



Child labor standards in Minnesota

Labor Standards Division

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Department of Labor and Industry division, work units

- Apprenticeship Minnesota
- Construction Codes and Licensing Division
- Labor Standards Division
- Minnesota OSHA Compliance
- Minnesota OSHA Workplace Safety Consultation
- Projects and Planning
- Workers' Compensation Division



Labor standards enforced by Department of Labor and Industry

- Minnesota Fair Labor Standards Act
- Women's Economic Security Act
- Child Labor Standards Act
- Minnesota Prevailing Wage Act
- Wage Theft Prevention Act
- Other laws related to employment, wages, conditions and hours



Labor standards, wage and hour agencies in Minnesota

Minnesota Department of Labor and Industry, Labor Standards Division

dli.mn.gov and 651-284-5075

U.S. Department of Labor, Wage and Hour Division

dol.gov/whd and 612-370-3341

Minnesota Attorney General's Office

ag.state.mn.us and 651-296-3353

Saint Paul, Labor Standards Enforcement and Education Division

stpaul.gov/departments/human-rights-equal-economic-opportunity and 651-266-8900

Minneapolis, Labor Standards Enforcement Division

ci.minneapolis.mn.us/civilrights/LaborStandardsEnforcement and 612-673-3012



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WHD > Child Labor

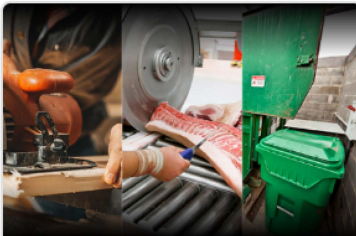
Child Labor

The federal child labor provisions of the Fair Labor Standards Act of 1938 (FLSA) were enacted to ensure that when young people work, the work is safe and does not jeopardize their health, well-being or educational opportunities. These provisions also provide limited exemptions.

Quick Links

- [Child Labor Fact Sheets](#)
- [Order Free Publications](#)
- [Questions? Contact Us.](#)

Most Requested



Dangerous Jobs

Find out what jobs and tasks are off-limits for anyone under 18 years of age.

[Learn More](#)

YouthRules.gov #WorkersRights

YouthRules.gov

Learn how young workers can have safe and rewarding work experiences.

[Learn More](#)

State Laws

Get information on the child labor laws in each state.

[Learn More](#)

Minnesota Child Labor Standards Act

The purpose of Minnesota Statutes sections 181A.01 to 181A.12 is to aid in the economic, social and educational development of young people through employment. Work is an integral factor in providing a sense of purpose, direction and self-esteem necessary to the overall physical and mental health of an individual. Young people, especially those who have completed high school or occupational training, should not be denied employment opportunities. However, work must be coordinated with schooling and safety considerations to serve the best interest of the young.

'Three paths' of Minnesota youth labor standards

Question	Minor <14 years of age	Minor <16 years of age	Minor <18 years of age
Can the minor work?	Generally not able to work except by exemption or by permit	Generally able to work at 14 years of age	Generally able to work at 14 years of age
Are there occupations the minor may not engage in?	Generally not able to work except by exemption or permit, then subject to all hazardous restrictions	Subject to all hazardous occupation restrictions – unless an exemption is met	Subject to hazardous occupation restrictions for minors under the age of 18 – unless exemption is met
What hours can the minor work?	Generally not able to work except by exemption or permit, then subject to hours restriction for minors under 16	Between 7 a.m. and 9 p.m. only, maximum of eight hours in 24-hour period and 40 hours in a week; employment during school hours requires employment certificate	High school students cannot work after 11 p.m. on a school night or before 5 a.m. on school days, except can work until 11:30 p.m. and at 4:30 a.m. with written parental permission
Can the minor work during school hours?	If working during school hours, must obtain employment certificate – unless an exemption is met	If working during school hours, must obtain employment certificate – unless an exemption is met	No limitation on working during school hours

Statute- and rule-based exceptions

- Minors working for a family farm corporation where the minor's parent is a member of the family farm corporation (Minnesota Rules 5200.0930, subpart 4 – hazardous)
- Minors working for corporations owned by one or both parents, where the daily corporate business is supervised by the parent(s) (Minn. R. 5200.0930, subp. 4, and Minn. Stat. 181A.07, subdivision 4 – hazardous, age and hours)
- Performer, newspaper carrier, youth athletic referees (Minn. Stat. 181A.07 – age)
- Home chores, babysitting (Minn. Stat. 181A.07 – age, hours)
- Tasks outside the area of hazard (Minn. R. 5200.0930, subp. 2 – hazardous)
- High school graduates 17 years of age (Minn. R. 5200.0930, subp. 3 – hazardous)

