

West Virginia Child Labor Laws General Reference Guide

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CHILD LABOR GENERAL REFERENCE GUIDE West Virginia Code Chapter 21, Article 6

The purpose of having child labor laws is to provide young adults with the means to enter the workplace in an environment that is safe and conducive to their education. The information contained in this reference guide is intended to provide basic information relating to those requirements.

State child labor laws provide the guidelines for obtaining work permits and age certificates, establish the permissible hours of work for fourteen and fifteen-year-olds, and define those occupations that are considered hazardous for all minors under the age of eighteen. Although not intended to address every possible situation, the information supplied in this guide is meant to provide minors, parents, and employers with the basic information needed for a minor to properly enter the workforce.

JURISDICTION & AUTHORITY

Both state and federal law address the employment of minors under eighteen. However, before state child labor laws can apply, an employment relationship must exist between the minor and an employer. That means casual relationships that involve babysitting, running errands, and mowing grass for family, friends and neighbors are not covered under state child labor requirements.

Whenever both state and federal law apply to a specific area of enforcement such as child labor, the requirements of both laws must be considered to ensure the higher standard of each law is applied. In the case of child labor, applying the higher standard means enforcing the most stringent requirement that relates to the safety and well-being of the minor. In order to ensure state and federal child labor laws are enforced as consistently as possible, the West Virginia Division of Labor has adopted certain federal standards relating to child labor.

In addition to enforcing state and federal standards relating to hazardous and non-hazardous occupations, the Commissioner of the West Virginia Division of Labor also has the individual authority to consider any occupation as dangerous or injurious to a minor child based on that minor's job duties and work environment. Such rulings are considered on a case by case basis and may be more restrictive than existing federal standards. §21-6-2(c)

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WEST VIRGINIA CHILD LABOR REQUIREMENTS

Child Labor Jurisdiction Requires an Employment Relationship

West Virginia's child labor laws apply to the gainful employment of minors under the age of eighteen, and to the activities of junior volunteer firefighters. It does not apply to casual work performed for friends and neighbors outside of an employment relationship.

Required Lunch Periods

Fourteen and fifteen-year-old minors that work for a period of five or more hours in any one day must be provided a thirty-minute lunch period. This requirement does not extend to sixteen and seventeen-year-olds. §21-6-6(7)

Minors Thirteen Years of Age and Younger

Minors under the age of thirteen are not permitted gainful employment in any capacity unless engaged in acceptable agricultural work as defined by the United States Department of Labor, the work performed involves one of the named exemptions below, or the Commissioner of the West Virginia Division of Labor has issued a supervision permit pursuant to the special needs and circumstances of a specific individual. §21-6-1

Exemptions

The following is a list of specific occupations and/or circumstances that are specifically excluded from state child labor requirements. Minors of any age may be gainfully employed in these occupations, or under the circumstances stated, without having to comply with state child labor laws. These activities include:

- Domestic services provided within the residence of the employer.
- Work performed for a parent or legal guardian in their solely owned business, excluding any occupations that have been determined as hazardous.
- Perform as an actor or actress in motion pictures, theatrical, radio or television productions.
- Newspaper delivery.
- Agricultural occupations that have been determined as non-hazardous by the United States Department of Labor.

Whenever applicable, state child labor provisions are applied equally regardless of whether the minor child attends public school, private school, or is homeschooled. Minors wishing to work within the state of West Virginia that reside in other states are also required to comply with the child labor laws of this state.

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REQUIREMENTS FOR 14 & 15-YEAR-OLDS

PROCEDURES FOR OBTAINING A WORK PERMIT

Before accepting gainful employment, all fourteen and fifteen-year-olds must first obtain a work permit. Work permit forms may be obtained directly from the West Virginia Division of Labor's website @ www.labor.wv.gov or from the local County Board of Education. Individual schools that have someone in-house that is authorized to issue permits by the county school superintendent may also supply minors with work permit forms.

The current work permit form consists of four pages. If a work permit form is obtained from anywhere other than the Division of Labor's website and the form obtained consists of only one page, you do not have the most current version of the form.

