

STATE OF OHIO

MINOR LABOR LAWS

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OHIO REVISED CODE CHAPTER 4109*

"MINOR" MEANS ANY PERSON LESS THAN 18 YEARS OF AGE

WORKING PERMITS: Every minor 14 through 17 years of age must have a working permit unless otherwise stated in Chapter 4109.

WAGE AGREEMENT: No employer shall give employment to a minor without agreeing with him/her as to the wages or compensation he/she shall receive for each day, week, month, year or per piece for work performed.

REST PERIOD: No employer shall employ a minor more than 5 consecutive hours without a rest period of at least 30 minutes.

LIST OF MINORS EMPLOYED: Employer shall keep a list of minors employed at each establishment and a list must be posted in a conspicuous place to which all minor employees have access.

TIME RECORDS: Every employer shall keep a time book or other written record showing actual starting and stopping time of each work and rest period. These records must be kept for two (2) years.

RESTRICTIONS ON WORKING HOURS FOR MINORS 14 and 15 YEARS OF AGE

No person under 16 shall be employed:

- During school hours except where specifically permitted by Chapter 4109
- Before 7 a.m. or after 9 p.m. from June 1st to September 1st or during any school holiday of 5 school days or more; or after 7 p.m. at any other time
- For more than 3 hours a day in any school day
- For more than 18 hours in any school week
- For more than 8 hours in any day when school is not in session
- For more than 40 hours in any week that school is not in session nor during school hours, unless employment is incidental to bona fide programs of vocational cooperative training, work-study, or other work-oriented programs with the purpose of educating students, and the program meets standards established by the state board of education.

RESTRICTIONS ON WORKING HOURS FOR MINORS 16 and 17 YEARS OF AGE

No person 16 or 17 who is required to attend school shall be employed:

- Before 7 a.m. on any day that school is in session or 6 a.m. if the person was not employed after 8 p.m. the previous night
- After 11 p.m. on any night preceding a day that school is in session.

PROHIBITED OCCUPATIONS FOR MINORS UNDER 16 YEARS OF AGE

- All manufacturing; mining; processing; public messenger service
- Work in freezers and meat coolers and all preparation of meats for sale (except wrapping, sealing, labeling, weighing, pricing and stocking)
- Transportation; storage; communications; public utilities; construction; repair
- Work in boiler or engine rooms; maintenance or repair of machinery
- Outside window washing from window sills or scaffolding and/or ladders
- Cooking and baking; operating, setting up, adjusting, cleaning, oiling or repairing power-driven food slicers, grinders, food choppers, cutters, bakery type mixers
- Loading or unloading goods to and from trucks
- All warehouse work except office and clerical
- Work in connection with cars and trucks involving the use of pits, racks or lifting apparatus or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.

PROHIBITED OCCUPATIONS FOR MINORS 14 through 17 YEARS OF AGE

- | | |
|---|--|
| 1. Occupations involving slaughtering, meat-packing, processing or rendering | 10. Power-driven woodworking machines |
| 2. Power-driven bakery machines | 11. Coal mines |
| 3. Occupations involved in the manufacture of brick, tile and kindred products | 12. Occupations in connection with mining, other than coal |
| 4. Occupations involved in the manufacture of chemicals | 13. Logging and sawmilling |
| 5. Manufacturing or storage occupations involving explosives | 14. Motor vehicle occupations |
| 6. Occupations involving exposure to radioactive substances and to ionizing radiations | 15. Maritime and longshoreman occupations |
| 7. Power-driven paper products machines | 16. Railroads |
| 8. Power-driven metal forming, punching and shearing machines | 17. Excavation operations |
| 9. Occupations involved in the operation of power-driven circular saws, band saws and guillotine shears | 18. Power-driven and hoisting apparatus |
| | 19. Roofing operations |
| | 20. Wrecking, demolition, and shipbreaking. |

MINORS UNDER 16 YEARS OF AGE MAY NOT ENGAGE IN DOOR-TO-DOOR EMPLOYMENT UNLESS

The for-profit employer is REGISTERED with the Ohio Department of Commerce. DOOR-TO-DOOR SALES EMPLOYERS SHALL:

- Be in compliance with all applicable Ohio and Federal laws relating to the employment of minors
- Provide at least one supervisor who is over the age of eighteen, for each six minor employees
- Have been and be in compliance with Ohio's Motor Vehicle Financial Responsibility, Workers' Compensation, Unemployment Compensation, and all other applicable laws
- Require all minors to work at least in pairs
- Not employ any minor who does not have an appropriate Age and Schooling Certificate
- Provide each minor employee with a photo identification card
- Not employ any minor in any door-to-door sales activity during school hours except where specifically permitted
- Not employ minors under 16 in door-to-door sales activity before 7 a.m. or after 7 p.m.
- Not employ minors 16 and 17 years of age in door-to-door sales activity before 7 a.m. or after 8 p.m.