Special concern: The presence of liquor

- Generally, minors under the age of 18 cannot work in rooms or areas where liquor is consumed or served, or in tasks prohibited by law that involve the sale, service, dispensation or handling of liquor.
- Minors who have reached the age of 16 can be employed:
 - as a busser, dishwasher and host in rooms or areas of a restaurant, hotel, motel or resort where the presence of intoxicating liquor or 3.2% malt liquor is incidental to food service or preparation;
 - as a busser, dishwasher, host or server in rooms or areas where the presence of 3.2% malt liquor is incidental to food service or preparation;
 - to provide musical entertainment in those rooms or areas where the presence of intoxicating liquor and 3.2% malt liquor is incidental to food service or preparation; and
 - in occupations not prohibited by law in rooms or areas where no liquor is consumed or served.

Hazardous employment activities

Examples (subject to limitation in the rule or exemption)

- Under 18 (Minn. R. 5200.0910):
 - in or about **construction or building projects**;
 - logging or lumbering operations, paper mills, sawmills;
 - to **operate or assist in the operation of power-driven machinery** (this includes snow blowers and other power-driven lawn and garden equipment);
 - to **drive certain motor vehicles or to work in rooms or areas where certain alcohol is served or consumed**; or
 - in any tasks involving the serving, dispensing or handling of alcohol consumed on premises.



Hazardous employment activities, continued

- Under 16 (Minn. R. 5200.0920):
 - to lift, carry or personally care for patients in hospitals or nursing homes;
 - **to operate or assist in the operation of machinery, including farm type tractors and other self-propelled vehicles;**
 - **in walk-in meat freezers or meat coolers; or**
 - in any occupation in agriculture the U.S. secretary of labor finds to be hazardous for minors under the age of 16.
 - Plus any prohibited activity listed under Minn. R. 5200.0910.



Retaliation

Minnesota Statutes 181A.12, subd. 5, Retaliation

An employer shall not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an employee for asserting rights or remedies under sections 181A.01 to 181A.12 or any rules promulgated under section 181A.09. This includes, but is not limited to, filing a complaint with the department, informing the employer of the employee's intention to file a complaint or participating in an investigation by the department. In addition to any other remedies provided by law, the commissioner may order an employer found in violation of this subdivision to provide back pay, compensatory damages, reinstatement and any other appropriate relief to the aggrieved employee.

DLI child labor exemption permits

- DLI receives applications for child labor exemption permits
 - Must be filed by the minor's parent, guardian, school official or youth employment specialist
 - Assessed on a case-by-case basis, granted if the permit would be in the best interest of the minor
 - Can be sought and may be granted for any of the child labor laws and rules
 - Turnaround time varies by season
 - Permits available as fillable PDF files at dli.mn.gov/business/employment-practices/child-labor-exemptions; can be submitted to cl.permit.dli@state.mn.us



Employment certificates: Minn. Stat. 181A.05

- Any minor 14 or 15 years of age who wishes to work on school days during school hours shall first secure an employment certificate. The certificate shall be issued only by the school district superintendent, the superintendent's agent or some other person designated by the Board of Education. The employment certificate shall be issued only for a specific position with a designated employer and shall be issued only in the following circumstances:
 1. if a minor is to be employed in an occupation not prohibited by rules promulgated under section [181A.09](#) and as evidence thereof presents a signed statement from the prospective employer; and

Employment certificates: Minn. Stat. 181A.05, continued

2. if the parent or guardian of the minor consents to the employment; and
 3. if the issuing officer believes the minor is physically capable of handling the job in question and further believes the best interests of the minor will be served by permitting the minor to work.
- Note: An employment certificate does not create an exception for hours restrictions under federal law.

Approved training program exceptions

Apprenticeship or Youth Skills Training (YST)

- Apprenticeship: Need high school diploma and legal authorization to work in the U.S.
- YST:
 - Industries – advanced manufacturing, agriculture, automotive, health care and information technology
 - Child labor exception permit is required if employment involves a hazardous occupation
 - If program has been approved, employer will be required to submit proof of workers' compensation coverage and information about specific machines, tools and equipment that may be used; meet with Minnesota OSHA Workplace Safety Consultation about equipment and related safety measures

Approved training program exceptions, continued

- Other training program approved by Minnesota Department of Education, Minnesota Department of Employment and Economic Development, Minnesota Department of Labor and Industry, the board of trustees of the Minnesota State Colleges and Universities or the board of regents of the University of Minnesota:
 - Child labor exception permit is required if employment involves a hazardous occupation.


