

Child Labor Law Compliance

The Illinois Child Labor Law (820 ILCS 206/) regulates the employment of minors under the age of 16 years and requires all minors to have employment certificates.

The Superintendents of Schools or their duly authorized agents issue employment certificates for minors enrolled in school and children under the age of 13 who are involved in certain activities such as talent shows and movie production.

Required Procedures For Teens

- The minor must obtain a "letter of intent to hire" from the prospective employer. The letter must outline hours and days the minor will work, as well as the nature of the job.
- The minor and parent or guardian must bring the following to the issuing officer at the minor's school or school district to obtain the required work permit:
 - Letter of intent to hire
 - Evidence of the minor's age, i.e., a birth certificate, passport, or other reliable documentation.
 - **Statement**, which must be signed by the school issuing officer, about the minor's school schedule and parent/guardian details.
 - **Statement of physical fitness** signed by a healthcare professional, or, at the discretion of the issuing officer, the most recent physical.
- The issuing officer will review criteria and consider whether the employment will be detrimental to the minor's health, welfare, and education before issuing the work permit.

Required Procedures For Employers

- Employers seeking to hire a minor must provide that minor with a "letter of intent to hire" so that the minor may apply for a work permit. The letter must include the hours and days the minor will work, as well as the nature of the job.
- Employers are prohibited from hiring children under 16 years of age who fail to present an approved work permit.
- Employers must schedule a meal period of at least 30 minutes for the minor(s) no later than the 5th consecutive hour of work.
- Employers are to maintain records of minors employed, including employment certificates, on the premises where the minor is working.
- Employers should always ensure proper supervision of minors and adhere to labor law restrictions and acceptable types of work.

Hour Restrictions

- Allowed hours of work are:
 - Between 7 a.m. and 7 p.m. from Labor Day until June 1
 - Between 7 a.m. and 9 p.m. from June 1 until Labor Day
- A scheduled meal period of at least 30 minutes shall be provided no later than the 5th consecutive hour of work.
- Minors may NOT work:
 - More than 18 hours during a week when school is in session;
 - More than 40 hours during a week when school is not in session;
 - More than 8 hours in any single 24-hour period;
 - More than 3 hours per day or more than 8 hours total of work and school hours on days when school is in session.
- For Year-Round schools, minors may work:
 - From 7am to 10pm when school is not in session.
 - Until 7am to 9pm on school days, if:
 - The minor does not work more than 3 hours per day
 - The minor does not work more than 2 school days in that week
 - The minor does not work more than 24 hours outside school hours in that week

Employers of minors shall post a schedule stating the hours of work and time of the lunch period. The employer shall also furnish any minor with a statement describing the specific nature of the work to be performed and the hour and days the minor is to work. The minor must present this statement to the issuing officer at the minor's school (or the school district if the child has not yet been enrolled in school) along with a copy of minor's birth certificate. The minor must be accompanied by a parent or guardian.

When both the Illinois Child Labor Law and Fair Labor Standards Act provisions cover the establishment, the stricter of the two laws will prevail.

Exemptions

The Child Labor Law does not apply to the following:

- Sale and distribution of magazines and newspapers at hours when the school of the district are not in session;
- Employment of a minor outside of school hours in and around a home of an employer when the work is not business related;
- Work of a minor 13 or more years of age, in caddying at a golf course;
- Minors 12 and 13 years of age employed as officials at certain sports activities.

Restrictions on the employment of minors

No person shall employ, allow, or permit a minor to work at the following hazardous occupations:

1. in any mechanic's garage, including garage pits, repairing cars, trucks, or other vehicles or using garage lifting racks;
2. in the oiling, cleaning, or wiping of machinery or shafting;
3. in or about any mine or quarry;
4. in stone cutting or polishing;
5. in any factory work;
6. in or about any plant manufacturing explosives or articles containing explosive components, or in the use or transportation of same;
7. in or about plants manufacturing iron or steel, ore reduction works, smelters, foundries, forging shops, hot rolling mills or any other place in which the heating, melting, or heat treatment of metals is carried on;
8. in the operation of machinery used in the cold rolling of heavy metal stock, or in the operation of power-driven punching, shearing, stamping, or metal plate bending machines;
9. in or about logging, sawmills or lath, shingle, or cooperage-stock mills;
10. in the operation of power-driven woodworking machines, or off-bearing from circular saws;
11. in the operation and repair of freight elevators or hoisting machines and cranes;
12. in spray painting;
13. in occupations involving exposure to lead or its compounds;
14. in occupations involving exposure to acids, dyes, chemicals, dust, gases, vapors, or fumes that are known or suspected to be dangerous to humans;
15. in any occupation subject to the Amusement Ride and Attraction Safety Act;
16. in oil refineries, gasoline blending plants, or pumping stations on oil transmission lines;
17. in the operation of laundry, dry cleaning, or dyeing machinery;
18. in occupations involving exposure to radioactive substances;
19. in or about any filling station or service station, except that this prohibition does not extend to employment within attached convenience stores, food service, or retail establishments;
20. in construction work, including demolition and repair;
21. in any energy generation or transmission service;
22. in public and private utilities and related services;
23. in operations in or in connection with slaughtering, meat packing, poultry processing, and fish and seafood processing;
24. in operations which involve working on an elevated surface, with or without use of equipment, including, but not limited to, ladders and scaffolds;

- 25.in security positions or any occupations that require the use or carrying of a firearm or other weapon;
- 26.in occupations which involve the handling or storage of human blood, human blood products, human body fluids, or human body tissues;
- 27.in any mill, cannery, factory, workshop, or coal, brick, or lumber yard;
- 28.any occupation which is prohibited for minors under federal law; or
- 29.in any other occupation or working condition determined by the Director to be hazardous.

No person shall employ, allow, or permit a minor to work at the following prohibited locations:

1. any cannabis business establishment subject to the Cannabis Regulation and Tax Act or Compassionate Use of Medical Cannabis Program Act;
2. any establishment subject to the Live Adult Entertainment Facility Surcharge Act;
3. any firearm range or gun range used for discharging a firearm in a sporting event, for practice or instruction in the use of a firearm, or the testing of a firearm;
4. any establishment in which items containing alcohol for consumption are manufactured, distilled, brewed, or bottled;
5. any establishment where the primary activity is the sale of alcohol or tobacco;
6. an establishment operated by any holder of an owners license subject to the Illinois Gambling Act; or any other establishment which State or federal law prohibits minors from entering or patronizing.

Additional restrictions include:

1. An employer shall not allow minors to draw, mix, pour, or serve any item containing alcohol or otherwise handle any open containers of alcohol. An employer shall make reasonable efforts to ensure that minors are unable to access alcohol.
2. An employer may allow minors aged 14 and 15 to work in retail stores, except that an employer shall not allow minors to handle or be able to access any goods or products which are illegal for minors to purchase or possess.
3. No person shall employ, allow, or permit an unlicensed minor to perform work in the practice of barber, cosmetology, esthetics, hair braiding, and nail technology services requiring a license under the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985, except for students enrolled in a school and performing barber, cosmetology, esthetics, hair braiding, and nail technology services in accordance with that Act and rules adopted under that Act.

4. A person may employ, allow, or permit a minor to perform office or administrative support work that does not expose the minor to the work prohibited in this Section.

Please reference <https://labor.illinois.gov/laws-rules/fls/child-labor-law-compliance.html>