

YOUTH EMPLOYMENT STANDARDS IN IOWA

A Guide for Iowa Businesses Employing Youth

MAIN TOPICS

Workable Hour Limitations for Youth

Permitted Occupations for Youth Employees

Apprentices, Student Learners,
and the 17 Hazardous Occupations

Penalties & Enforcement Process

Additional Resources

YOUTH EMPLOYMENT STANDARDS IN IOWA

is a Collaborative Project by the South Central Iowa Local Workforce Development Board,
the Community Empowerment Law Project, Pathfinders Resource Conservation and
Development, and the Iowa Initiative for Sustainable Communities

The guidelines in this booklet apply to all workers under 18 years old in non-family businesses and non-agricultural businesses. The standards governing youth employment in businesses owned by their family, on farms, or other agricultural sites can be found by using the QR code or website link on the back of this booklet.

The information in this resource is for informational and educational purposes only and should not be considered professional legal advice. It is intended to be a general summary and does not replace the advice of an attorney. Always seek the advice of an attorney or other qualified professional with any questions you may have regarding the information provided. Do not disregard professional legal advice or delay in seeking it because of something you have read or learned from this resource.

WAGES

All workers, even under 18, are entitled to the minimum wage, which is \$7.25 per hour

- However, an employer may pay an employee \$6.35/hour for the first 90 calendar days after their first day on the job.

Tipped employees may be paid below \$7.25 per hour, but with a major limitation.

- A tipped employee is an employee who customarily and regularly receives more than \$30 a month in tips.
- If any tipped employee's pay does not reach \$7.25 per hour after adding up tips and wages paid by the employer, the employer must pay the tipped employee the difference.

Any worker (except in agricultural employment) who is permitted to work and works more than 40 hours in one week is entitled to 1.5x pay for any time worked over those 40 hours

WORKERS' RIGHTS

An employer cannot retaliate against an employee for filing a complaint or participating in an investigation process of a potential violation. Retaliation includes, but is not limited to:

- Docking pay
- Firing that employee
- Demoting that employee
- Denying a raise because of the complaint
- Harassing or threatening the employee

WORKABLE HOUR LIMITATIONS FOR YOUTH

WHEN SCHOOL IS IN SESSION:

(Any week where there is at least 1 day in school—full day or partial)

14- & 15-year-olds:

- Work hours allowed: 7:00am–Start of School Hours;
End of School Hours–7:00pm
*Youth cannot work during any school hours
- Max 3 hours per school day (M–F)
- Max 8 hours per non-school day (federal holidays and weekends)
- Max 18 hours per week

16- & 17-year-olds

- No hour limitations

WHEN SCHOOL IS NOT IN SESSION:

(Any week with no school days, weekends, or generally between June 1–Labor Day)

14- & 15-year-olds:

- Work hours allowed: Between 7:00am and 7:00pm
- Max 8 hours per day
- Max 40 hours per week

16- & 17-year-olds

- No hour limitations

PERMITTED OCCUPATIONS FOR YOUTH EMPLOYEES

These are the types of jobs that each age group is allowed to work. If a job type is not specifically listed here, then it is prohibited.

Under 14:

Iowa Law only allows youth under 14 to participate in these jobs.

Occupation	Examples
Babysitting	Caring for a sibling or someone else's child for a few hours
Working in or around any home	Doing chores (dishes, taking out the trash, organizing, etc.)
Acting, performing, or modeling	In movies, TV, radio, theater, ads, newspapers, magazines, etc.
Working for a parent's business	Cashier for a family-owned restaurant, cleaning for a parent's cleaning business, etc.
Volunteering with a charity organization (unpaid)	Serving at a local food bank, assisting at a shelter, etc.
Serving in the Iowa Summer Youth Corps Program	
Refereeing a sports league through a charitable organization or state or local government	

* They need their parent or guardian's written consent prior to starting any of these opportunities.