*For Exceptions to Coverage See Chapter 4109.06

This is a summary of ORC 4109. This summary does not include all of the requirements for minor labor laws. Persons should refer to 4109 for specific requirements applicable to them. This information can be accessed through the Ohio Department of Commerce website at www.com.ohio.gov.

POST IN A CONSPICUOUS PLACE

For further information about Minor Labor issues, please contact: The Ohio Department of Commerce, Division of Industrial Compliance & Labor, 6606 Tussing Road, Reynoldsburg, OH 43068 Phone: 614-644-2239. TTY/TDD: 800-750-0750. An Equal Opportunity Employer and Service Provider (REV. 9/13/16)

Applying for your Minor Work Permit

What you should know about THE PROCESS:

1. First, the minor student applies for a job. **AFTER THE STUDENT IS HIRED FOR THE JOB**, obtain a Work Permit Application from Kenston High School: 9500 Bainbridge Road. Chagrin Falls, OH 44023. Main Office: 440-543-9821. If printed from website, it must include both front and back. (Some employers will also have a copy of the permit already complete with their information)
2. Fill out all of the **STUDENT'S INFORMATION** on the application.
3. The employer will need to fill out the **PLEDGE OF THE EMPLOYER** section - Employer's Tax ID number, hours they expect student to work, how many days per week, and specific job description. *This information is needed in order to process the permit with the Ohio Dept. of Commerce.*
4. **PHYSICIANS APPROVAL** or copy current physical. (Physician's signature or copy of student athlete physical from the KHS Athletic Dept.)
5. Student must provide one (1) of the following **PROOF OF IDENTIFICATION**:

BIRTH CERTIFICATE/RECORD	DRIVER'S LICENSE	INSURANCE POLICY
PHYSICIAN'S CERTIFICATE	PROBATE COURT RECORD	PASSPORT
RELIGIOUS RECORD	STATE ID	
6. Kenston High School will process the Minor Work Permit through the Ohio Dept. of Commerce website. Please allow one (1) day to complete.
7. The student will need to sign two (2) copies of printed permits in the presence of a KHS Staff member. Single copy is to be given to the new employer, 2nd copy will remain at KHS on file.

Why a Work Permit?

The Department of Labor is committed to helping young workers find those positive and early employment experiences that can be so important to their development, but the work must be safe. The youth employment provisions of the Fair Labor Standards Act FLSA were enacted to ensure that when young people work, the work does not jeopardize their health, well-being or educational opportunities. Employers are subject to the youth employment provisions generally under the same coverage criteria as established for the other provisions of the FLSA. It is an unfortunate fact that children do get injured, even killed, in the workplace. The National Institute for Occupational Safety and Health estimates that 160,000 American children suffer occupational injuries every year – and 54,800 of these injuries are serious enough to warrant emergency room treatment.

Both Federal and State laws govern the employment of young workers and when both are applicable, the law with the stricter standard must be obeyed.

STUDENTS STILL IN SCHOOL: The Labor Laws of the State of Ohio requires students from 14 through 17 years of age to file a work permit for part-time jobs. This applies to both summer jobs and part-time jobs during the school year. Those students interested who reside within the Kenston Local School District can obtain an application at Kenston High School, 9500 Bainbridge Road, Chagrin Falls, OH 44023 at the Main Office (440-543-9821). The application for the Minor Work Permit, copy of identification (see list above) and Physician's Certificate must be included in order for the work permit to be processed. Office hours are Monday through Friday, 7am to 3pm. The student must be present to sign the completed permit once processed through the Ohio Dept. of Commerce website.

STUDENTS WHO ARE QUITTING SCHOOL: The Attendance Laws of the State of Ohio require a student between 16 and 18 years of age who wishes to quit school and work full time to receive an Age and Schooling Certificate (Work Permit).

ALL THE INFORMATION ON THE APPLICATION FORMS MUST BE ACCURATE AND COMPLETE IN ORDER FOR A WORK PERMIT TO BE APPROVED AND PROCESSED.

