

# A guide to Minnesota's Child Labor Standards Act

## MINORS UNDER 16 MAY NOT WORK

**FEDERAL LAW** (employers with annual sales or revenue of \$500,000 or more)

- During the school year:
  - later than 7 p.m.;
  - more than three hours a day; or
  - more than 18 hours a week.

**STATE LAW** (all employers)

- During the school year:
  - later than 9 p.m.;
  - more than three hours a day; or
  - more than 18 hours a week or after 9 p.m., with the exception of a newspaper carrier
- For more than 40 hours a week or more than eight hours per 24-hour period, except in agricultural operations
- During school hours on school days without an employment certificate issued by the appropriate school officials

## 16- AND 17-YEAR-OLDS MAY NOT WORK

**STATE LAW** (all employers)

- Later than 11 p.m. on evenings before school days or before 5 a.m. on school days. With written permission from a parent or guardian, these hours may be expanded to 11:30 p.m. and 4:30 a.m.

**Note:** If employers are covered by state and federal requirements, both laws must be followed.

## MINIMUM AGE

A minor younger than 14 years of age **may not be employed**, except:

- as a newspaper carrier, if at least 11 years of age;
- in agriculture, if at least 12 years of age and with parent or guardian consent;
- as an actor or model; or
- as a youth athletic program referee, if at least 11 years of age and with parent or guardian consent.



## PROOF OF AGE

A minor's proof of age must be maintained as part of the payroll records. Acceptable proof is one of the following: a copy of a birth certificate; a copy of a driver's license or permit; an age certificate issued by the school; or an I-9.



## PROHIBITED OCCUPATIONS FOR MINORS

Minors cannot work in the following capacities:

- serving liquor;
- working with hazardous materials such as explosives;
- operating power-driven machinery, including motor vehicles; and
- on or about construction sites.

A detailed list of prohibited work for minors can be found in Minnesota Rules 5200.0910 and 5200.0920.

## PENALTIES FOR VIOLATION OF CHILD LABOR STANDARDS ACT

An employer that fails to comply with provisions of the Minnesota Child Labor Standards Act will be subject to penalties under Minnesota Statutes §181A.12. Penalties range in amount from \$250 to \$5,000 for each violation.



Labor Standards • 443 Lafayette Road N. • St. Paul, MN 55155  
651-284-5075 • 800-342-5354 • 651-284-5099 (Spanish) • [www.dli.mn.gov](http://www.dli.mn.gov)



## MINNESOTA GROCERS ASSOCIATION

1360 Energy Park Drive, Suite #110 • St. Paul, MN 55108 • 651-228-0973 • 1-800-966-8352 • [www.mngrocers.com](http://www.mngrocers.com)

February 11, 2019

Representative Cheryl Youakim  
Chair, House Education Policy  
591 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd  
St. Paul, MN 55155

Dear Representative Youakim,

On behalf of the Minnesota Grocers Association, I am writing this letter to voice our opposition to a provision in H.F. 314 that allows school districts to start classes before Labor Day.

Minnesota is a state full of tradition. There is nothing more Minnesotan than spending time with the entire family "up north" or "at the lake." These traditions are so embedded in our culture that entire portions of the economy rely on these tourism dollars to continue providing jobs and economic growth to local communities. The retail food industry is one of these industries.

Greater Minnesota grocery stores rely heavily on employing high school students during the busy summer months. With a shortened tourism season and various back to school dates, stores will not have the employment pool necessary to meet demand. The legislature would do a great disservice by limiting valuable first time employment opportunities for our youth.

In today's new economy, it is hard enough for local grocers to survive while providing services to consumers, stable careers and benefits to the community. Starting school early would only add to that stress. Please keep Minnesota's school schedule working in its traditional manner.

I look forward to working with you or any of the members of your committee on this important issue. If I can be of any assistance to you on this or any other legislative matter, please do not hesitate to contact me.

Sincerely,

Jamie Pfuhl  
President

*The Minnesota Grocers Association (MGA) is the only state trade association that represents the food industry of Minnesota from farm to fork. We are one of the oldest trade associations in the state, celebrating over 120 years of advancing industry. We have over 300 retail, manufacture, and wholesale members supporting nearly 1,300 locations statewide. Our member companies employ over 150,000 union and non-union Minnesotans. We actively advance the common interest of all those engaged in any aspect of the retail food industry as a leader and advocate in government affairs.*