A new work permit must be obtained each time a fourteen or fifteen-year-old is employed, even when the minor has worked for the same employer in a previous year or term. The same applies whenever the conditions of employment change, such as the type of job duties being performed and/or the type of equipment that's being used.

DETERMINING THE APPROPRIATE PARTY AUTHORIZED TO ISSUE A WORK PERMIT

Minors Attending Public School in West Virginia

Before accepting gainful employment, all fourteen and fifteen-year-olds must submit an application to the superintendent of public schools in the county where he or she resides to obtain a work permit. The minor's application must be made using the current work permit form prescribed by the Commissioner of the West Virginia Division of Labor. As school superintendents have the authority to designate the responsibility of issuing work permits to other individuals throughout the public-school system, there may be someone at the minor's own school that is authorized to issue the permit.

Minors Attending Private School in the County Where they Reside

Before accepting gainful employment, all fourteen and fifteen-year-olds must apply to the superintendent of public schools in the county where he or she resides to obtain a work permit. Although the minor attends a private school, the superintendent of public schools in the county where the minor resides must issue the work permit. If the private school being attended is located in the same county as where the minor resides, the superintendent of public schools may have authorized an individual within the minor's own school to issue work permits.

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Minors Attending School (Public & Private) Outside the County Where they Reside

All fourteen and fifteen-year-old minors that are enrolled in a private or public school that is located in a county other than where he or she resides must apply for a work permit to the superintendent of public schools in the county where they reside. As the superintendent of schools for their home county will not have access to their school records, the principal or registrar of the school being attended will be required to complete Section C of the work permit form. Although individuals located within the school that the minor attends may have been authorized to issue work permits by the superintendent of public schools for the county in which the school is located, such individuals may not issue work permits for minors that do not reside in that same county.

Minors that are Homeschooled

Homeschooled minors must apply to the superintendent of public schools in the county where they reside to apply for a work permit. Section C of the work permit form is to be completed by the individual, parent, or guardian that is responsible for the minor's education.

Minors that Live Outside of West Virginia

All fourteen and fifteen-year-olds that live outside the state of West Virginia, both public and private, must apply for a work permit through the superintendent of schools in the county and state where they reside, on forms prescribed by the Commissioner of the West Virginia Division of Labor. Should the county superintendent of schools from the minor's home county and state refuse to issue the permit on the Commissioner's forms, the minor will not be eligible for employment in West Virginia until he or she reaches the age when a work permit is no longer required. Those minors residing outside of West Virginia must have the principal or registrar of the school attended to complete Section C of the work permit form before submitting it to the county superintendent for issuance. For homeschooled minor's, Section C of the work permit form may be completed by the individual, parent, or guardian that is responsible for the minor's education.

Work Permit Forms

On July 1, 2015, all West Virginia child labor forms were revised. The work permit form was changed at that time to serve as both the application and the permit itself. The form is currently available from the Division of Labor's website, from County Boards of Education, as well as from individual public and private schools where the county superintendent of schools has designated an issuing officer to issue such permits. It is the responsibility of the minor child, or his or her parent or guardian, to ensure that each section of the form is completed by the appropriate responsible party and is submitted to the appropriate representative of the county superintendent of public schools for issuance. In all cases, the minor may not work until after a work permit is issued.

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Completion of the Work Permit Form

Each work permit form consists of four pages. The four pages consist of four different sections that require completion by different parties. None of the sections may be left blank. Any work permit issued with a section, or a portion of a section, that's left incomplete will result in immediate revocation by the Commissioner of Labor.

The work permit is to be completed as indicated below, with each section being completed in the order presented on the form. (Section A then B, etc.). Once completed, the minor applying for the permit is required to personally appear before the county superintendent of schools, or an individual that has been authorized to issue permits by the superintendent, to submit his or her application.