APPLICATION FOR MINOR WORK PERMIT

3331.02 ORC
4109.02 ORC

STUDENT / APPLICANT INFORMATION

Name of Student / Applicant in full:

Sex:

☐ Male ☐ Female

Grade Level:

Proof of Age (Type of document):

Age:

Date of Birth:

Physician's certificate:

☐ Submitted with this application ☐ Valid physician's certificate on file

Address of Student /Applicant:

School District:

Building:

Parent or Guardian:

Parent or Guardian Telephone Number:

Address of Parent or Guardian:

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE ABOVE STATEMENTS ARE TRUE AND THAT THE MINOR NAMED ABOVE WILL WORK WITH MY APPROVAL.

X

Signature of Parent or Guardian

Date Signed

THE NUMBER OF HOURS OR DAYS AND THE TIMES DISPLAYED BELOW OR ON THE FINAL PERMIT ARE FOR REGULATORY PURPOSES ONLY AND ARE NOT TO BE CONSTRUED IN ANY WAY OR MANNER TO BE INDICATIVE OF A CONTRACT BETWEEN AN EMPLOYER AND THE EMPLOYEE.

I HEREBY CERTIFY THAT I HAVE EXAMINED AND APPROVED THE ABOVE NOTED DOCUMENTARY PROOF OF AGE.

X

Superintendent / Chief Administrative Officer / Designated Issuing Officer

Name of Office

Address of Office

PLEDGE OF EMPLOYER

Name of Firm:

Telephone Number at Minor's Work Location:

Address of Student /Applicant's Place of Employment, Job Site, or Work Location:

Specific Nature of Employment:

Employer's Tax ID Number (9 digits). THIS FIELD IS MANDATORY

No. of Days Per Week: Hours Per Day: Starting Time: Quitting Time:

IF MINOR WORKS A VARIED OR IRREGULAR SCHEDULE, ENTER "REPRESENTATIVE" TIMES IN ITEMS 1 THRU 4. ARE HOURS TO BE WORKED WITHIN THE LIMITS OF THE LAW?

☐ YES

☐ NO

THE UNDERSIGNED HEREBY AGREES TO EMPLOY THE ABOVE NAMED CHILD IN ACCORDANCE WITH LAWS REGULATING THE EMPLOYMENT OF MINORS. THE EMPLOYER FURTHER AGREES TO GIVE MINOR A COPY OF THE WAGE AGREEMENT IN ACCORDANCE WITH SEC. 4109.42 ORC. THE EMPLOYMENT WILL BECOME EFFECTIVE AS SOON AS THE NECESSARY AGE AND SCHOOLING CERTIFICATE IS VERIFIED BY THE EMPLOYER. THE EMPLOYER AGREES TO PERMIT THE CHILD TO ATTEND PART TIME SCHOOL WHEN SUCH IS AVAILABLE AND TO NOTIFY THE SCHOOL WITHIN FIVE DAYS AFTER THE EMPLOYMENT OF THE CHILD TERMINATES

X

Signature of person authorized to sign for employer

Address of employer if different from minor's place of employment

Date signed

Telephone number

E-Mail address

(Optional- if employer wants notification in case of revocation)

PHYSICIAN'S CERTIFICATE FOR MINOR WORK PERMIT

3331.02 ORC
4109.02 ORC

APPLICANT INFORMATION

Name of Student / Applicant in full:

Sex:

☐

Male

☐

Female

Date of Birth:

Height:

 ft. in.

Weight:

 lbs.

Color of Hair:

Color of Eyes:

Distinguishing Characteristics, if any:

School District:

Building:

Parent or Guardian:

Parent or Guardian Telephone Number:

PHYSICIAN'S APPROVAL

THE UNDERSIGNED HEREBY CERTIFIES THAT THEY HAVE THOROUGHLY EXAMINED THE ABOVE NAMED APPLICANT WHO WAS BORN ON THE DATE STATED ABOVE, AND WHO MEETS THE DESCRIPTION GIVEN HEREON, AND THAT SAID PERSON;

☐

IS

☐

IS NOT

IN THEIR OPINION PHYSICALLY FIT TO PERFORM THE WORK OF ANY EMPLOYMENT NOT FORBIDDEN BY LAW TO A PERSON OF THIS AGE AND SEX.

X

Physician's Signature

Date Signed

NOTE: IF WORK SHOULD BE LIMITED TO A CERTAIN TYPE OF EMPLOYMENT, THE PHYSICIAN MUST MARK THIS FORM ACCORDINGLY IN THE AREA BELOW.

Limited Certificate:

☐

YES

☐

NO

If Marked YES;

Employment should be Limited to Work Specified Below:
