

# Child Labor Law Kansas FFA SAE Fact Sheet



April 2017

The mission of the Kansas Department of Agriculture is to serve the farmers, ranchers and agribusinesses of Kansas as well as the customers they serve. One of the ways we are achieving this is through workforce development, specifically at the secondary level of education. Providing students an opportunity to explore careers through work-based learning is paramount in determining if they will pursue that career after high school. This booklet was developed as a quick reference guide for schools and industry to determine if a student can participate in the agribusiness practice. The information found in the following pages is taken directly from Department of Labor bulletins 101 and 102. KDA has condensed this information so that it may be used as a quick reference guide; it is not the official document for labor laws. For further clarification, please refer to the back page and contact the Department of Labor field office in Wichita, Kansas.

### Definitions:

**Agriculture Employee:** workers employed directly by the farmer, or by a covered contractor hired by the farmer, who: cultivate the soil or grow or harvest crops; raise livestock, bee, furbearing animals, or poultry; perform work which is incidental to the farming operations of that farm (such as threshing grain grown on that farm); work off the farm as employees of the farmer performing work which is incidental to the farming operations of that farm (such as delivering produce to market by truck).

**Student-Learner:** Student-learners in a bona fide vocational agricultural program may work in the occupations listed in paragraph 1 through 6 of the hazardous occupations orders in agriculture under a written agreement which provides all of the following conditions:

1. The student-learner is enrolled in a course of study and training in a vocational education training program in agriculture under a recognized State or local educational authority or in a

substantially similar program conducted by a private school.

2. Such student-learner is employed under a written agreement which provides:
  - c. that the work of the student-learner is incidental to the training;
  - d. that such work shall be intermittent, for short periods of time, and under the direct and close supervision of a qualified and experienced person;
  - e. that safety instruction shall be given by the school and correlated by the employer with on-the-job training; and
  - d. that a schedule of organized and progressive work processes to be performed on the job shall have been prepared.
3. Each such written agreement shall contain the name of the student-learner, and shall be signed by the employer and by a person authorized to represent the educational authority or school.
4. Copies of each agreement shall be kept on file by both the employer and either the educational authority or the school.

### Non Agriculture Employment:

Any occupation that is not listed or covered in the definition of Agriculture Employee.

The following regulations are broken into four sections:

1. 14-15 year olds Ag activities
2. 16-17 year olds Ag activities
3. 14-15 year olds Non-Ag activities
4. 16-17 year olds Non-Ag activities

**14-15 year olds that have completed either the 4-H extension services tractor operation/ machine operation training or the tractor operation or machine operation of the U.S. Office of Education Vocational Agriculture Training Program may participate in the following Hazardous**

## Occupations for Agriculture Employment (HO/As):

1. Operating a tractor of over 20 powertake-off (PTO) horsepower, or connecting or disconnecting an implement or any of its parts to or from such a tractor.
2. Operating or assisting to operate (including starting, stopping, adjusting, feeding or any other activity involving physical contact associated with the operation) any of the following machines: a. corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, mobile pea viner; b. feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a nongravity-type self-unloading wagon or trailer; or c. power post hole diggers, power post driver, or nonwalking type rotary tiller.

## 14-15 year olds are NOT permitted to participate in the following activities:

3. Operating or assisting to operate (including starting, stopping, adjusting, feeding, or any other activity involving physical contact associated with the operation) any of the following machines: a. trencher or earthmoving equipment; b. forklift; c. potato combine; or d. power-driven circular, band, or chain saw.
4. Working on a farm in a yard, pen, or stall occupied by: a. bull, boar, or stud horse maintained for breeding purposes; b. a sow with suckling pigs, or a cow with a newborn calf (with umbilical cord present).
5. Felling, bucking, skidding, loading, or unloading timber with butt diameter of more than 6 inches.
6. Working from a ladder or scaffold (painting, repairing, or building structures, pruning trees, picking fruit, etc.) at a height of over 20 feet.
7. Driving a bus, truck, or automobile when transporting passengers or riding on a tractor