14- & 15-Year-Olds:

Jobs	Examples of Allowed Activities	Examples of Prohibited Activities
Retail	<ul style="list-style-type: none">• Cashiering• Price marking• Tagging• Bagging and carrying out groceries	<ul style="list-style-type: none">• Unload deliveries• Stock Shelves with heavy items• Cash-out a register or reconcile sales• Run errands or make deliveries driving a vehicle• Operate forklift, skid-steer, cardboard compactor or other power-driven equipment
Indoor cleanup work	<ul style="list-style-type: none">• Using vacuums• Floor waxes• Other standard cleaning devices	<ul style="list-style-type: none">• Wash outdoor windows• Use a ladder
Ground maintenance and cleanup	<ul style="list-style-type: none">• Using non-powered hand tools• Landscaping• Golf course work	<ul style="list-style-type: none">• Use any power-driven equipment, including chain saws, and wood chippers• Use a ladder or scaffold• Work on a roof• Excavate or work in a trench
Office jobs	<ul style="list-style-type: none">• Working the front desk at a library or office• Operating a printer or computer	<ul style="list-style-type: none">• Run errands or make deliveries driving a vehicle• Operate paper shredder or similar equipment• Cash-out a register or reconcile sales
Food service establishments,	<ul style="list-style-type: none">• Work as a host, check coats, wait and bus tables• Prepare non-alcoholic beverages	<ul style="list-style-type: none">• Cook over an open flame• Use a rotisserie,

**like a
restaurant,
snack bar, or
coffee shop**

- and food that is not cooked
- Clean fruits and vegetables
- Cool foods on an electric stovetop, griddle, or grill top (no open flames)
- Cook with automated deep fryers and handle grease below 100 degrees F (most deep frying is done at 325-400 degrees F)
- Clean kitchen equipment and surfaces
- Wash dishes; load/unload commercial washer
- broiler, or other high-temp device
- Raise/lower baskets in deep fryers
- Make alcoholic drinks
- Work in freezers or meat coolers
- Operate or clean commercial bakery equipment
- Operate or clean machines that chop, dice, slice, grind or cut food
- Operate or clean power-driven tools
- Unload delivery trucks

**Educational
jobs**

- Tutor

Artistic jobs

- Musician
- Artist
- Performer

**Loading and
unloading
tools and
protective
equipment that
you will be
using for work**

- Rakes
- Hand-held clippers
- Shovels
- Brooms
- Load or unload power-driven equipment

**Run errands
or make
deliveries**

- On foot
- By bicycle
- By public transportation
- Any other method not involving the worker driving
- Drive a vehicle

**Motor vehicle
work**

- Dispense gas
- Wash cars
- Polish cars
- Inflate or fill tires
- Operate any type of mechanical lift or rack

15-Year-Olds:

15-year-olds and older may also be hired as lifeguards or swim instructors if they have received training and certification from the American Red Cross or a similar organization

16- & 17-Year-Olds:

Can work any job that isn't in the Hazardous Occupations list (See "Hazardous Occupations")

HAZARDOUS OCCUPATIONS

No youth (anyone under 18) may engage in hazardous occupations or clean the tools used in them. (Some exceptions apply)

Hazardous Occupations	Examples
Roofing operations and work on a roof	Replacing shingles, removing old roofing materials
Using certain saws and cutting machines	Using a chainsaw, woodchipper, circular saw
Working with lifts (except ski-chair lifts or car lifts in garages)	Operating a forklift, cherry picker, or skid-steer loader
Power-driven meat processing machines and most work in meat/poultry plants	Using meat slicers, working on meat production lines
Power-driven bakery machines	Using industrial dough mixers, cookie machines
Operating paper balers, cardboard compactors, or other power-driven paper machines	Using machines that crush cardboard boxes or shred paper
Working with power-driven wood-working machines	Using electric saws or wood shapers
Driving a motor vehicle or working as a helper outside the cab	Delivering packages in a van; riding on the outside of a garbage truck
Wrecking, demolition, or shipbreaking (except small repairs)	Tearing down old buildings, breaking apart ships
Excavation or trench work over 4 feet deep	Digging deep trenches for plumbing or foundation work

Hazardous occupations continued:

Forest-fire fighting, logging, or sawmill jobs	Fighting wildfires, cutting down trees, operating sawmill machines
Occupations connected to mining (not office or living quarters maintenance)	Cleaning mining equipment, participating in ore extraction
Manufacturing of brick, tile, or related products	Making bricks, roof tiles, or ceramic pipes
Use of power-driven metal forming, punching, or shearing machines	Using metal presses, rolling machines
Exposure to radioactive substances	Working in a radiology lab, handling nuclear materials
Mining of any kind	Working in coal mines, salt mines
Manufacturing or storing explosives	Making fireworks or storing gunpowder

APPRENTICESHIPS AND STUDENT LEARNERS

What is a work experience and career exploration program?

