

EMPLOYMENT PERMIT APPLICATION FOR MINORS UNDER 14 YEARS OF AGE



CHRISTINA E. STEPHENSON
Commissioner of the
Bureau of Labor and Industries

Enclosed is an employment permit application for minors under 14 years of age.

Federal law prohibits the non-agricultural employment of minors under age 14 in most cases. The bureau's Child Labor Unit cannot approve the employment of any minor under age 14 if the proposed employment is regulated under the federal Fair Labor Standards Act ("FLSA").

There are two ways in which an employee can be covered by the FLSA; "enterprise coverage" and "individual coverage."

Enterprise Coverage

Employees who work for certain businesses or organizations (or "enterprises") are protected by the FLSA. These enterprises, which must have at least two employees, are:

- (1) those that have an annual gross volume of at least \$500,000 in sales or business
- (2) hospitals, businesses providing medical or nursing care for residents, schools and preschools, and government agencies

Individual Coverage

Even when there is no enterprise coverage, employees are protected by the FLSA if their work regularly involves them in commerce between states ("interstate commerce"). In its own words, the law covers individual workers who are "engaged in commerce or in the production of goods for commerce."

Examples of employees who are involved in interstate commerce include those who: produce goods (such as a worker assembling components in a factory or a secretary typing letters in an office) that will be sent out of state, regularly make telephone calls to persons located in other states, handle records of interstate transactions, travel to other states on their jobs, and do janitorial work in buildings where goods are produced for shipment outside the state. Also, domestic service workers (such as housekeepers, full-time baby-sitters, and cooks) are normally covered by the law.

Parents may employ their children under 16 years of age in occupations other than manufacturing or mining, or occupations declared hazardous by the Secretary of Labor.

If you have questions regarding application of the FLSA, please contact the U.S. Department of Labor, Wage and Hour Division at (503) 326-3057 for assistance.

If you do not believe that the FLSA applies to the proposed employment of the minor, complete and return the enclosed permit application form with a copy of the minor's birth certificate or other proof of age to the bureau at the address listed on the application. The Bureau of Labor and Industries will notify you as soon as possible regarding the action taken relating to the employment permit application.

Also enclosed for your information is a summary of "Guidelines for Employment of Minors Under 14."

If you have any questions regarding this process, please contact this office at (971) 353-2289.

Enclosures

WH-211-2 (Rev. 3/23)





Bureau of Labor and Industries
Wage and Hour Division
Child Labor Unit
800 NE Oregon St., Suite 1045
Portland, OR 97232
Telephone/Fax: (971) 353-2289
Email: child.labor@boli.oregon.gov

OFFICIAL USE ONLY

Proof of Age _____
Date _____
Staff Initials _____
Employer # _____

EMPLOYMENT PERMIT APPLICATION FOR MINORS UNDER 14
(Page 1 – Parent or Guardian)

INSTRUCTIONS:

1. Parent or guardian completes Page 1 of application and includes proof of age.
2. Employer completes Page 2 of the application.
3. Completed application is submitted to the Bureau of Labor and Industries with proof of age document. For faster service, email completed application to child.labor@boli.oregon.gov.

=====
**NOTE: A COPY OF THE MINOR'S BIRTH CERTIFICATE OR OTHER ACCEPTABLE
PROOF OF AGE MUST ACCOMPANY THIS APPLICATION.**
=====

Minor's Legal Name _____
(First) (Middle) (Last)

Birth date _____ Age _____ Birthplace _____

Street Address _____
(Address) (City) (State) (ZIP)

School Currently Attending _____

Location _____ Last Grade Completed _____

Parent or Guardian:

Printed Name _____ Relationship to Minor _____

Email Address _____ Phone _____

Street Address _____
(Address) (City) (State) (ZIP)

Mailing Address (if different) _____
(Address) (City) (State) (ZIP)

Parent or Guardian Signature _____ Date: _____

EMPLOYMENT PERMIT APPLICATION FOR MINORS UNDER 14

(Page 2 – Employer)