- as a passenger or helper.
8. Working inside: a. a fruit, forage, or grain storage designed to retain an oxygen deficient or toxic atmosphere; b. an upright silo within 2 weeks after silage has been added or when a top unloading device is in operating position; c. a manure pit; or d. a horizontal silo while operating a tractor for packing purposes.
  9. Handling or applying toxic agricultural chemicals (including cleaning or decontaminating equipment, disposal or return of empty containers, or serving as a flagman for aircraft applying such chemicals). Such toxic chemicals are identified by the word "poison," or "warning," or are identified by a "skull and crossbones" on the label.
  10. Handling or using a blasting agent, including but not limited to, dynamite, black powder, sensitized ammonium nitrate, blasting caps, and primer cord; or
  11. Transporting, transferring, or applying anhydrous ammonia

These Orders are published in Subpart E-1 of Part 570 of Title 29 of the Code of Federal Regulations.

### **Ages 16 and up employed in agriculture (on farm):**

Eligible to participate in all HO/As.

### **Non Agriculture Employment 14-15 year olds:**

The following is the list of jobs the Secretary of Labor has determined will not interfere with the schooling, health, and well-being of 14- and 15-year-olds and therefore MAY BE performed by such youth. Any job not specifically permitted, is prohibited.

1. OFFICE and CLERICAL WORK, including operation of office machines.
2. WORK OF AN INTELLECTUAL OR ARTISTICALLY CREATIVE NATURE such as but not limited to computer programming, the writing of software, teaching or performing as a tutor, serving as a peer counselor or teacher's assistant, singing, the playing of a musical instrument, and drawing, as long as such employment complies with all the other provisions contained in §§ 570.33, .34, and .35.
3. COOKING with electric or gas grills that do not involve cooking over an open flame and with deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets into and out of the oil or grease. NOTE: this section does not permit cooking with equipment such as rotisseries, broilers, pressurized equipment including fryolators, and cooking devices that operate at extremely high temperatures such as "Neico broilers."
4. CASHIERING, SELLING, MODELING, ART WORK, WORK IN ADVERTISING DEPARTMENTS, WINDOW TRIMMING and COMPARATIVE SHOPPING.
5. PRICE MARKING and TAGGING by hand or by machine. ASSEMBLING ORDERS, PACKING and SHELVING.
6. BAGGING and CARRYING OUT CUSTOMER ORDERS.
7. ERRAND and DELIVERY WORK by foot, bicycle, and public transportation. Except such youth may not be employed by a public messenger service.
8. CLEANUP WORK, including the use of vacuum cleaners and floor waxers, and the maintenance of grounds, but not including the use of power-driven mowers, cutters, trimmers, edgers, or similar equipment.
9. KITCHEN WORK and other work involved in preparing and serving food and beverages, including operating machines and devices used in performing such work. Examples of permitted machines and devices include, but are not limited to, dishwashers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, coffee grinders, automatic coffee machines, devices used to maintain the temperature of prepared foods (such as warmers, steam tables, and heat lamps), and microwave ovens that are used only to warm prepared food and do not have the capacity to warm above 140 °F.
10. CLEANING KITCHEN EQUIPMENT. Minors are permitted to clean kitchen equipment (not otherwise prohibited), remove oil or grease filters, pour oil or grease through filters, and move receptacles containing hot grease or hot oil, but only when the equipment, surfaces, containers and liquids do not exceed a temperature of 100°F.
11. CLEANING VEGETABLES AND FRUITS, AND THE WRAPPING, SEALING, LABELING, WEIGHING, PRICING, AND STOCKING OF ITEMS, INCLUDING VEGETABLES, FRUITS, AND MEATS, when performed in areas physically separate from a freezer or meat cooler.
12. LOADING ONTO MOTOR VEHICLES AND THE UNLOADING FROM MOTOR VEHICLES of the light, non-power-driven, hand tools and personal protective equipment that the minor will use as part of his or her employment at the work site; and the loading onto motor vehicles and the unloading from motor vehicles of personal items such as a back pack, a lunch box, or a coat that the minor is permitted to take to the work site. Such light tools would include, but not be limited to, rakes, hand-held clippers, shovels, and brooms. Such light tools would not include items like trash, sales kits, promotion items or items for sale, lawn mowers, or other power-driven lawn maintenance equipment. Such minors would not be permitted to load or unload safety equipment such as barriers, cones, or signage.
13. THE OCCUPATION OF LIFEGUARD (15-year-olds but not 14-year-olds) at traditional swimming pools and water amusement parks (including such water park facilities as wave pools, lazy rivers, specialized

