

## ● YOUTH EMPLOYMENT LAW

*STATUTORY CITATION:* N.H. Rev. Stat. §§ 276-A:1 – 276-A:26

*RELATED REGULATIONS:* N.H. Code Admin. R. Lab. 1000

*GENERAL SUMMARY:* The Youth Employment Law establishes a minimum lawful employment age of 12 in New Hampshire, restricts the total hours and time of day during which minors may be employed, limits employment in certain hazardous occupations, and requires issuance of a youth employment certificate as a precondition on hiring minors in most industries.

### *PROVISIONS APPLICABLE TO AGRICULTURE*

**MINIMUM AGE** — Except in employment that is brief or intermittent, or that produces little or sporadic income, generally no one under 12 years of age may be employed or permitted to work in any occupation, including agriculture.

**HOUR RESTRICTIONS** — As a rule, no one under the age of 16 may work earlier than 7:00 a.m. or later than 9:00 p.m., or for more than 3 hours a day on a school day, 8 hours on a non-school day, 23 hours a week during school weeks, and 48 hours a week during vacations. Likewise, 16- and 17-year-olds who are enrolled in school may not work for more than 6 consecutive days or more than 30 hours during a school week, nor for more than 6 consecutive days or 48 hours in any one week during school vacation periods.

*Agriculture Exception* — In response to a written application from an agricultural employer seeking a variance for a particular youth working in a specified agricultural operation, the hour restrictions may be suspended by the state enforcement agency.

**HAZARDOUS OCCUPATIONS** — With few exceptions, it is unlawful to employ a person under 16 in logging operations, or to employ anyone under 18 in an occupation determined by the state agency to be hazardous. The agency has adopted the hazardous occupation standards established by the U.S. Department of Labor (*see entry, U.S. — Child Labor — Age, Hours, and Related Standards*).

**EMPLOYMENT CERTIFICATES** — The general ban on employment of minors under 18 without a youth employment certificate issued by the local school district **does not apply** to farm labor.

### *ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Inspection Division, New Hampshire Department of Labor, Concord, New Hampshire 03301 (603-271-3176)*. Investigators from the Department are directed to visit and inspect all workplaces in the state to assure compliance with the youth employment statute, and are authorized to serve warrants. Anyone who employs a minor in violation of these provisions, and any parent, grandparent or guardian who allows a child in his or her custody to work unlawfully, is guilty of a criminal offense.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — Truant officers employed by the local school districts exercise the same authority to enter and inspect places of employment as does the Department of Labor in enforcing the Youth Employment Law.