Section A of the work permit must be completed in its entirety by the employer that intends to hire the minor. A promise of gainful employment is required prior to the minor applying for the permit. All areas of this section must be completed in full by the prospective employer's representative, to include a complete description of tasks and equipment required to perform the job, the intended work schedule showing specific dates and hours, and the assurance that the minor will be provided at least a thirty minute meal break after working five hours.

Section B is to be completed by the minor's parent or guardian. All areas of this section must be completed in full by the parent or guardian giving permission for the minor to be employed. Proof of age in the form of a certified birth certificate, or a copy of a certified birth certificate, must be attached to the application.

Section C is to be completed by the principal or registrar of the school the minor child is attending. If the minor is attending public school in the county where he or she resides, Section C may be completed by the representative of the superintendent of schools that's issuing the permit OR by the registrar of the school being attended. If the minor attends private school, public school in a county other than where he or she resides, is being homeschooled, or resides outside of the state of West Virginia, please refer to Pages 3 and 4 of this Reference Guide for specific instructions.

Section D is to be completed by the superintendent of public schools in the county where the minor resides, or by an issuing officer authorized to issue permits within the same county. The superintendent or issuing officer is responsible for assuring that Sections A through C have been properly completed by the appropriate parties, that the type of work and hours indicated by the employer are permissible for fourteen and fifteen-year-olds and that a certified birth certificate (or copy thereof) was provided with the application.

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Issuance of the Work Permit

If the work permit application is found to be complete in all areas, relates to acceptable employment for fourteen and fifteen-year-olds, and the work schedule stated by the employer complies with the standards for permissible hours of work for fourteen and fifteen-year-olds, the superintendent of public schools, or an approved issuing officer in the same county, may issue the permit by completing Section D of the work permit form.

Once signed by the superintendent of schools, or an individual authorized to issue permits, the work permit is considered issued. The superintendent, or issuing officer, shall retain the original form for his or her own records, while providing a copy to the employer, the minor's parent or guardian, and to the Division of Labor. Once the work permit has been issued and copies provided to all parties, the minor is then free to go to work.

Work Permit Modifications

If the superintendent, or an authorized issuing officer, determines that a modification is required relating to the terms of employment stated on the work permit form to comply with the requirements of state child labor laws, the work permit may still be issued as long as the required modification is noted in Section D of the work permit.

Work permits that are issued with modifications are considered issued once they are signed by the superintendent or an authorized issuing officer. Work permits issued with noted modifications are considered issued based on the terms and conditions of the modification(s) stated. The superintendent, or authorized issuing officer, shall retain the original work permit for his or her own records, while providing a copy to the employer, the minor's parent or guardian, and to the Division of Labor. Once the work permit has been issued and copies provided to all parties, the minor is then free to start working. Any modification(s) noted in Section D of a work permit must be observed and honored by the employer, even if that means the employer no longer wishes to hire the minor under those conditions.

Rejection of Work Permit

If the work permit form is found to be incomplete in any way, the minor's work schedule is not compatible with state law, proof of the minor's age was not provided, or the work to be performed is considered hazardous for fourteen and fifteen-year-olds, the superintendent, or authorized issuing officer, must reject the permit. The reason for rejection must be clearly identified in the area provided. In all cases where a work permit is rejected, the MINOR MAY NOT WORK until such issues are corrected and a work permit issued.

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HOURS OF WORK FOR 14 & 15-YEAR-OLDS

The following standards for hours of work apply to fourteen and fifteen-year-olds that are engaged in gainful employment. These requirements apply regardless of whether the minor is homeschooled, attending public school, or attending a private school. §21-6-6(a)

The terms “when school is in session”, “school day”, and “school week” each relate to the period in which public schools are in session for a particular county. That means the standards for permissible hours of work for fourteen and fifteen-year-olds may differ from county to county depending upon the school term as established for that county.

§42CSR-9 3.24 & §42CSR-9 3.25

On Days and Weeks When Public School is in Session:

14 & 15-Year-Olds May Not Work:

- Before 7:00 a.m. or after 7:00 p.m.
- More than 3 hours on any school day, including Fridays.
- During school hours, except as provided in work experience and career exploration programs on days when school is in session.
- More than 18 hours per week, or more than 23 hours per week when related to a school supervised work-study program, work-based learning program, or a work experience and career exploration (WECEP) program.

