OM 3.1.6 - Employment of Minors

[ Scope ] [ Reason for Policy ] [ Policy Statement ] [ Procedures ] [ History ]

Scope
All Clarkson University units and employees.

Reason for Policy
Clarkson University intends to maintain a safe environment for all members of its community, including its students, faculty, staff, guests, volunteers and participants in all of its programs.

Employment of persons age 16 to 18 is governed by New York State and Federal Labor Law. University policy prohibits anyone less than 16 years of age.

Policy Statement
New York State Labor Law concerning the employment of minors has certain restrictions and regulations that the University must follow. The Human Resources Office will process the necessary forms and keep the required records.

Procedures
Clarkson University shall adhere to the rules and regulations set for by New York State and the Federal Government Child Labor Laws.

The New York State Labor Law concerning the employment of minors has certain restrictions and regulations that the University must follow. As a guideline, some of the provisions and rules governing this subject are outlined below. The Human Resources Office will process the necessary forms and keep the required records. The employing department should refer the individual to the Human Resources Office for this purpose.

1. Each minor between the ages of sixteen and eighteen must present a Student General Employment Certificate, Form AT-19, to his or her prospective employers.
2. The minor should be required to identify him or herself by signing the certificate, entering his or her name, address, and date employment is to begin.
3. The employer must return to the issuing office the Statement of Employer that is attached to the bottom of the Student General Employment Certificate Form.
4. The Statement of Employer must be kept on file in the Human Resources Office.
5. Upon termination of the minor's employment, the employer should enter the termination date and return the employment certificate to the minor or mail it to the issuing officer.

Other regulations and restrictions pertaining to working hours and types of employment include the following:

Children sixteen years and seventeen years of age enrolled in a day school (other than a part-time or continuation school) may be employed as follows:

1. When school is in session: not more than six days in any week, four hours on any school day, eight hours on non-school days for a maximum of twenty-eight hours in any week;
2. When school is not in session and during vacation periods: not more than eight hours a day, or six days a week for a maximum of forty-eight hours in any week.

Minors sixteen and seventeen years of age enrolled in a day school may not be employed:
1. May not work between midnight and 6 a.m. when school is not in session (vacation). They may work after 10 p.m. up to midnight during the school year only with the written consent of a parent and a certificate of good academic standing from their school. **Parental Consent Forms may be obtained from the Division of Labor Standards Office. The school the minor attends issues the Certificate of Satisfactory Academic Standing.**
2. Generally: more than six days in any week, eight hours on any day for a maximum of forty-eight hours per week.

Minors sixteen and seventeen years of age may not be employed in certain hazardous occupations such as construction work, the operation of various kinds of power-driven machinery, including motor vehicles, and others as listed in Section 133 of the Labor Law.

The attention of all employing department heads and supervisors is called to the fact that there are penalties and fines if convicted for violating this law.

**POSTING PROVISIONS**

The employer must make a schedule for all minors and post it where workers can see it. The schedule shows the hours minors start and end work and time allotted for meals.

The employer can change the hours of work, as long as they post the changes on the schedule. Minors may work only on the days and at the times posted on the schedule. If minors are present at other times or if there is no posted schedule, it is a violation of the child labor law.

**History**

July 1987
April 2008 - Revised
May 2014 - Revised