agriculture jobs are different.

Hours and Schedules Minors are Permitted to Work in Agricultural Jobs					
	Hours a Day	Hours a Week	Days a Week*	Begin	Quit
12- and 13- year-olds					
Non-school weeks	8 hours	40 hours	6 days	5 a.m.	9 p.m.
Note: 12- and 13-year-olds are allowed to work only during non-school week's hand-harvesting berries, bulbs, cucumbers and spinach.					
14- and 15- year-olds					
School weeks	3 hours	21 hours	6 days	7 a.m. (6 a.m. in animal agriculture and irrigation)	8 p.m.
Non-school weeks	8 hours	40 hours	6 days	5 a.m.	9 p.m.
* Exception: 14- and 15-year-olds are allowed to work 7 days a week in dairy, livestock, hay harvest and irrigation during school and non-school weeks.					
16- and 17-year-olds					
School weeks	4 hours	28 hours	6 days	5 a.m.	10 p.m. (No later than 9 p.m. on more than 2 consecutive nights)



Workers Information Networking Center (WINC)

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- A special variance must include signatures of approval from the parent, teen, business, and the school.
- The special variance is included on page 2 of the regular Parent/School Authorization form.
- A school district or individual private school must complete the Special Variance Enrollment form to participate in the special variance process.
- The school must verify that the employer has a valid minor work permit either verbally or by requesting a copy from the business.
- Important: The school must consider whether the student's school schedule and school performance can allow for the specific work hours.

L&I can prepare a variance in 24 hours if you're in a hurry. Showing up at their office in person will help make this possible.

Breaks

As a teen worker (under age 18) you are entitled to an uninterrupted meal break of at least 30 minutes if they work more than 5 hours in a day. You also are entitled to at least a 10-minute paid rest break for each 4 hours worked.

If you're a 14 or 15-year-old worker and don't work in agriculture they can't make you work more than 4 hours without a 30-minute uninterrupted meal period. This is separate from and in addition to rest breaks. You must also receive a paid rest break of at least 10 minutes for every 2 hours worked. They must give you some type of break after 2 hours for every 4 hours of work.

					before a school day.)
Non-school weeks	10 hours	50 hours (60 hours per week in mechanical harvest of peas, wheat and hay)	6 days	5 a.m.	10 p.m.
* Exception: 16- and 17-year-olds are allowed to work 7 days a week in dairy, livestock, hay harvest and irrigation during school and non-school weeks.					

Note: These child labor regulations do not apply to immediate family members of farm owners.

Getting permission for a 16- and 17-year-old teen to work extra hours

If there is "good cause" why a 16- or 17-year-old teen needs to work more hours per week than shown on the chart above, the employer can apply for a variance of:

Up to 28 hours per week — through a Special Variance

Many 16- and 17-year-olds have a reduced school schedule or have demonstrated that they are able to work additional hours on top of their school schedule and extracurricular activities. L&I has delegated the responsibility to grant permission for a minor to work up to eight extra hours during the school week to the parents and the school.

- With a special variance, a 16- or 17-year-old teen can work up to 6 hours in a day, with a maximum of 28 hours during a school week in non-agricultural jobs if the school, business, parents, and teens agree that the extra work hours would not be detrimental to the teen's well-being, school attendance or academic performance.
- The special variance does not require approval from Labor and Industries.

Wages

As a worker new to the workforce you most likely will be expected to work for minimum wage. The minimum wage in Washington is \$7.35 the minimum wage for 14- and 15-year-olds is 85 percent of the adult minimum wage (\$6.25 per hour)

If you work an agricultural job you may not receive minimum wage, but only under these conditions:

- The workers must be employed as hand-harvest laborers who are paid piece rate; and
- They commute daily from their permanent residence to the farm; and
- They were employed in agriculture less than 13 weeks during the preceding calendar year.

For example, this exemption could include teen workers living in the local community who harvest berries during the season, but do not normally work in agriculture at any other time.

Door to Door Sales

While your elementary school may have sent you door to door to raise money. You must be 16 to be legally employed as a door to door salesperson.

There must be a supervisor of at least 21 years of age that must have contact with you at least once every 15 minutes.

Your boss must issue you a picture ID

Minors cannot be employed in door to door sales before 7 a.m. or after 9 p.m. and not during school hours. All other restrictions for the hours of work for minors apply, as well as the meal and rest break requirements.



“Most injuries to Washington teenagers occur in the restaurant industry, which in Washington employs up to 50 percent of teenage workers. Many teenagers are needlessly injured on the job. Injuries such as slips and falls, cuts, burns, strains and sprains account for more than 85 percent of teen injuries in restaurants.” (L&I)