

# Guidance on Federal and New Hampshire Youth Employment Laws



*Under federal and New Hampshire law, youths generally may be employed only under the circumstances and for the days and hours described below. There may be some exceptions for youths employed*

*by their parents and/or students who are enrolled in school-supervised and school-administered work experience programs.*

## **Restrictions On Type of Work:**

Youths under age 18 may be employed only for certain positions. Care must be taken to evaluate the specific position and types of equipment that will be used. Certain work relevant to the lodging and restaurant industries is considered hazardous for anyone under the age of 18, including the operation of some machinery, power-driven food slicers and grinders, food choppers and cutters, and power-driven bakery machines.

Youths may be employed to do office and clerical work; cashing and selling; price marking; bagging and carrying out customers' orders; errand and delivery work by foot, bicycle and public transport; inside and outside "clean up" work (so long as 14 and 15 year olds are not permitted to use power-driven mowers or cutters and no youth is permitted to use a power saw); kitchen work and other work involved in preparing and serving food and beverages; and cleaning vegetables and fruits, and wrapping, sealing, labeling, weighing, pricing and stocking goods so long as the work is not performed in freezers or meat preparation areas and coolers, with the exceptions for youths ages 14 and 15 noted below.

Youths ages 14 and 15:

- may not perform any baking activities which include, among other things, weighing, mixing and assembling of ingredients and the operation of pizza and convection ovens;
- may not cook, 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;
- may not clean maintain or repair any power-driven cooking devices, but they may clean, maintain or repair any other cooking device when the temperature of the surface or liquids does not exceed 100°F; and
- may not use any equipment or cooking devices that operate at extremely high temperatures including, among others, Neico broilers and rotisseries.

Youths who are age 16 may not perform even "incidental and occasional" driving. Youths who are 17 and have a valid driver's license may perform "incidental and occasional driving" in a vehicle weighing less than 6,000 pounds during daylight hours; however, the vehicle must have safety belts, the employer must instruct each youth that the seatbelts must be used, the youth must have no moving violations on his/her driving record at the time of hire, and the driving must not involve time sensitive delivery, exceed a 30-mile radius from the employer or involve more than two trips away from the employer in one work day to deliver goods to a customer.

## **Restrictions Applicable to Youths Ages 14 and 15:**

Youths ages 14 and 15 may be employed only if the employer has a work certificate for the youth on file within three (3) business days of their first date of employment. Youth certificates are available from local schools.

They may not work earlier than 7:00 a.m. or later than 7:00 p.m. except during summer vacation (defined as June 1 through Labor Day), when they may work as late as 9:00 p.m.

They may not work more than three (3) hours per day on school days.

On non-school days, they may not work more than eight (8) hours per day.

They may not work more than eighteen (18) hours per week during weeks when school is in session.

During school vacations (including summer vacation), they may not work more than forty (40) hours per week.

## **Restrictions Applicable To Youths Ages 16 and 17 who are Duly Enrolled in School:**

Youths 16 or 17 years of age may be employed only if the employer has on file for the youth a signed written document from the youth's parent or legal guardian permitting the youth's employment.

They may not work more than six (6) consecutive days during the school calendar week (Sunday through Saturday).

They may not work more than thirty (30) hours per week during the school calendar week.

They may not work more than six (6) consecutive days during school vacation weeks, including summer vacation (defined as June 1 through Labor Day).

They may not work more than forty-eight (48) hours per week during school vacation weeks, including summer vacation.

They may not work more than ten (10) hours per day in manufacturing or ten and one quarter (10.25) hours in any one day in manual or mechanical labor.

They may not work at "night work" (between 8:00 p.m. and 6:00 a.m.) more than 8 hours per night in any 24 hour period or more than 48 hours per week.

## **Restrictions Applicable to Youths Ages 16 and 17 who are not Duly Enrolled in School:**

Youths 16 or 17 years of age may be employed only if the employer has on file for the youth a signed written document from the youth's parent or legal guardian permitting the youth's employment.

They may not work more than 10 hours per day nor more than 48 hours per week in manufacturing.

They may not work more than ten and one quarter (10.25) hours per day nor more than 54 hours per week in mechanical or manual labor.

They may not work at "night work" (between 8:00 p.m. 6:00 a.m.) more than 8 hours in any 24 hour period or more than 48 hours per week.

## **Schedules for All Youths Under the Age of 18 Must Be Posted:**

Each workweek, youth employee's daily schedule (including daily meal breaks and the maximum number of hours the youth is permitted to work in any one day) must be posted in a conspicuous place in every room in which the youth is employed. A list by name of the employee, stating the shift in which each is employed, must also be kept on file by the employer.

Information provided as a benefit to members of New Hampshire Lodging and Restaurant Association. A statewide nonpartisan trade association founded in 1914. Our mission is to promote, protect and educate the foodservice and lodging industries of the state and to ensure positive business growth for our members. NHLRA strives to represent the best interest of its members on small business issues, hospitality and tourism concerns and towards the protection of New Hampshire's quality of life. For more information call us at 603-228-9585.