=====

A PERMIT CANNOT BE ISSUED UNLESS ALL BLANKS ARE ANSWERED COMPLETELY

=====

Prospective Employer:

1. Is the business *solely* owned by the minor's parent(s)? Yes No
2. Will the minor be employed in agriculture? Yes No (If yes proceed to question #4.)
3. Is the employment covered by Federal Wage and Hour Law ("FLSA")? Yes No

If yes, STOP HERE unless the minor is employed by the minor's parent(s). Minors under 14 are prohibited from working in establishments regulated by the FLSA unless employed by their parents. (For information on FLSA coverage, visit the "FLSA Advisor" at <https://webapps.dol.gov/elaws/flsa.htm>)

4. Are alcoholic beverages dispensed or served on the premises of your establishment?
 Yes No **If yes, STOP HERE unless minor employed by the minor's parent(s).**

5. Business name _____

6. Email _____ Phone _____

7. Business Address _____

8. Mailing Address (if different) _____

9. Exact duties to be performed (attach separate page, if necessary) _____

10. Rate of pay: \$ _____ per _____ **Note:** All minors must be paid at least Oregon Minimum Wage (<https://www.oregon.gov/boli/workers/Pages/minimum-wage.aspx>)

11. Maximum hours to be worked: Per day _____ Per week _____ Max days per week _____

12. Specify work hours on **weekdays**: From _____ To _____

13. Specify work hours if employed on **weekends**: From _____ To _____

Note: Minors under 14 years of age may not be employed before 8:00 a.m. or after 6:00 p.m. unless they are employed by their parent(s) under a Special Work Hours Permit.

14. Length of meal period _____ Length of rest period(s) _____

Application completed by _____

Title _____ Date _____

Separate Employer Certification: _____ will be
(Name of Minor)

continuously supervised by a responsible adult.

(Signature of Employer or Representative)

(Date)



STATE OF OREGON
Bureau of Labor and Industries
Wage and Hour Division
Child Labor Unit
800 NE Oregon Street, Suite 1045
Portland, OR 97232
Telephone/Fax: (971) 353-2289
Email: child.labor@boli.oregon.gov

GUIDELINES FOR THE EMPLOYMENT OF MINORS UNDER 14

1. The hours minors under 14 years of age may work during the term when schools are in session are limited to no more than two (2) hours after school hours, no more than six (6) hours on Saturdays and Sundays, no more than 18 hours per week, and no more than five (5) days in one week. (OAR 839-021-0246(4)(a))
2. During any vacation period extending over a period of two weeks or longer, minors under 14 years of age may not be employed more than eight (8) hours in any one day, no more than 40 hours in one week, and no more than five (5) days in one week. (OAR 839-21-0246(4)(b))
3. Minors under 14 years of age may not be employed in any enterprise subject to the Federal Fair Labor Standards Act, in any establishment where alcoholic beverages are dispensed or served, in any theater or amusement park, in any work that involves the minor in canvassing door to door, or in any establishment catering to adults only. (OAR 839-021-0246(4)(c)) Parents may employ their children under 16 years of age in occupations other than manufacturing or mining, or occupations declared hazardous by the Secretary of Labor.
4. Minors under 14 years of age may not be employed before the hour of 8:00 AM or after the hour of 6:00 PM, unless they are employed by their parent(s) under a special permit issued by the Bureau of Labor and Industries, Wage and Hour Division, in which case they may be employed to work as late as 9:00 PM. (OAR 839-021-0246(4)(d))

REST PERIODS

Every employer is required to provide each minor employee a 15-minute rest period for each four-hour work period or major part thereof. As far as practical, the rest period should be in the middle of each work period. No wage deduction may be made for such rest periods. (OAR 839-021-0072(2))

MEAL PERIODS

Like their adult counterparts, minors must receive at least a 30-minute period in which to eat during any work period of six or more hours. No undue hardship exception to this requirement applies to minors under 16. (OAR 839-021-0072(1))

WAGES

Minor employees must be paid no less than the applicable minimum wage. Visit www.oregon.gov/boli for more information.