

Are You Hiring Teen Workers This Summer? What Every New Jersey Employer Needs to Know

by Christina M. Michelson on June 12, 2012

Many New Jersey employers will hire teen workers this summer. While younger workers can be a great addition to your staff, there are several legal issues that should be taken into consideration when hiring minors.

The Fair Labor Standards Act (FLSA) and the New Jersey Child Labor Act (NJCLA) establish the wage, hours worked, and safety requirements for minors working in jobs covered by the law (government agencies, schools, hospitals, and businesses with sales or receipts over \$500K). The specific requirements differ depending upon the age of the teen worker and the job he or she will be performing.

Below are a few important rules for New Jersey employers:

- The minimum working age is 14 for most jobs. However, there are some jobs that are exempted from law, including newspaper delivery, babysitting, acting or performing, and working in solely parent-owned businesses.
- Hour restrictions for teens aged 14 and 15 are relaxed during the summer months. They can work from 7 a.m.–9 p.m. from June 1 to Labor Day and 40 work hours a week and 8 hours a day when school is not in session. During the school year, work hours are dramatically reduced.
- The FLSA does not limit the number of hours per day or per week that employees aged 16 years and older can be required to work.
- Minors are generally prohibited from work declared hazardous by the Secretary of Labor (examples include work involving excavation, driving, and the operation of many types of power-driven equipment). However, there are also exceptions, i.e. a minor working for a parent-owned business.
- There are also specific rules for certain jobs, including guidelines for employing youth in grocery stores and amusement parks.
- The requirements of the NJCLA are enforced by inspectors and agents of the New Jersey Department of Labor and they are authorized to enter and inspect any establishment for any violations.
- Both the FLSA and the NJCLA have specific posting requirements for employers of minors.

If your New Jersey business has hired teen workers this summer, it is important to make sure you understand the unique rules that apply to minor workers. To avoid a costly lawsuit, we recommend consulting with a member of Scarinci Hollenbeck's Labor and Employment Law Group.

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