

● CHILD LABOR LAW

STATUTORY CITATION: Neb. Rev. Stat. §§ 48-301 – 48-313

GENERAL SUMMARY: The state child labor law requires most employers in Nebraska to obtain an employment certificate as a prerequisite to hiring any minor under 16 years of age, limits the working hours of persons under 16, and forbids the employment of anyone under 16 in any job that is dangerous to the child's life, health or morals.

SPECIFIC TERMS AND CONDITIONS

EMPLOYMENT CERTIFICATES — In general, no minor under the age of 16 may be employed or permitted to work unless the employer first obtains from the minor and keeps on file an employment certificate issued by the local school district. Except in connection with a state-approved vocational education program, an employment certificate may not be issued to anyone under 14.

WORKING HOURS — Minors under 16 years of age are not permitted to work for more than 8 hours in any one day or more than 48 hours in any one week, nor generally before the hour of 6:00 a.m. or after 10:00 p.m.

HAZARDOUS OCCUPATIONS — Minors under 16 may not be employed in work that is dangerous to life, safety or health. Whether or not a particular activity is hazardous is judged by the enforcement agency case-by-case.

EXCEPTIONS FOR WEEDING, ROGUING OR DETASSELING CORN OR OTHER SEED PRODUCTS — Minors under 16 and as young as 12 years old may be employed in these crop operations without the need of an employment certificate, provided (1) the employment occurs outside school hours during June, July or August, (2) the child's legal residence is within 75 miles of the workplace, and (3) the employer obtains written consent from the child's parent or guardian.

Children 12 through 15 years of age may be employed in this type of work only up to 48 hours in any one week, only up to 9 hours in any one day, and only between the hours of 6:00 a.m. and 8:00 p.m. (10:00 p.m. in the case of 14- and 15-year-olds).

Any employer who employs a child under 16 years of age in weeding, roguing or detasseling corn or other seed products is required to provide at least 2 supervisors who are 18 years of age or older at each such work location. The supervisors must be capable of assisting with issues of health, safety and wages. Likewise, the employer must provide the parents of each such child worker with an information sheet defining the terms of employment, including the availability of water and sanitation facilities on the job and the wages to be paid. The sheet must also include contact information for the state labor department for wage-complaint purposes.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Office of Labor Standards, Nebraska Department of Labor, Lincoln, Nebraska 68508 (402-471-2239)*. Representatives of the Department are authorized to inspect documentary evidence of the age and employability of any minor employed at any workplace in the state, in order to ascertain compliance with the child labor laws. Violations are treated as a misdemeanor.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.