On Days and Weeks When Public School is Not in Session:

14 & 15-Year-Olds May Not Work:

- Before 7:00 a.m. or after 9:00 p.m. when school is NOT IN SESSION during summer break. (Memorial Day thru Labor Day)
- Before 7:00 a.m. or after 7:00 p.m. on days when the school term is in session but school is not open.
- More than 8 hours per day on days when school is not in session.
- More than 40 hours per week during weeks when school is in not in session OR when school is not open for the entire week during the regular school term.

EXCEPTIONS:

The above stated hours of work do not apply relating to the following circumstances.

- The minor has already graduated from high school.

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- The minor has been excused from compulsory school attendance by the state or other jurisdiction once he or she has completed the eighth grade and his or her employment complies with all requirements of the state school attendance laws.
- The minor has a child to support and appropriate state officers have waived school attendance requirements based on provisions of state law.
- The minor is subject to an order of a state or federal court prohibiting him or her from attending school or has been permanently expelled from the local public school he or she would normally attend; unless the minor is required by a state or local law ordinance, or by court order, to attend another school.
- Minors employed to work at sporting events such as baseball, basketball, football, soccer, tennis, etc., to perform duties relating to pre-game and post-game activities.

OCCUPATIONAL STANDARDS FOR FOURTEEN AND FIFTEEN-YEAR-OLDS

As a general rule, the following occupations have been determined as acceptable for fourteen and fifteen-year-old minors in the state of West Virginia. The list is compiled from the requirements of state child labor laws and regulations, adopted federal child labor regulations, and individual determinations issued by the Commissioner of the West Virginia Division of Labor.

As the laws relating to the employment of minors within this age group are very strict in nature, any occupation or job duty that does not appear in the following list of permissible occupations for fourteen and fifteen-year-olds should be cleared as permissible with the Commissioner of the West Virginia Division of Labor before applying for a work permit. Such inquiries may be submitted to the Commissioner of Labor using the following email address:

wageandhour@wv.gov.

Permissible Occupations (Non-Agricultural)

1. OFFICE WORK (CLERICAL & SALES) – Clerical and sales work performed in an office environment is permissible as long as such work is not performed on a construction site, on transportation media, or on an actual means of transportation. The use of standard office equipment is permitted.
2. INTELLECTUAL WORK – Computer programming, writing software, teaching, tutoring, or serving as a teacher’s aide or assistant.
3. ARTISTIC WORK & MODELING – Singing, playing a musical instrument, drawing, and modeling are permissible when related to a recognized field of artistic or creative endeavor.
4. ADVERTISING – Selling, modeling, art work, working in advertising departments, window trimming (decorating), and comparative shopping.

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5. CASHIERING, PRICE MARKING, TAGGING & SHELF STOCKING – Price marking may be performed by hand or machine. May assemble customer orders and stock shelves when the use of a ladder is not required.
6. BAGGING & CARRY OUT – May bag and carry out customer orders and grocery purchases.
7. ERRANDS AND DELIVERIES – May run errands and make deliveries by foot, bicycle, and public transportation only.
8. CLEAN UP OF FLOORS AND SURFACES - May use vacuum cleaners and floor waxers in areas permissible for 14 & 15-year-olds.
9. KITCHEN WORK – May perform work involved in the preparation and serving of food and beverages (other than alcohol) including the operation of dishwashers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, waffle irons, coffee grinders, automatic coffee machines (including cappuccino and espresso machines), cotton candy machines, snow cone machines, and Italian ice machines.