activity areas, and baby pools, but not including the elevated areas of water slides) when properly trained and certified in aquatics and water safety by the American Red Cross or a similar certifying organization. No youth under 16 years of age may be employed as a lifeguard at a natural environment such as an ocean side beach, lake, pond, river, quarry, or pier.

14. Employment of certain youth under specified conditions inside and outside of establishments WHERE MACHINERY IS USED TO PROCESS WOOD PRODUCTS.

15. WORK IN CONNECTION WITH CARS AND TRUCKS if confined to the following:

- Dispensing gasoline and oil.
- Courtesy service on premises of gasoline service station.
- Car cleaning, washing, and polishing by hand.
- Other occupations permitted by Child Labor Regulation No. 3, BUT NOT INCLUDING WORK involving the use of pits, racks or lifting apparatus or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.

16. WORK IN CONNECTION WITH RIDING INSIDE PASSENGER COMPARTMENTS OF MOTOR VEHICLES except as prohibited or when a significant reason for the minor being a passenger in the vehicle is for the purpose of performing work in connection with the transporting—or assisting in the transporting of—other persons or property. Each minor riding as a passenger in a motor vehicle must have his or her own seat in the passenger compartment; each seat must be equipped with a seat belt or similar restraining device; and the employer must instruct the minors that such belts or other devices must be used. In addition, each driver transporting the young workers must hold a valid state driver's license for the type of vehicle being driven and, if the driver is under the age of 18, his or her

employment must comply with the provisions of HO 2.

## Non Agriculture Employment 16-17 year olds:

The following activities may not be done by 16-17 year olds unless they are bona fide student learners and/or apprentices. Student learner definition is on page 2.

### HO 5 — Power-Driven Woodworking Machine Occupations

The following occupations involved in the operation of power-driven woodworking machines are prohibited:

1. The occupation of operating power-driven woodworking machines including supervising or controlling the operation of such machines, feeding material into such machines, and helping the operator to feed material into such machines, but not including the placing of material on a moving chain or in a hopper or slide for automatic feeding.
2. The occupations of setting up, adjusting, repairing, oiling, or cleaning power-driven woodworking machines.
3. The operations of off-bearing from circular saws and from guillotine-action veneer clippers.

#### Exemption

The exemption for student-learners and apprentices applies to HO 5.

#### Definitions

1. **Off-bearing** shall mean the removal of material or refuse directly from a saw table or from the point of operation. Operations not considered as off-bearing within the intent of this section include:
  - a. The removal of material or refuse from a circular saw or guillotine-action veneer clipper where the material or refuse has been conveyed away from the saw table or point of operation by a gravity chute or by some mechanical means such as a moving belt or expulsion roller; and
  - b. The following operations when they do not involve the removal of materials or

refuse directly from a saw table or point of operation: The carrying, moving, or transporting of materials from one machine to another or from one part of a plant to another; the piling, stacking, or arranging of materials for feeding into a machine by another person; and the sorting, tying, bundling, or loading of materials.

2. **Power-driven woodworking machines** shall mean all fixed or portable machines or tools driven by power and used or designed for cutting, shaping, forming, surfacing, nailing, stapling, wire stitching, fastening or otherwise assembling, pressing or printing wood, veneer, trees, logs, or lumber.

