

### 3.05 EMPLOYMENT OF MINORS

<b>Rule</b>	The employment of minors under the age of 18 is strictly regulated by state and federal wage and hour laws. These restrictions include the type of work minors may perform and the hours during which they may be employed. The <a href="#">Auditor's Office City of Portland</a> may hire minors to perform work to generally augment some of their staffing needs but must ensure strict compliance with all regulations regarding their employment.
<b>Definition of a Minor</b>	Children between 14-17 years of age are minors. The laws regulating their employment are enforced by the State of Oregon <a href="#">Bureau of Labor and Industries</a> . (BOLI) and the US Department of Labor (DOL).
<b>Child Labor Laws</b>	Where DOL and BOLI regulations differ, the stricter standard applies.
<b>Minimum Wage</b>	Established by Oregon State Law
<b>Hiring Process</b>	<p>Hiring a minor is similar to filling a seasonal position and requires:</p> <ol style="list-style-type: none"> <li>1. A completed Employment Application; and a</li> <li>2. <del>Personnel Action Notice (PAN)</del> <a href="#">Perform a Necessary personnel actions</a> to add employee to the payroll.</li> </ol> <p>Minors may not be employed unless the City has been issued a current annual Employment Certificate by BOLI. The City does not employ minors under the age of 14.</p> <p><b><u>Other requirements You also will need:</u></b></p> <ol style="list-style-type: none"> <li>1. Proof of age: copy of the birth certificate, driver's license, baptismal record, etc.</li> <li>2. Job description including equipment used: copiers, computers, power equipment, vehicles, etc.</li> <li>3. <a href="#">Work Schedule</a>: the earliest and latest work hours.</li> <li>4. <a href="#">Parent/School Authorization Form</a> signed by parent/guardian and high school (if in session).</li> </ol>
<b>Employer's Employment Certificate</b>	The Bureau of Human Resources will maintain an annual <a href="#">Employment Certificate</a> authorizing the employment of minors by the City. <del>Annually, the Bureau of Human</del>

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~~Resources will contact Bureaus regarding their anticipated utilization of minors in the next fiscal year. The Auditor's Office will report the number of minors it expects to hire in the next fiscal year so that the Bureau of Human Resources can. Based on those projections, the Bureau of Human Resources will file an application with the Bureau of Labor and Industries (BOLI) on behalf of the City authorizing such employment.~~

Validated Employment Certificates shall be posted in conspicuous locations at the sites where minors are employed. ~~The Auditor's Office~~ Individual bureaus do not need to apply for an Employment Certificate but are is responsible for the proper posting of the certificate.

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## Hours of Work

### Minors 14 –15 years of age

When school is in session:

- Three hours per day on school days,
- Eight hours per day on non-school days,
- 18 hours per week maximum,
- Only between the hours of 7 a.m. and 7 p.m.

When school is not in session:

- Eight hours per day
- 40 hours per week maximum,
- From June 1 through Labor Day: 7 a.m. to 9 p.m.

### Minors 16 – 17 years of age

Any time of year:

- Any hours – no daily restrictions
- 44 hours per week maximum.

### Meals and Rest Periods

- 14-15 year olds must be provided a meal period of at least 30 minutes no later than five hours and one minute after the minor reports to work and must be fully relieved of work duties during this time.
- 16-17 year olds must be provided a meal period of at least 30 minutes no later than five hours and one minute after the minor reports to work and may work during a meal period, but must be paid for their time.
- Rest periods of at least 15 minutes must be provided during each four hours (or major portion) of work time.

## Prohibited or Hazardous Occupations

### PROHIBITED FOR MINORS UNDER 18

- Manufacturing and storing explosives
  - Motor vehicle driving (prohibited for minors 16 and under; permitted under limited circumstances for minors 17 years of age.)
  - Motor vehicle outside helper
  - Logging and sawmilling
  - Using power-driven woodworking machines
  - Where there is exposure to radioactive substances
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- Using power-driven hoisting apparatus
  - Using power-driven metal-forming, punching, and shearing machines
  
  - Using power-driven bakery machines
  - Using power-driven paper-products machines
  - Manufacturing brick, tile and kindred products
  - Using power-driven circular saws, band saws, and guillotine shears
  - Wrecking, demolition, and ship-breaking operations
  - Roofing operations
  - Excavation operations
  - Messenger service between the hours of 10:00pm and 5:00am

#### **PROHIBITED FOR MINORS UNDER 16**

- Cold storage plants
- Commercial docks
- Construction (alteration, repair, painting, or demolition of buildings, bridges, and -structures)
- Firefighting
- Gravel or sand plant or bunker
- Land clearing (with blasting or presence of heavy equipment)
- Logging operations
- Lumber loading
- Surveying
- Window cleaning (outside above ground)
- Wood cutting, sawing
- All kinds of working in workshops or any premise, room, or place where power-driven machinery is used in or incidental to adapting articles or goods for sale
- ONLY office work is allowed in the following operations: auto wrecking yards, junk dealer, water works, lumbering, motor vehicles

Managers and supervisors are responsible for the consequences of civil and criminal penalties for noncompliance. ~~As the hiring authority, The Auditor's Office hiring authority is responsible, as the hiring official, for being aware of and~~ complying with BOLI Child Labor Laws. Any questions about BOLI standards should be directed to the [Site Team Manager](#) or the [State agency](#).

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#### **Administrative Rule History**

~~Adopted by Council March 6, 2002, Ordinance No. 176302  
Effective April 5, 2002  
Revised April 17, 2009~~

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