

From: Stokes, Richard L
Sent: Monday, July 09, 2012 4:10 PM
Subject: RE: Hiring 17 year old and younger

It doesn't appear to be a problem with the Town employing the 17 year old. The FLSA sets an 18-year minimum age with respect to employment in any occupation found and declared by the Secretary of Labor to be particularly hazardous for the employment of minors of such age or detrimental to their health or well-being. Cutting grass in and of itself does not fall into one of the hazardous occupations.

Minors age 18 or older are not subject to restrictions on jobs or hours

Minors age 16 and 17 may perform any job not declared hazardous by the Secretary, and are not subject to restrictions on hours

The following occupations are prohibited in any type of establishment (manufacturing, non-manufacturing, retail, wholesale, service, etc.) for youth employment:

1. The occupations or operator of or helper on the following power-driven fixed or portable machines *except* for machines equipped with full automatic feed and ejection: circular saws, band saws, and guillotine shears.
2. The occupations of setting-up, adjusting, repairing, oiling, or cleaning circular saws, bandsaws, and guillotine shears.

Definitions

1. The term *operator* shall mean a person who operates a machine covered by this HO by performing such functions as starting or stopping the machine, placing materials into or removing them from the machine, or any other functions directly involved in operation of the machine.
2. The term *helper* shall mean a person who assists in the operation of a machine covered by this HO by helping place materials onto or removing them from the machine.
3. The term *machine equipped with full automatic feed and ejection* shall mean machines covered by this HO which are equipped with devices for full automatic feeding and ejection and with a fixed barrier guard to prevent completely the operator or helper from placing any part of his or her body in the point-of-operation area.
4. The term *circular saw* shall mean a machine equipped with a thin steel disc having a continuous series of notches or teeth on the periphery, mounted on shafting, and used for sawing materials.
5. The term *bandsaw* shall mean a machine equipped with an endless steel band having a continuous series of notches or teeth, running over wheels or pulleys, and used for sawing materials.
6. The term *guillotine shears* shall mean a machine equipped with a movable blade operated vertically and used to shear materials. The term shall not include other types of shearing machines, using a different form of shearing action, such as alligator shears or circular shears.

I hope this information is helpful. Feel free to contact me if you have questions or I can be of any further assistance.



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