

## CHILD LABOR LAWS

State of California  
Department of Industrial Relations  
Division of Labor Standards Enforcement

### Hours of Work

#### SUMMARY CHART

	Ages 16 & 17 Must have completed 7th grade to work while school in session. (EC 49112)	Ages 14 & 15 Must have completed 7 <sup>th</sup> grade to work while school in session (EC 49112)	Ages 12 & 13
SCHOOL IN SESSION*	<p>4 hours per day on any schoolday** [EC 49112; 49116; LC 1391]</p> <p>8 hours on any non-schoolday or on any day preceding a non-schoolday. [EC 49112; 49116; LC 1391]</p> <p>48 hours per week [LC 1391]</p> <p>WEE students &amp; personal attendants*** may work more than 4 hours on a schoolday, but never more than 8. See text. [EC 49116; LC 1391, 1392]</p>	<p>3 hours per schoolday outside of school hours [EC 49112, 49116; LC 1391]</p> <p>8 hours on any non-schoolday</p> <p>18 hours per week [EC 49116; LC 1391]</p> <p>WEE students may work during school hours &amp; up to 23 hours per week. See text. [EC 49116; LC 1391]</p>	<p>May be employed only during school holidays and vacations (usually construed to include weekends). May never be employed on any schoolday, either before or after school. [EC 49111] See text.</p> <p>Daily and weekly work hour maximums while school is in session are not specified in statute, but may not exceed the maximum allowed when school is not in session or the maximum stated on permit. [EC 49111; LC 1391, 1392] See text.</p> <p>Not eligible for WEE programs. [EC 49113]</p>
SCHOOL NOT IN SESSION	<p>8 hours per day [LC 1391, 1392]</p> <p>48 hours per week [LC 1391]</p>	<p>8 hours per day [LC 1391, 1392]</p> <p>40 hours per week [LC 1391]</p>	<p>8 hours per day [LC 1391, 1392]</p> <p>40 hours per week [LC 1391]</p>
SPREAD OF HOURS	<p>5 a.m. – 10 p.m. However, until 12:30 a.m. on any evening preceding a nonschoolday [LC 1391]</p> <p>WEE students, with permission, until 12:30 a.m. on any day [LC 1391.1]</p> <p>Messengers: 6 a.m. – 9 p.m.</p>	<p>7 a.m. – 7 p.m., except that from June 1 through Labor Day, until 9 p.m. [LC 1391]</p>	<p>7 a.m. – 7 p.m., except that from June 1 through Labor Day, until 9 p.m. [LC 1391]</p>

**CHILD LABOR LAWS**  
**MINORS UNDER AGE 12**

<i>California Law</i>	<i>Federal Law</i>
<b>School Attendance</b>	
Must attend school full-time	State law applies.
<b>Permit to Work and to Employ</b>	
Not Permitted to Work except in the entertainment industry on permits issued by the Labor Commissioner.	Certificate of age required. (State permit suffices.)
<b>Hours of Work</b>	
<p><b>Maximum Hours</b> Daily: 8 hours. Weekly: 40 hours.  <b>Spread of Hours</b> 7am - 7pm (- 9pm June 1 through Labor Day).            See text and separate table for entertainment industry employment.</p>	May not be employed in firms subject to the Fair Labor Standards Act, except certain agricultural firms.
<b>Wages</b>	
Must be paid at least wage rates required by the Industrial Welfare Commission. <b>Exceptions:</b> Parents and personal attendants (which includes babysitting and companionship services) are exempt from minimum wage and overtime requirements.	Must be paid at least the wage rates required by the FLSA. <b>Exceptions:</b> Casual babysitting (under 20 hours per week) and companionship services. Subminimum rates available only under a special federal certificate and must comply with state child labor standards.
<b>Exemptions</b>	
<p>NO PERMITS REQUIRED FOR:</p> <p>Any self-employed minor; newscarrriers self-employed on a regular route to deliver newspapers to consumers (newscarrriers must be at least 12 years of age); casual work in private homes such as babysitting, lawnmowing, leaf raking, etc.; Employment by parent/guardian in domestic labor on or in connection with premises the parent/guardian owns, operates or controls.</p> <p><b>NOTE:</b> Parent/guardians may not employ their minor children in manufacturing, mercantile or other enterprises without work permits. Except as noted, parent employers are subject to all occupational restrictions.</p>	<p>FLSA's child labor provisions do not apply to 1) child actors or performers in motion pictures, theatrical, radio or television productions; 2) newscarrriers; 3) children employed as homeworkers for production of holly and evergreen wreaths, including harvesting of forest products for such wreaths; and 4) most domestic service.</p> <p><b>NOTE:</b> Parent/guardians may employ their minor children under 16 in any occupation except mining or manufacturing, or in occupations declared hazardous in federal regulation for minors under 18 (See chart for 16- and 17-year-olds.)</p>
<b>Agriculture</b>	
<p>May only work for parent/guardian on or in connection with premises the parent owns, operates, or controls. No permit is required and no occupational restrictions apply except that the minor may not work during schoolhours, even if under schoolage.</p> <p>May not be employed in or accompany parent/guardian or guardian into an "agricultural zone of danger," which includes water hazards, chemicals, moving equipment or any agricultural occupation prohibited to minors under 16 unless activities are on or in connection with premises the parent/guardian owns, operates, or controls.</p>	<p>May be employed on farms owned or operated by the parent or person standing in place of the parent. Must be employed outside the school district's regular school hours.</p> <p>May not be employed in occupations declared hazardous in federal regulation for minors under 16 in agriculture (See chart for 14- and 15-year-olds).</p>

An on-line version is available of the Department of Labor's *Child Labor* booklet:  
<http://www.dir.ca.gov/DLSE/dlse.html>