The program must:

- Be school-supervised and school-administered
- Meet all educational standards set by the Iowa Department of Education
- Have an application approved by the federal Wage and Hour Division

The Wage and Hour Division requires that:

- There is classroom instruction in both classes necessary for graduation and job-related classes
- Students receive school credit for all instruction and on-the-job work
- Programs provide adequate supervision, typically 1 teacher/coordinator to no more than 25 students
- Teacher-coordinators, in addition to supervising the program, visit work sites regularly
- Each student, their parent/guardian, their employer, and the teacher-coordinator sign a written training agreement

Who can participate?

- 14- and 15-year-olds
- Identified by school personnel as students who will benefit from the program
- Execute a written training agreement with their employer, teacher-coordinator, and a parent

What can they do?

- Students in these programs can do all the jobs that other 14- and 15-year-olds can do
- They may be able to do jobs not typically permitted, if:
 - The activity will have adequate supervision
 - The student will have adequate training, including safety precautions; and
- The Iowa Department of Education's application is approved by the Wage and Hour Division

When can they work?

- During the school year/duration of the program:
 - Between 7:00am–7:00pm
 - Max 3 hours/day
 - Max 23 hours/week

What is a Work-Study Program?

The program must:

- Be school-supervised and school-administered
- Meet all educational standards set by the Iowa Department of Education
- Have an application approved by the federal Wage and Hour Division

The Wage and Hour Division requires that:

- Students receive the minimum number of hours of classroom instruction necessary to complete a fully accredited college preparatory curriculum
- Students are taught about workplace safety, state child labor laws, and federal child labor laws on an annual basis
- Teacher-coordinators, in addition to supervising the program, visit work sites regularly and document compliance with section 6 of the FLSA
- Each student, their parent/guardian, their employer, and the teacher-coordinator sign a written training agreement

Who can participate?

- 14- and 15-year-olds
- Enrolled in a college preparatory curriculum
- Identified by school personnel as students who will benefit from the program

What can they do?

- Students in these programs can do all the jobs that other 14- and 15-year-olds can do

When can they work?

- During the school year/duration of the program:
- Between 7:00am–7:00pm
- Max 18 hours/week
- Max 72 hours/month, using a 4-week cycle:
 - Week 1:
 - One day (work during school hours for up to 8 hours)
 - Four days (no work during school hours)
 - Week 2:
 - One day (work during school hours for up to 8 hours)
 - Four days (no work during school hours)
 - Week 3:
 - One day (work during school hours for up to 8 hours)
 - Four days (no work during school hours)
 - Week 4:
 - Two days (work during school hours for up to 8 hours/day)
 - Three days (no work during school hours)

What is an apprenticeship program?

Provides supervised training in an apprenticeship trade

Common trades that have apprentices include electricians, welders, and cosmetologists.

Who can participate?

- 16- and 17-year-olds
- Must register with the Bureau of Apprenticeship and Training
- Must have a written apprenticeship agreement and conditions that conform with the Federal and State child labor laws

What can they do?

Any activity a 16- or 17-year-old can normally work, as well as:

- Work with power-driven wood-working machines
- Use power-driven metal forming, punching, or shearing machines
- Use power-driven meat processing machines, such as slicers, as well as most all work in meat or poultry processing plants
- Use power-driven bakery machines
- Operate paper balers, cardboard compactors, or power-driven paper processing machines
- Use power-driven circular saws, band saws, guillotine shears, chain saws
- Work on a roof
- Work in a trench more than 4 feet deep

When can they work?

- The same number of hours as an adult

WHAT IS A COOPERATIVE VOCATIONAL TRAINING PROGRAM?

A course of study and training through a school program in partnership with an employer that is recognized by the State of Iowa or a local educational authority

Common vocational training programs include training for HVAC techs, auto mechanics, and medical assistants.

Who can participate?

- 16- and 17-year-olds
- In high school
- Must be employed under a written agreement

What can they do?