### HO 8 — Power-Driven Metal Forming, Punching, and Shearing Machine Occupations

The following occupations are prohibited:

1. The occupations of operator or helper on the following power-driven metal forming, punching, and shearing machines:
  - a. All rolling machines, such as beading, straightening, corrugating, flanging, or bending rolls; and hot or cold rolling mills.
  - b. All pressing or punching machines, such as punch presses except those provided with full automatic feed and ejection and with a fixed barrier guard to prevent the hands or fingers of the operator from entering the areas between the dies; power presses; and plate punches.
  - c. All bending machines, such as apron brakes and press brakes.
  - d. All hammering machines, such as drop hammers and power hammers.
  - e. All shearing machines, such as guillotine or squaring shears; alligator shears; and rotary shears.
2. The occupations of setting-up, adjusting, repairing, oiling, or cleaning these machines including those with automatic feed and ejection.

### Exemption

The exemption for student-learners and apprentices applies to HO 8.

### 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 the operation of the machine.
2. The term **helper** shall mean a person who assists in the operation of a machine covered by the HO by helping place materials into or removing them from the machine.
3. The term **forming, punching, and shearing** shall mean power-driven metalworking machines, other than machine tools, which change the shape of or cut metal by means of tools, such as dies, rolls, or knives which are mounted on rams, plungers, or other moving parts. Types of forming, punching and shearing machines enumerated in this section are the machines to which the designation is by custom applied. Not included in this term are metalworking machines known as machine tools.
4. The term **machine tools** shall mean power-driven complete metalworking machines having one or more tool- or work-holding devices and used for progressively removing metal in the form of "chips." Since the HO does not apply to machine tools, the 18-year minimum age does not apply. The following is a list of common machine tools:

#### Milling Function Machines

Horizontal Milling Machines  
Vertical Milling Machines  
Universal Milling Machines  
Planer-type Milling Machines  
Gear Hobbing Machines  
Profilers  
Routers

#### Turning Function Machines

Engine Lathes  
Turret Lathes  
Hollow Spindle Lathes  
Automatic Lathes  
Automatic Screw Machines

#### Planing Function Machines

Planers  
Shapers  
Slotters  
Broaches  
Keycasters  
Hack Saws

#### Grinding Function Machines

Grinders  
Abrasive Wheels  
Abrasive Belts  
Abrasive Disks  
Abrasive Points  
Polishing Wheels  
Buffing Wheels  
Stroppers  
Lapping Machines

#### Boring Function Machines

Vertical Boring Mills  
Horizontal Boring Mills  
Jig Borers  
Pedestal Drills  
Radial Drills  
Gang Drills  
Upright Drills  
Drill Presses  
Centering Machines  
Reamers  
Honors

### ***HO 10 — Occupations in the Operation of Power-Driven Meat-Processing Machines and Occupations Involving Slaughtering, Meat and Poultry Packing, Processing, or Rendering***

The following occupations in retail establishments, wholesale establishments, service establishments, slaughtering and meatpacking establishments, or rendering plants are prohibited:

1. All occupations involved in the operation or feeding of the following power-driven machines, including setting-up, adjusting, repairing, oiling, or cleaning such machines, regardless of the product being processed by these machines (including, for example, the slicing in a retail delicatessen of meat, poultry, seafood, bread, vegetables, or cheese, etc.): meat slicers, meat patty forming machines, meat and bone cutting saws, knives (except bacon-slicing machines<sup>1</sup>).
2. All occupations involved in the operation or feeding of

the following power-driven machines, including setting-up, adjusting, repairing, or oiling such machines or the cleaning of such machines or the individual parts or attachments of such machines, regardless of the product being processed by these machines: headsplitters, and guillotine cutters; snoutpullers and jawpullers; skinning machines; horizontal rotary washing machines; casing-cleaning machines such as crushing, stripping, and finishing machines; grinding, mixing, chopping, and hashing machines; and presses (except belly-rolling machines). Except, the provisions of this subsection shall not apply to the operation of those lightweight, small capacity, portable, countertop mixers discussed in HO 11 when used as a mixer to process materials other than meat or poultry.

