

Youth on the Job

Missouri Laws Protecting Young Workers



A resource to help understand
the laws surrounding
youth in the workforce.



**DIVISION OF
LABOR
STANDARDS**

Protecting Missouri's Young Workers:

Every year, youth are injured on the job throughout the state. Child labor laws were created to promote safety and health in the workplace and prohibit youth from working long hours, which can jeopardize their development and education.

*IMPORTANT NOTICE:

Door-to-door selling is a consistent problem facing youth in our state. Employment of youth under the age of 16 in any form of door-to-door selling or "street occupation" is prohibited (unless it is on behalf of a school, church, charitable entity (including scouts), or political candidate). *If you suspect a child is being subjected to door-to-door sales, please contact the Division of Labor Standards at 573-751-3403.*

Applicability of the Child Labor Law:

Missouri's Child Labor Law applies to youth under the age of 16. Youth under 14 generally are not permitted to work at any job (other than in entertainment) at any time. Youth who are 14 or 15 generally are permitted to work, but their work (as well as the work of all children in the entertainment industry) is subject to several restrictions.

Acceptable Work Hours: 14 and 15 Year Olds	
<i>While school is in session</i>	<i>While school is NOT in session</i>
7 a.m. to 7 p.m.	7 a.m. to 9 p.m.*
No more than 8 hours on non-school days. No more than 3 hours on school days.	No more than 8 hours on non-school days. No more than 3 hours on school days.
No more than 6 days a week.	No more than 6 days a week. (40 hours a week)

**In certain circumstances, 14 and 15 year olds may work until 10:30 p.m., if employed at a regional fair while school is not in session.*

Breaks and Lunches:

Missouri law does not generally require employers to provide employees, including youth workers, a break of any kind, including a lunch hour. These provisions either are left up to the discretion of the employer, can be agreed upon by the employer and employee, or may be addressed by company policy or contract.

In the entertainment industry, breaks and rest periods are required for youth workers. A youth cannot work more than five and one-half hours without a meal break. Additionally, a 15-minute rest period (which counts as work time) is required after each two hours of continuous work for youth in the entertainment industry.



Wages:

Most employers/businesses* must pay employees, including youth, the state minimum wage rate. Tipped employees, such as waiters/waitresses, must be paid at least half of the state minimum wage rate. For current state minimum wage rates, visit www.labor.mo.gov/DLS/WageandHour/minimumwage. Employees who do not receive payment for the work completed can file a wage complaint by visiting www.labor.mo.gov/DLS/index.asp.

*Employers engaged in retail or service businesses whose annual gross income is less than \$500,000 are not required to pay the state minimum wage rate.

Work Certificates and Work Permits:

Work certificates are required for children 14 and 15 years old before they start employment at any job (other than in the entertainment industry as discussed on the next page) during the school year. Work certificates are required regardless of where a child attends school (public school, private school, charter school, home school). Work certificates must be issued by either (1) the public school superintendent of the school district in which the child resides, (2) the chief executive officer of the charter school that the child attends, (3) the public or private school principal of the school that the child attends, (4) the designee of any of these school officials, or (5) if the child is home-schooled, a parent of the child. The public school superintendent of the school district in which the child resides may revoke a work certificate issued by a public or private school principal, if that is deemed to be in the best interest of the child.

Parents as Employers

Missouri Child Labor Laws apply even when a youth works under the supervision of a parent or legal guardian. The only exemption from the law is when the business is owned by the parent or legal guardian and the child remains **under the direct control** of the parent or legal guardian. If the parent or legal guardian is simply a supervisor, the law still applies.



Work permits are required for youth under the age of 16 who work in the entertainment industry. A child under 16 may work in the entertainment industry if the director of the Missouri Division of Labor Standards issues the work permit. No permit will be issued without proof of age, a permission form from the parent or legal guardian, and a written statement from the prospective employer setting out the nature and expected duration of employment. The employer must keep the work permit and the statement as to the nature and duration of the employment on file. Upon receipt, a work permit generally can be processed within 48 hours. Permits may be revoked or not issued at the request of school officials if they feel work is unfavorable to a youth's education.

