

Employment of Minors

HR-02-50



About This Policy

Effective Date:

Last Updated:

01-13-2017

Responsible University Office:

University Human Resources

Responsible University Administrator:

Vice President and Chief Financial Officer

Policy Contact:

[University Human Resources](#)

hrpolicy@iu.edu

Related Information

- * [Indiana Department of Child Labor](#)
- * [IU-specific procedures for the Form I-9 and E-Verify](#)
- * [Teen Work Hour Restrictions](#)

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Scope

This policy applies to all Staff and Temporary employees who are minors under the age of 18 and over the age of 14 who are:

- Enrolled in a public school,
- Enrolled in a private school,
- Home-school students,
- Out-of-state residents seeking employment in Indiana,
- No longer enrolled in school, OR
- Married

This policy does not apply to minors under the age of 18 who have graduated from high school or a high school equivalency program, or who have been legally emancipated. For those individuals refer to other Staff and Temporary policies.

Policy Statement

Prohibited Positions

1. Minors under the age of 18 are not permitted to work in a position that is considered a hazardous occupation by the [Indiana Bureau of Child Labor](#).
2. Minors age 14 & 15 are not permitted to work in a position that is considered a prohibited occupation by the Indiana Bureau of Child Labor.
 - a. In order to employ a minor age 14 or 15 the unit must obtain approval by the appropriate vice president, chancellor, or provost.
3. Minors under the age of 18 are not permitted to work in a position that requires driving a university vehicle or driving on university business per the [Office of Insurance, Loss Control & Claims policy](#).

Employment Certification/Work Permits

1. Most minors under the age of 18 must obtain a work permit from an accredited Indiana school before beginning work or training.
 - a. Exceptions to the rule includes minors working as farm laborers, domestic workers (babysitters), golf caddies, newspaper carriers, performers (e.g. actors and models), and certified sports referees (e.g. umpires and officials).
2. Upon the minor's separation from the University, the unit is required to immediately provide written notice to the Issuing Officer at the school where the work permit was issued.

Work Hours

1. These work hour rules apply to hours worked across all university jobs and units, and any other jobs outside of the university that the minor may have.
2. As a general rule, minors may not work between 7:30 AM and 3:30 PM when school is in session. However, they may do so with written permission issued by the school that the minor attends.
3. Age Specific work parameters:
 - a. 14 or 15 year olds:
 - i. May work:
 - 3 hours on a school day OR
 - 8 hours on a non-school day.
 - 18 hours per school week OR
 - 40 hours per non-school week.
 - ii. May Not work:
 - Before 7:00 AM
 - After 7:00 PM
 - iii. Exception:
 - From June 1 to Labor Day may work until 9:00 PM.
 - b. 16 year olds:
 - i. May work:
 - 8 hours per day.
 - 30 hours per week.
 - ii. May Not work:
 - Before 6:00AM.

- After 10:00 PM on nights followed by a school day.
 - More than 6 days per work week.
- c. 16 year olds with parental permission (documentation of the parental permission must be kept on file):
- i. May work:
 - 9 hours per day.
 - 40 hours per school week OR
 - 48 hours per non-school week.
 - ii. May Not work:
 - Before 6:00AM.
 - After 11:00 PM on nights followed by a school day OR
 - After 12:00 AM on nights NOT followed by a school day.
 - More than 6 days per work week.
- d. 17 year olds:
- i. May work:
 - 8 hours per day.
 - 30 hours per week.
 - ii. May Not work:
 - Before 6:00AM on school days.
 - After 10:00 PM on nights followed by a school day.
 - More than 6 days per work week.
- e. 17 year olds with parental permission (documentation of the parental permission must be kept on file):
- i. May work:
 - 9 hours per day.
 - 40 hours per school week OR
 - 48 hours per non-school week.
 - ii. May Not work:
 - After 11:30 PM on nights followed by a school day, on a routine basis OR
 - After 1:00 AM on nights followed by a school day, but not on consecutive nights and not more than two school nights per week.
 - iii. Exception:
 - There is no end-hour restriction for days not followed by a school day.

Breaks

1. Minors under the age of 18 working six or more consecutive hours must receive one or two breaks totaling at least 30 minutes.
2. Breaks may be provided at any time during the minor's shift, but must be provided while the minor is working. The minor may not be sent home early in lieu of a break.
3. Regardless of whether the breaks are paid or unpaid, they must be documented using the TIME electronic timekeeping system or by a previously approved electronic timekeeping system. See the [Time Reporting for Non-Exempt Employees](#) polices for more information.

Supervision

1. Minors under the age of 18 must be accompanied by someone 18 years of age or older if working past 10:00 PM or before 6:00 AM in a location open to the public.
2. Direct supervisors and anyone working 1:1 with a minor under the age of 18 must have been subject to a background check within the last five years. See the [PIC policy](#) for more information.

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Reason For Policy

Indiana State and Federal child labor laws establish specific employment requirements and regulations restricting the nature of the work performed and limitations on the hours worked by minors.

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Procedure

1. Determine if the minor needs to obtain an employment certification/work permit
 - a. Verify that the applicant is between the ages of 14 and 17 years old.
 - b. If the applicant has graduated from high school or a high school equivalency program, or withdrawn from high school a work permit is not required.
 - i. Request and retain documentation that the minor does not require a work permit.
2. Once an offer of employment is accepted, fill out the [Intent to Employ / A1 State Form 896](#).
 - a. The minor must then return the Intent to Employ form along with proof of age to the accredited high school in the school district where the minor resides.
 - b. Once the documents have been examined and found to be in good order by the Issuing Officer at the accredited high school, the minor should be issued a work permit.
3. The minor must present the work permit to the unit supervisor prior to working.
4. If the 16 or 17 year old minor will be asked to work a schedule such as those covered above under Policy, Work Hours, 3.b. & c. for 16-year olds or Policy, Work Hours, 3.d. & e. for 17-year olds:
 - a. A properly signed copy of [Additional Work Hours for Sixteen \(16\) and Seventeen \(17\) Year Olds State Form 48409](#) must be on file.
 - b. The minor should not work any hours that require parental permission until the unit receives the form signed by a parent or guardian.
5. The work permit and the parental permission form (if applicable) need to be kept on file by the university.
 - a. If the minor is being employed on a temporary basis, retain the documents in the employing unit of the university.
 - b. If the minor is being employed on an appointment basis, send the documents to the campus human resources office.
6. Ensure that the applicant completes Form I-9 using the [online procedures](#) established by the university. This must be done in accordance with the Immigration Reform and Control Act of 1986 to verify that the person is entitled to work in this country. Federal law requires that the employee must be stopped from working if either Section 1 or 2 are not completed within the time limits specified for each section.
 - a. The employee must complete online [Section 1 of the Form I-9](#) on or before the first day of employment and present evidence of identity and employment eligibility within three business days of the date employment begins.
 - b. The hiring department must examine the evidence of identity and employment eligibility; record the title online, number and expiration date (if any) of the documents; enter the date employment began in the Certification statement of Section 2; and electronically submit the Form I-9 within three business days of the date employment begins.
 - c. Copies of documents that the online system specifically identifies are to be scanned into the online system for record keeping. All paper copies used in the verification or scanning process are to be scheduled.
 - d. The online Form I-9 will automatically be submitted to the U.S. Department of Homeland Security's E-Verify system. Follow the instructions in the university's [I-9 E-Verify Procedures](#).

7. Contact [Financial Management Services \(FMS\)](#) for information about other required hiring forms.
8. All new Staff or Temporary employees who are 17 or older shall have a criminal history background check completed as a condition of employment.
 - a. Criminal history background checks are not required for employees who are 16 or younger. The unit should contact a non-relative reference as part of the employment verification process.

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Sanctions

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

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History

January 2017:

This policy, and the University Compliance Office's [Nepotism Policy](#), replaces the Employment of Relatives, Students, and Minors policy.