3. All boning operations.
4. All operations on the killing floor, in curing cellars, and in hide cellars, except the work of messengers, runners, handtruckers, and similar occupations which require entering such workrooms or workplaces infrequently and for short periods of time.
5. All occupations involved in the recovery of lard and oils, except packaging and shipping of such products and the operations of lard-roll machines.
6. All occupations involved in tankage or rendering of dead animals, animal offal, animal fats, scrap meats, blood, and bones into stockfeeds, tallow, inedible greases, fertilizer ingredients, and similar products.
7. All occupations involving the handlifting or handcarrying of any carcass or half carcass of beef, pork, horse, deer, or buffalo, or any quarter carcass of beef, horse, or buffalo.
8. All occupations involving hand-lifting or hand-carrying any carcass or half-carcass of beef, pork, or horse, or any quarter-carcass of beef or horse.

<sup>1</sup>The term bacon slicing machine as used in this HO refers to those machines which are designed solely for the purpose of slicing bacon and are equipped with enclosure or barrier guards that prevent the operator from coming in contact with the blade or blades, and with devices for automatic feeding, slicing, shingling, stacking, and conveying the sliced bacon away from the point of operation.



### Exemptions

The exemption for student-learners and apprentices applies to HO 10. HO 10 shall not apply to the killing and processing of rabbits or small game in areas physically separated from the killing floor.

### Definitions

1. The term **boning occupations** means the removal of bones from meat cuts. It does not include work that involves cutting, scraping, or trimming meat from cuts containing bones.
2. The term **curing cellar** includes a workroom or workplace which is primarily devoted to the preservation and flavoring of meat, including poultry, by curing materials. It does not include a workroom or workplace solely where meats are smoked.
3. The term **hide cellar** includes a workroom or workplace where hides are graded, trimmed, salted, and otherwise cured.
4. The term **killing floor** includes a workroom, workplace where such animals as cattle, calves, hogs, poultry, sheep, lambs, goats, buffalo, deer, or horses are immobilized, shackled, or killed, and the carcasses are dressed prior to chilling.
5. The term **retail/wholesale or service establishments** include establishments where meat or meat products, including poultry, are processed or handled, such as butcher shops, grocery stores, restaurants and quick service food establishments, hotels, delicatessens, and meat locker (freezer-locker) companies, and establishments where any food product is prepared or processed for serving to customers using machines prohibited by paragraph (a) of this HO.
6. The term **rendering plants** means establishments engaged in the conversion of dead animals, animal offal, animal fats, scrap meats, blood, and bones into stock feeds, tallow, inedible greases, fertilizer ingredients, and similar products.
7. The term **slaughtering and meat packing establishments** means places in or about which such animals as cattle,

calves, hogs, poultry, sheep, lambs, goats, buffalo, deer, or horses are killed, butchered, or processed. The term also includes establishments which manufacture or process meat or poultry products, including sausage or sausage casings from such animals.

### HO 12 — Occupations involved in the operation of balers, compactors, and paper-products machines

The following occupations are prohibited in any type of establishment (manufacturing, nonmanufacturing, retail, wholesale, service, etc.):

1. The occupations of operating or assisting to operate any of the following power-driven paper-products machines:
  - a. Arm-type wire stitcher or stapler, circular or band saw, corner cutter or mitering machine, corrugating and single- or double-facing machine, envelope die-cutting press, guillotine papercutter or shear, horizontal bar scorer, laminating or combining machine, sheeting machine, or vertical slotter.
  - b. Scrap paper balers and paper box compactors, including those machines that process other materials in addition to paper.
  - c. Platen diecutting press, platen printing press, or punch press which involves hand feeding of the machine.
2. The occupations of operating or assisting to operate any baler that is designed or used to process materials other than paper.
3. The occupations of operation or assisting to operate any compactor that is designed or used to process materials other than paper.
4. The occupations of setting up, adjusting, repairing, oiling, or cleaning any of the machines listed in paragraphs (a)(1), (2), and (3) of this section.

