

## ● CHILD LABOR LAWS

*STATUTORY CITATION:* 29 Laws P.R. Ann. §§ 431 – 456

*RELATED REGULATIONS:* Regulation 230

*GENERAL SUMMARY:* Puerto Rico's child labor laws limit the working hours and occupations of persons under 18 years of age, prohibit the employment of minors in certain injurious occupations, prescribe the use of employment certificates as a means of regulating the use of child labor in most trades and industries, and grant minors the right to on-the-job lunch periods.

### *PROVISIONS APPLICABLE TO AGRICULTURE*

#### AGE AND HOUR LIMITATIONS —

**Children Under Age 14** — With few exceptions, minors under the age of 14 may not be employed in agriculture or any other industry at any time.

**Children Age 14 and 15** — Minors 14 and 15 years of age are forbidden to work in any gainful occupation during the hours in which the public schools are in session. Outside school hours and during school vacations, 14- and 15-year-olds may be employed in agriculture and most other industries for up to 6 consecutive days and up to 40 hours in any one week, and for up to 8 hours in any one day. Employment is not authorized before 8:00 a.m. or after 6:00 p.m. On any school day, the combined hours of class time and employment, if any, may not exceed 8 hours.

**Children Age 16 and 17** — In agriculture as in most other sectors, no minor 16 or 17 years of age may work before 6:00 a.m. or after 10:00 p.m., and those attending school and working after class on school days are limited to a combined total of 8 hours of school and work time.

**INJURIOUS OCCUPATIONS** — It is generally unlawful to employ minors, or allow minors to work, in an occupation deemed by the enforcement agency to be dangerous or injurious to their life, health, education, safety or welfare. Among other agriculturally related activities, no one under the age of 18 may be employed to cut sugarcane, to operate power-driven mowers, to drive or assist in driving a tractor or other vehicle, or to perform work at a height of more than 5 feet, or in a job requiring the use or handling of pesticides and similar agricultural chemicals. Similarly, minors under 16 years of age may not be employed in the cutting, lashing or binding of tobacco, in irrigating with chemicals, in spraying chemical fertilizers, or in weeding operations.

**EMPLOYMENT CERTIFICATES** — Except in the harvest of coffee, minors 14 through 17 years of age (inclusive) generally may not be employed or permitted to work in agricultural and most other gainful occupations unless the employer obtains and keeps on file an employment certificate from the enforcement agency, and conspicuously posts at the workplace a list of all minors employed at his or her establishment. Minors hired to pick coffee must carry and present to the employer a card, issued by the department in lieu of an employment certificate, indicating that the child is at least 14 years old and in sound physical condition.

**LUNCH PERIODS** — No minor may be employed for more than 4 consecutive hours without being allowed at least one hour for lunch.

### *ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Bureau of Labor Standards, Puerto Rico Department of Labor and Human Resources, Hato Rey, Puerto Rico 00918 (787-754-2100)*. It is the duty of this agency to determine the eligibility of minors for employment and to issue certificates to those applicants who meet the minimum age and other requirements for the prospective job. To determine employer compliance with the child labor laws, agents of the Department may enter any workplace in Puerto Rico for the purpose of examining employment and age certificates and inspecting other personnel records. Violation of these provisions is classified as a misdemeanor, punishable by fine or imprisonment.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *None*.