Acceptable Jobs for Youth		
Age	Type of Work	Requirement
12-15	Babysitting. Newspaper delivery. Coaching or officiating at youth sporting events. Occasional yard or farm work, with the knowledge and consent of a parent.	None is needed.
14-15	Office/clerical work. Retail: cashier, price marking, bagging, selling, packing, shelving. Maintenance/janitorial services (for private residence). Food service delivery: Preparing/ serving food and beverages. Vehicle cleaning services: polishing and washing.	Certificate
All Ages Under 16	Entertainment industry.	Work Permit

Unacceptable Jobs for Youth

Age	Type of Work or Workplaces
All Ages Under 16	<p>Door-to-door sales (excluding churches, school, scouts).</p> <p>Operating hazardous equipment: ladders, scaffolding, freight elevators, cranes, hoisting machines, man lifts, etc.</p> <p>Handling/maintaining power-driven machinery (with the exception of lawn/garden machinery in a domestic setting).</p> <p>Mining, quarrying, or stone cutting/polishing (except in jewelry stores).</p> <p>Transporting or handling Type A and B explosives or ammunition.</p> <p>Operation of any motor vehicle.</p> <p>Metal-producing industries including stamping, punching, cold rolling, shearing, or heating.</p> <p>Saw mills or cooperage stock (barrel) mills or where woodworking machinery is used.</p> <p>Jobs involving ionizing or non-ionizing radiation or radioactive substances.</p> <p>Jobs in hotels, motels, or resorts unless the work performed is physically separated from the sleeping accommodations.</p> <p>Jobs in any establishment in which alcoholic beverages are sold, manufactured, bottled or stored unless 50 percent of the workplace sales are generated from other goods.</p> <p>Any job dangerous to the life, limb, health, or morals of youth.</p>

Additional federal restrictions regarding minimum wage, child labor laws, and youth employment also may apply.
 To learn more visit www.dol.gov/whd/childlabor.htm.

Workplace Injuries:

Most employers must carry workers' compensation insurance to provide certain benefits to employees who are injured or become ill because of their jobs.

Employees must report the injury IMMEDIATELY (within 30 days) to their supervisor or their employer's designee. Failure to do so may jeopardize your ability to receive workers' compensation benefits.

If you have questions about workers' compensation, please contact your employer for additional information. Or, you may contact an Information Specialist at the Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation at 1-800-775-COMP.

Unsafe Conditions:

Inexperience in the workplace is a safety concern. Youth are encouraged to report any unsafe conditions or equipment to their supervisor. If unsafe working conditions persist, you have the right to report the condition to the Occupational Safety and Health Administration (OSHA). *(See back for contact information.)*

Discrimination or Harassment:

If you encounter problems with discrimination or harassment while on a job or while applying for a job because of your race, color, religion, national origin, sex, ancestry, or disability, you have the right to file a complaint with the Missouri Commission on Human Rights or the federal Equal Employment Opportunity Commission (EEOC). To file a discrimination complaint, contact the Missouri Commission on Human Rights or the EEOC. *(See back for contact information.)*

Take Action!

Should you have reason to believe that an employer is not complying with the Missouri Child Labor Regulations and is employing or otherwise allowing a child to work in violation of the law, please contact the Division of Labor Standards at 573-751-3403 or childlabor@labor.mo.gov to report the situation. Any allegation regarding the unlawful employment of children is considered to be a serious matter and will be promptly investigated by the Division. All information we receive concerning allegations of child labor law violations is, by law, held in strict confidentiality.

Missouri Department of Labor and Industrial Relations

Division of Labor Standards

Youth Employment Section

3315 W. Truman Blvd., P.O. Box 449

Jefferson City, MO 65102

www.labor.mo.gov/DLS/YouthEmployment

E-mail: laborstandards@labor.mo.gov

E-mail: childlabor@labor.mo.gov

573-751-3403

Occupational Safety and Health Administration (OSHA)

Kansas City Area – 800-892-2674

St. Louis Area – 800-392-7743

U.S. Department of Labor

Wage and Hour Division

www.dol.gov

St. Louis – 314-539-2706

Kansas City – 913-551-5721

Toll Free – 866-487-9243

Relay Missouri

If calling by home phone or cell phone, dial “711.”

All other callers should dial 800-735-2966.

To file a discrimination complaint, contact:

The Missouri Commission on Human Rights

Toll-Free Discrimination Hotline – 877-781-4236

Jefferson City Office – 573-751-3325

St. Louis Office – 314-340-7590

www.labor.mo.gov/mohumanrights

OR

The Equal Employment Opportunity Commission

Kansas City Office – 913-551-5655

St. Louis Office – 314-539-7800

www.eeoc.gov

*Missouri Department of Labor and Industrial Relations
is an equal opportunity employer/program.*