State law – minimum wage

- [Effective Jan. 1, 2025](#), the state's minimum-wage rates for all employers, including large employers, small employers, youth and J-1 visa wages for hotels, motels and lodging establishments, increased to \$11.13 an hour. The law still allows for a 90-day training wage for workers under age 20, which increased to \$9.08.

Provision	Amount as of Jan. 1, 2025
State minimum wage	\$11.13 an hour
90-day training wage (under 20 years of age)	\$9.08 an hour

*Minimum wage adjusts Jan. 1 of each year.

Earned sick and safe time

**DEPARTMENT OF
LABOR AND INDUSTRY**

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CODES AND LAWS

CONSTRUCTION CONTRACTOR REGISTRATION

ELECTRICAL CONTRACTORS

ELEVATOR CONTRACTORS

EMPLOYMENT PRACTICES

Age, hours restrictions

Brochures and fact sheets about labor standards

Child labor laws

Contact Labor Standards


Earned sick and safe time

FAQs: Earned sick and safe time (ESST)

Employment termination

For business > Employment practices > Earned sick and safe time

EARNED SICK AND SAFE TIME



[Effective Jan. 1, 2024](#), Minnesota's earned sick and safe time law requires employers to provide paid leave to employees who work in the state. [Minnesota's current sick and safe leave law](#) remains in effect until Dec. 31, 2023 and will be replaced by the new earned sick and safe time law on Jan. 1, 2024.

- [View FAQs about earned sick and safe time.](#)

What is sick and safe time?

Sick and safe time is paid leave employers must provide to employees in Minnesota that can be used for certain reasons, including when an employee is sick, to care for a sick family member or to seek assistance if an employee or their family member has experienced domestic abuse.

Who is eligible for sick and safe time?

[EMAIL US ►](#) [CALL US ►](#)

[MINNESOTA PAID FAMILY AND MEDICAL LEAVE ►](#)

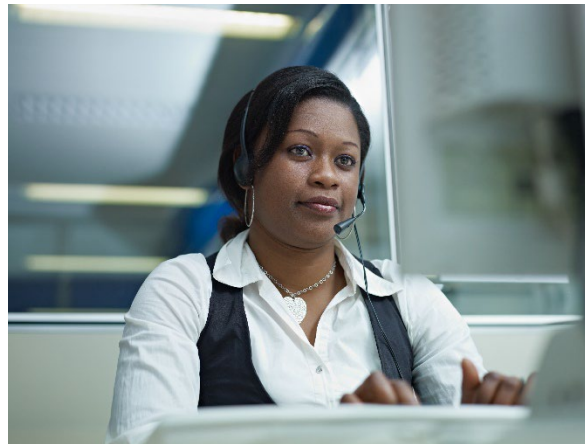
Tipping



- Tips are the property of the employee directly serving the customer. Employers cannot require employees to share or pool their tips with other employees, except under certain limited-service situations.
- Gratuities presented to a direct service employee by credit card shall be credited to that pay period in which they are received.
- As of Aug. 1, 2024, employees must receive the full amount of tips paid by card or e-payment. Gratuities received through credit cards or other types of electronic payments must be paid to the employee in the next pay period.

Employee notice

- Employers are required to keep a copy of the notice signed by each employee.
- Employers are also required to provide employees in writing any changes to the information in the notice before the date the changes take effect.



Employee notice



Employee notice

1. Employee:	Address:
Phone number:	Email address:
Date employment began:	
2. Legal name of employer:	Main office/principal place of business address:
Phone number:	Email address:
Operating name of employer (if different):	
Mailing address (if different):	
3. Employment status (exempt or non-exempt):	
<input type="checkbox"/> Employee is exempt from: <input type="checkbox"/> minimum wage <input type="checkbox"/> overtime <input type="checkbox"/> other provisions of Minnesota Statutes 177	
Legal basis for exemption:	
<input type="checkbox"/> Employee is non-exempt (entitled to overtime, minimum wage, other protections under Minn. Stat. 177)	
4. Rate or rates of pay	
Paid by: Hour <input type="checkbox"/> Shift <input type="checkbox"/> