

● CHILD LABOR LAWS

STATUTORY CITATION: Vt. Stat. Title 21, §§ 430 – 453

RELATED REGULATIONS: Vt. Code R. 24-010-009

GENERAL SUMMARY: Vermont's child labor laws regulate the employment of minors under 16 years of age, by requiring such individuals to have a state-issued certificate as a prerequisite to employment during school hours, limiting the working hours of minors under 16 in most trades and industries, and generally prohibiting employment of minors under 16 in certain occupations regarded as hazardous to a child's health or well-being.

PROVISIONS APPLICABLE TO AGRICULTURE

MINIMUM AGE —

Children Under Age 12 — With parental permission, minors under 12 may work in non-hazardous jobs during non-school hours on any farm where none of the workers are covered by the federal minimum wage (*see entry, U.S. — Wages & Hours — Minimum Wage*).

Children Age 12 and 13 — During vacation periods and before and after school, children 12 and 13 years of age may work in non-hazardous agricultural activities provided they have written permission from their parent or guardian, or are working on the same farm as their parent or guardian.

Children Age 14 and Over — Except for the hours limitation discussed below, there are generally no restrictions on the employment of workers 14 years old and older in non-hazardous agricultural activities.

WORKING HOURS — No child under 14 may be employed in any occupation during school hours. No child under 16 years of age may be employed for more than 8 hours in any one day or more than 40 hours in any one week.

The statutory limitations on the time of day during which minors may be employed **do not apply** to work connected with agriculture.

EMPLOYMENT CERTIFICATES — Agricultural and non-agricultural employers are forbidden from hiring any person under the age of 16 during school hours, unless the child has a certificate issued by the state authorizing such employment. Issuance of a certificate is dependent on the child's good standing in school, proof of age, and a physician's statement of the child's physical fitness.

HAZARDOUS OCCUPATIONS — Among the activities regarded as hazardous, and thus closed to children under 16, are (1) driving a tractor of over 20 PTO horsepower, (2) operating or helping to operate power harvesting equipment, (3) working from a ladder at a height of over 20 feet, and (4) driving a vehicle transporting passengers.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Wage and Hour Program, Vermont Department of Labor, Montpelier, Vermont 05601 (802-828-4204)*. Agents of the Department are authorized to inspect workplaces where minors are employed, examine employment certificates, and take related action to determine compliance with the child labor laws. An employer who employs a child in violation of these provisions, and any person who has control of the child and permits the child's unlawful employment, are subject to a fine of up to \$5,000, a jail term of up to 6 months, or both such penalties. Likewise, it is a criminal offense, punishable by a maximum fine of \$10,000, for an employer to sell or offer for sale any commodity or product produced by illegal child labor.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.