### Exemptions

1. The exemption for student-learners and apprentices applies to HO 12.
2. Section 13(c)(5) of the FLSA

permits 16- and 17-year-old employees to load, but not operate or unload, certain scrap paper balers and paper box compactors if all of the following conditions are met:

- a. the scrap paper balers and the paper box compactors must meet an applicable American National Standard Institute (ANSI)
- b. the scrap paper balers and paper box compactors cannot be operated while being loaded;
- c. the scrap paper balers and paper box compactors include an on-off switch incorporating a key-lock or other system and the control of the system is maintained in the custody of employees who are 18 years of age or older;
- d. the on-off switch of the scrap paper balers and paper box compactors is maintained in an off position when the equipment is not in operation; and
- e. the employer posts a notice on each scrap paper baler and each paper box compactor that 16- and 17-year-olds will be loading which states (see §:570.63(c)):
  - the equipment meets an appropriate ANSI Standard mentioned above, or a more recent applicable ANSI Standard that the Secretary of Labor has certified as being as protective of minors as those listed above – Note: the specific standard must be listed on the notice in its entirety;
  - Sixteen- and 17-year-old employees may only load the scrap paper baler and paper box compactor; and
  - any employee under the age of 18 may not operate or unload the scrap paper baler and paper box compactor.

### Definitions

1. **Applicable ANSI Standard** means one of the American National Standard Institute standards listed in the above chart, or a newer standard that the Secretary of Labor has certified as being as protective

of minors. The ANSI standards for scrap paper balers and paper box compactors govern the manufacture and modification of the equipment, the operation and maintenance of the equipment, and employee training.

2. **Baler that is designed or used to process materials other than paper** means a powered machine designed or used to compress materials other than paper and cardboard boxes, with or without binding, to a density or form that will support handling and transportation as a material unit without requiring a disposable or reusable container.
3. **Compactor that is designed or used to process materials other than paper** means a powered machine that remains stationary during operation, designed or used to compact refuse other than paper or cardboard boxes into a detachable or integral container or into a transfer vehicle.
4. **Operating or assisting to operate** means all work that involves starting or stopping a machine covered by this section, placing materials into or removing materials from a machine, including clearing a machine of jammed materials, paper, or cardboard, or any other work directly involved in operating the machine. The term does not include the stacking of materials by an employee in an area nearby or adjacent to the machine where such employee does not place the materials into the machine.
5. **Paper box compactor** means a powered machine that remains stationary during operation, used to compact refuse, including paper boxes, into a detachable or integral container or into a transfer vehicle.
6. **Paper products machine** means all power-driven machines used in (1) remanufacturing or converting paper or pulp into a finished product, including preparing such materials for recycling; or (2) preparing such materials for disposal. The term applies to such machines whether they are used in establishments that

manufacture converted paper or pulp products, or in any other type of manufacturing or nonmanufacturing establishment. The term also applies to those machines which, in addition to paper products, process other material for disposal.

7. **Scrap paper baler** means a powered machine used to compress paper and possibly other solid waste, with or without binding, to a density or form that will support handling and transportation as a material unit without requiring a disposable or reusable container.

#### **HO 14 — Occupations Involving the Operation of Circular Saws, Band Saws, Guillotine Shears, Chain Saws, Reciprocating Saws, Wood Chippers, and Abrasive Cutting Discs**

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

1. The occupations of operator or of 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 operator or of helper on the following power-driven fixed or portable machines: chain saws, reciprocating saws, wood chippers, and abrasive cutting discs.
3. The occupations of setting-up, adjusting, repairing, oiling, or cleaning circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs.

##### *Exemption*

The exemption for student-learners and apprentices applies to HO 14.

##### *Definitions*

1. **Abrasive cutting disc** shall mean a machine equipped with a disc embedded with abrasive materials used for cutting materials.

2. **Band saw** 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.

3. **Chain saw** shall mean a machine that has teeth linked together to form an endless chain used for cutting materials.

4. **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. **Guillotine shear** shall mean a machine equipped with a moveable 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.