- Any activity a 16- or 17-year-old can normally work, as well as:
- Work with power-driven wood-working machines
- Use power-driven metal forming, punching, or shearing machines
- Use power-driven meat processing machines, such as slicers, as well as most all work in meat or poultry processing plants
- Use power-driven bakery machines
- Operate paper balers, cardboard compactors, or power-driven

paper processing machines

- Use power-driven circular saws, band saws, guillotine shears, chain saws
- Work on a roof
- Work in a trench more than 4 feet deep

When can they work?

- The same number of hours as an adult

ENFORCEMENT PROCESS & PENALTIES

Both federal law, the Fair Labor Standards Act (FLSA), and state law (Iowa Code Chapter 92) have standards and rules related to youth employment. By following the law that sets a stricter rule or a higher standard, an Iowa business can avoid fines from both the Department of Labor (DOL) and the Iowa Department of Inspections, Appeals and Licensing (DIAL).

What does the DOL investigate?

The Wage and Hour Division (WHD) of the DOL will investigate the majority of youth employment standards described in this booklet. This includes the hours that a youth employee is working, whether they are working in a prohibited activity, and some wage issues. Specifically for wage issues, the WHD will only investigate overtime pay and minimum wage claims.

What is the DOL investigation process?

If you are under investigation by the DOL:

An investigator will first identify themselves and provide credentials.

The investigator will explain the investigation process to you and identify which documents they will need.

What does DIAL investigate?

The Wage and Child Labor Unit (WCLU) of DIAL will investigate any child labor claims that are specific to Iowa, and the majority of wage claims (excluding overtime pay claims). The specific standards that the WCLU will investigate and enforce can be found in Iowa Code Chapter 92.

What is the DIAL investigation process?

Police, sheriffs, school superintendents, and school truant and attendance officers may be authorized by a court to enter and investigate establishments and freely question any person about child labor violations. County attorneys have also been authorized to investigate and prosecute such violations.

The Director of the DIAL will serve the business with an original notice of a civil penalty, with a grace period of 15 days. Businesses may consult with an attorney during this grace

These records include but are not limited to:

- Payroll
- Hour logs
- Contracts

The investigator will then conduct interviews with your employees. Finally, the investigator will meet with you and explain if there have been any violations and what the penalties are if violations are uncovered.

What rights do I have?

During the investigation, business-owners are allowed to consult with their attorney or accountant. You may also provide additional information to assist your defense.

An investigator from the WHD (DOL) does NOT need a warrant or permit to enter your business.

You are prohibited from retaliating against any employee for complying with the investigation and can face additional fines for doing so.

If a WHD Inspector from the DOL imposes a fine on your business, you will be given the opportunity to file an appeal. This must be filed within 15 days, or the penalty is considered final.

What are the possible penalties?

Under the FLSA, child labor violations can be subject to Civil Money Penalties (CMPs) by the DOL. These can range up to:

- \$11,000 per worker for each violation
- \$50,000 per violation that causes serious injury of any minor employee
- \$100,000 if that serious violation is repeated or found to be willful.

period to see if an appeal is likely to be successful and may file an appeal if desired. After that 15-day period is up, the Director will issue the formal notice.

The notice will include:

- A statement proposing civil penalties for violations of child labor laws
- A descriptions of violations, the provisions allegedly violated, the number of violations, and proposed penalties

What rights do I have?

During the investigation, business-owners are allowed to consult with their attorney or accountant. You may also provide additional information to assist in your defense.

DIAL investigators, or other authorized persons, do not need legal authorization, like a permit or a warrant, to enter a business' premises.

Business owners also cannot refuse or try to stop investigators or authorized persons investigating potential violations from entering the premises, requesting work documents, interviewing employees, and more.

What are the possible penalties?

Businesses in Iowa can be fined by the Iowa DIAL for violations of the Iowa Code Chapter 92. The maximum penalty for a non-serious violation, meaning no child was seriously injured or involved in a hazardous activity, is now \$2,000 per instance. The Department has the option to reduce the penalty based on business size and an assessment of whether there has been a 'good faith attempt' by an employer to comply with the requirements.

NEED ADDITIONAL INFORMATION?

Please visit our website by using the following QR code or link. Additional information on youth employment found on the website includes standards for agricultural and family-owned businesses, resources for youth seeking employment, and more!



<https://employeeights.substack.com/>

