

School's Out For Summer...Are you Hiring?

Employment Law / May 25, 2017

With schools across the country about to wrap up for the year, many teenagers will be looking for jobs to earn some extra spending money or keep themselves occupied this summer. And many employers--in particular restaurants, retail establishments, hospitality, and amusement/recreational facilities--whose businesses pick up in the summer rely upon this short-term labor force to fill voids. If your business anticipates hiring workers under the age of 18, here are some things to keep in mind:

- Employees must be at least 14 years old, unless they are the children of the owners of the business.
- Workers under 16 cannot work more than 8 hours per day or 40 hours per week, even if paid time-and-a-half. Additionally, workers under 16 cannot work past 9 p.m. during the summer months (7 p.m. for non-summer months). And if you plan on keeping a 14- or 15-year old employed after the summer, there are restrictions on the numbers of hours they can work...no more than 3 hours a day on a school day, and no more than 18 hours per week.
- Minors are generally entitled to receive at least minimum wage, which is currently \$7.25/hour at the federal level (some states have a higher minimum wage). There is no special reduced "child" wage rate, although employers can under federal law pay workers under the age of 20 as little as \$4.25/hour for the first 90 days of employment (so long as it does not run afoul of any differing state minimum wage laws).
- Workers under the age of 18 cannot work in jobs that are defined by the Secretary of Labor to be "hazardous" (operating heavy machinery, driving, mining/trenching, roofing, etc.).
- Remind managers of the company's anti-harassment and discrimination policies. Teen workers are more commonly subject to harassment in the workplace because they are sometimes viewed as more vulnerable or naïve. Managers should be reminded that the company will not tolerate any harassment or discrimination against any employees, and that managers should take extra precautions to make sure that teenage employees are not subjected to harassment or discrimination.