6. **Helper** shall mean a person who assists in the operation of a machine covered by this section by helping place materials into or remove them from the machine.

7. **Operator** shall mean a person who operates a machine covered by this section 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.

8. **Reciprocating saw** shall mean a machine equipped with a moving blade that alternately changes direction on a linear cutting axis used for sawing materials.

9. **Wood chipper** shall mean a machine equipped with a feed mechanism, knives mounted on a rotating chipper disc or drum, and a power plant used to reduce to chips or shred such materials as tree branches, trunk segments, landscape waste, and other materials.

#### **HO 16 — Occupations in Roofing Operations and All Work On or About a Roof**

All occupations in roofing operations and all work on or about a roof are prohibited.

##### *Exemption*

The exemption for student-learners

and apprentices applies to HO 16.

### Definitions

1. The term **roofing operations** means all work performed in connection with the installation of roofs, including related metal work such as flashing, and applying weatherproofing materials and substances (such as waterproof membranes, tar, slag or pitch, asphalt prepared paper, tile, composite roofing materials, slate, metal, translucent materials, and shingles of asbestos, asphalt, wood or other materials) to roofs of buildings or other structures. The term also includes all jobs on the ground related to roofing operations such as roofing laborer, roofing helper, materials handler and tending a tar heater.
2. The term **on or about a roof** includes all work performed upon or in close proximity to a roof, including carpentry and metal work, alterations, additions, maintenance and repair, including painting and coating of existing roofs; the construction of the sheathing or base of roofs (wood or metal), including roof trusses or joists; gutter and downspout work; the installation and servicing of television and communication equipment such as cable and satellite dishes; the installation and servicing of heating, ventilation and air conditioning equipment or similar appliances attached to roofs; and any similar work that is required to be performed on or about roofs.

### HO 17 — Occupations in Excavation Operations

1. The following occupations in excavation operations are prohibited: Excavating, working in, or backfilling (refilling) trenches, *except*
  - manually excavating or manually backfilling trenches that do not exceed four feet in depth at any point, or
  - working in trenches that do not exceed four feet in depth at any point.

2. Excavating for buildings or other structures or working in such excavations, except
  - manually excavating to a depth not exceeding four feet below any ground surface adjoining the excavation, or
  - working in an excavation not exceeding such depth, or
  - working in an excavation where the side walls are shored or sloped to the angle of repose.
3. Working within tunnels prior to the completion of all driving and shoring operations.
4. Working within shafts prior to the completion of all sinking and shoring operations.

### Exemption

The exemption for student-learners and apprentices applies to HO 17.

## The following Hazardous Occupation orders may not be performed by anyone under the age of 18 under any circumstances:

1. HO 1: Manufacturing and storing of explosives.
2. HO 2: Motor-vehicle driving and outside helper on a motor vehicle.
3. HO 3: Coal mining.
4. HO 4: Occupations in forest fire fighting, forest fire prevention, timer tract operations, forestry service, logging, and sawmilling.
5. HO 6: Exposure to radioactive substances.
6. HO 7: Power-driven hoisting apparatus, including forklifts.
7. HO 9: Mining, other than coal mining.
8. HO 11: Power-driven bakery machines including vertical dough or batter mixers.
9. HO 13: Manufacturing bricks, tile, and kindred products.
10. HO 15: Wrecking, demolition, and shipbreaking operations.

Information gathered from:  
US Department of Labor

Child Labor Provisions for Nonagricultural Occupations, Child Labor Bulletin 101  
[https://www.dol.gov/whd/regs/compliance/childlabor101\\_text.htm](https://www.dol.gov/whd/regs/compliance/childlabor101_text.htm)

Child Labor Requirements in Agriculture Occupations, Child Labor Bulletin 102, WH-1295  
<https://www.dol.gov/whd/regs/compliance/childlabor102.pdf>

Contact:

US Department of Labor  
Phone: (316) 269-7166 or  
(913) 551-5721  
[www.dol.gov/whd](http://www.dol.gov/whd)