OTHER PERMITTED KITCHEN ACTIVITIES INCLUDE:

- a. FOOD WARMING DEVICES – May use microwave ovens, food warmers, steam tables, and heat lamps that do not have the capacity to warm above 140 degrees Fahrenheit are also permissible.
- b. CLEANING FRUITS & VEGETABLES – May clean fruits and vegetables using a handheld kitchen knife meant for that purpose. The use of electric knives or knives used for the cutting or boning of meat are not permissible.
- c. CLEANING OF EQUIPMENT – May clean non-power-driven equipment or other equipment not specifically prohibited for use by this age group.
- d. CLEANING OF SURFACES – May clean kitchen surfaces and floors including the use of vacuum cleaners and floor waxers.
- e. COOKING – May cook using gas and electric grills with a solid slab surface that does not allow for an open flame.
- f. DISPOSAL OF GREASE AND/OR OIL – May remove oil or grease filters, pour oil or grease through filters, and move receptacles containing hot grease or oil, but only when equipment, surfaces, containers and liquids do not exceed 100 degrees Fahrenheit.
- g. TOASTER OVENS - May use warmer ovens and microwave ovens that do not have the capacity to heat above 140 degrees Fahrenheit. Power driven ovens or baking ovens may not be used.

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- h. FREEZERS - May enter a freezer momentarily for the sole purpose of retrieving items in conjunction with the restocking of supplies or food preparation only. No work is to be performed while inside the freezer.

- 10. PUMP GAS, WASH OR POLISH CARS AND TRUCKS. May not repair cars, use lifting racks or work in pits.

- 11. LOAD AND UNLOAD HAND TOOLS AND PERSONAL EQUIPMENT FROM MOTOR VEHICLES USED PERSONALLY BY THE MINOR.

- 12. SERVE AS A LIFEGUARD & GIVE SWIMMING LESSONS - This occupation is limited to 15-year-olds only and is permissible at traditional swimming pools and water amusement parks such as wave pools, lazy rivers, etc. when properly trained and certified in aquatics and water safety by the American Red Cross or a similar certifying organization. For the purpose of giving swimming lessons, the minor must obtain additional certification as a swimming instructor. Permissible duties include the use of a ladder to access and descend from the lifeguard chair, the use of hand tools to clean the pool and pool area, and the testing and recording of water quality for temperature and/or PH levels; however, may not enter or work in any mechanical room or chemical storage areas where filtration and chlorinating systems are housed. Fourteen-year-olds may not serve in any capacity as a lifeguard or swimming instructor, nor may minors under the age of 16 be employed as a lifeguard at a natural environment such as an oceanside beach, lake, pond, quarry, or pier.

REQUIREMENTS FOR 16 & 17-YEAR-OLDS

AGE CERTIFICATES

Unlike work permits, age certificates are not a requirement of law unless directly related to junior volunteer firefighting activities. The sole purpose for an age certificate is to provide employers with the opportunity to request verification from the superintendent of schools of a minor's true age. The issuance of an age certificate does not require parental consent nor evidence that the minor is attending school, just a written request from an employer for proof of the minor's age and copy of the minor's certified birth certificate. Although employers have the individual right to require an age certificate before choosing to hire a sixteen or seventeen-year-old minor, age certificates are not considered a general condition of employment.

Break & Lunch Periods

Unlike fourteen and fifteen-year-olds that require a full thirty minute break period after five hours of work, minors of this age group are not subject to the same requirements. Minors

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that are sixteen years of age and older are subject to the same break and/or lunch requirements that are provided to adults.

Age Certificate Forms

Current and approved age certificate forms may be obtained directly from the West Virginia Division of Labor's website @ www.labor.wv.gov or from your local County Board of Education. Individuals within public or private schools that have been authorized to issue permits by the county superintendent of schools should also be able to supply the necessary forms. If an age certificate form is obtained from anywhere other than the Division of Labor's website, make sure you have the most current version of the form that contains two pages, as one-page forms are no longer accepted.

Determining the Appropriate Party to Issue the Age Certificate

Age certificates are issued by the superintendent of public schools in the county where the minor resides, or by an individual that has been authorized by the superintendent as an issuing officer. As school superintendents have the authority to designate the responsibility of issuing age certificates to other individuals throughout the county school system, minors that are still attending school should check to see if someone within his or her own school has been authorized to issue the certificate.

Minors of this age group that are being homeschooled must obtain an age certificate from the superintendent of public schools in the county where the minor resides.

Minors Residing Outside of West Virginia

Minors residing outside of West Virginia must obtain an age certificate through the superintendent of schools in the county and state in which they reside on forms prescribed by the Commissioner of the West Virginia Division of Labor. Should the county superintendent of schools from another state refuse to issue the certificate on the Commissioner's forms, the minor will not be eligible for employment in West Virginia when such employment is contingent upon the issuance of an age certificate.

Completion of the Age Certificate Form

The prospective employer has the option of submitting a separate written request to the superintendent of schools for proof of the minor's age, or to enter their business name, the name of the minor child they intend to employ and a description of the minor's intended work duties on a certificate of age form. Minors are responsible for taking the employer's written request to the proper authority for issuance of the certificate of age. As parental consent is not required for age certificates, it is the minor's responsibility to provide a certified birth

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certificate, or a copy of a certified birth certificate, as proof of his or her age to the issuing officer.

Issuance of the Age Certificate

Upon receipt of a written request for proof of age from an employer, the superintendent or authorized issuing officer is responsible for: 1. The proper completion of the certificate of age form. 2. Verifying that the minor has provided proof of his or her age in the form of a certified birth certificate, or a copy of a certified birth certificate. 3. That the type of work listed by the employer is not considered hazardous for sixteen and seventeen-year-olds. Once it is determined that all three requirements are met, the superintendent of schools, or the authorized issuing officer, will issue the age certificate by completing and signing the form. The superintendent, or authorized issuing officer, shall retain the original age certificate for his or her own records, while providing a copy to the employer, the minor, and to the Division of Labor.

Rejection/Non-Issuance of an Age Certificate

If the minor does not provide the required proof of age, the issuing officer cannot issue the certificate. Other than those sixteen and seventeen-year-olds required to obtain an age certificate before registering as a junior volunteer firefighter, the decision to require, or not to require, an age certificate as a condition of employment for sixteen and seventeen-year-olds is left to the discretion of the employer.

PERMISSIBLE HOURS OF WORK FOR 16 & 17-YEAR-OLDS

Even when still attending school, sixteen and seventeen-year-olds are not restricted in any way relating to the number of hours they may be required to work, or when they are required to work. They are permitted to work the same hours as an adult.

OCCUPATIONAL STANDARDS FOR 16 & 17-YEAR-OLDS

Permissible & Non-Permissible Occupations

Sixteen and seventeen-year-olds are permitted a lot more flexibility than fourteen and fifteen-year-olds when it comes to permissible occupations and the use of equipment and/or tools, but some restrictions still apply. The United States Department of Labor has defined the following seventeen specific occupations as hazardous for all minors under the age of eighteen. Therefore, work performed by minors relating to the following occupations is strictly prohibited. *See Child Labor Fact Sheet # 4*

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SEVENTEEN HAZARDOUS OCCUPATIONS FOR MINORS UNDER THE AGE OF EIGHTEEN

HO 1. Manufacturing or storing explosives - Bans minors working where explosives are manufactured or stored, but permits work in retail stores selling ammunition, gun shops, trap and skeet ranges, and police stations.

HO 2. Driving a motor vehicle or work as an outside helper on motor vehicles - Bans operating motor vehicles on public roads and working as outside helpers on motor vehicles, except 17-year-olds may drive cars or small trucks during daylight hours for limited times and under strictly limited circumstances

HO 3. Coal mining - Bans most jobs in coal mining.

HO 4. Occupations in forest fire fighting, forest fire prevention, timber tract, forestry service, and occupations in logging and sawmilling operations— Bans most jobs in: forest fire fighting; forest fire prevention that entails extinguishing an actual fire; timber tract management; forestry services; logging; and sawmills.

HO 5. Power-driven woodworking machines - Bans the operation of most power-driven woodworking machines, including chain saws, nailing machines, and sanders.*

HO 6. Exposure to radioactive substances and ionizing radiation - Bans employment of minors where they are exposed to radioactive materials. *

HO 7. Power-driven hoisting apparatus - Bans operating, riding on, and assisting in the operation of most power-driven hoisting apparatus such as forklifts, non-automatic elevators, skid-steers, skid-steer loaders, backhoes, manlifts, scissor lifts, cherry pickers, work-assist platforms, boom trucks, and cranes. Does not apply to chair-lifts at ski resorts or electric and pneumatic lifts used to raise cars in garages and gasoline service stations.

HO 8. Power-driven metal-forming, punching and shearing machines - Bans the operation of certain power-driven metal-working machines but permits the use of most machine tools.

HO 9. Mining, other than coal - Bans most jobs in mining at metal mines, quarries, aggregate mines, and other mining sites including underground work in mines, work in or about open cut mines, open quarries, and sand and gravel operations.

HO 10. Power-driven meat-processing machines, slaughtering and meat packing plants - Bans the operation of power-driven meat processing machines, such as meat slicers, saws and meat choppers, wherever used (including restaurants and delicatessens). Also prohibits minors from cleaning such equipment, including the hand-washing of the disassembled machine parts. This ban also includes the use of this machinery on items other than meat, such as cheese and vegetables. HO 10 also bans most jobs in meat and poultry slaughtering, processing, rendering, and packing establishments.

HO 11. Power-driven bakery machines - Bans the operation of power-driven bakery machines such as vertical dough and batter mixers; dough rollers, rounders, dividers, and sheeters; and cookie or cracker machines. Permits 16 and 17-year-olds to operate certain lightweight, small, portable, counter-top mixers and certain pizza dough rollers under certain conditions.

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HO 12. Balers, compactors, and power-driven paper-products machines - Bans the operation of all compactors and balers and certain power-driven paper products machines such as platen-type printing presses and envelope die cutting presses. Sixteen and seventeen-year-olds may load, but not operate or unload, certain scrap paper balers and paper box compactors under very specific guidelines.

HO 13. Manufacturing of brick, tile and related products - Bans most jobs in the manufacture of brick, tile and similar products.

HO 14. Power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs - Bans the operation of, and working as a helper on, the named types of power-driven equipment, no matter what kind of items are being cut by the equipment.

HO 15. Wrecking, demolition, and ship-breaking operations - Bans most jobs in wrecking, demolition, and ship-breaking operations, but does not apply to remodeling or repair work which is not extensive.

HO 16. Roofing operations and work performed on or about a roof - Bans most jobs in roofing operations, including work performed on the ground and removal of the old roof, and all work on or about a roof.

HO 17. Trenching and excavation operations - Bans most jobs in trenching and excavation work, including working in a trench more than four feet deep.

Additional Restrictions

In addition to the previously stated hazardous occupations, no minor under the age of eighteen may be employed or permitted to work:

- In a bar, or be permitted, employed or suffered to sell, dispense or serve alcoholic beverages in any place where the consumption of alcoholic beverages is permitted by law.
- In any occupation individually determined by the Commissioner of the West Virginia Division of Labor as dangerous or injurious.

JUNIOR VOLUNTEER FIREFIGHTERS

A sixteen or seventeen-year-old may serve as a junior volunteer firemen after either enrolling in, participating in, or completing the minimum training requirements of the WV State Fire Commission, WV Department of Education Public Service Training, the WVU Fire Service Extension Program, or equivalent program; has obtained the consent of his or her parent or guardian to register as a junior volunteer firefighter; and has obtained an age certificate from the superintendent of schools in the county where he or she resides. *See Child Labor Fact Sheet # 7*

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SUPERVISION PERMITS

The Commissioner of the West Virginia Division of Labor is authorized to issue supervision permits to address the special needs and circumstances of a minor's employment that would otherwise not be permitted. Such permits are only issued when a minor can demonstrate good cause for employment based on the best interest of the minor child. *See Child Labor Fact Sheet # 5*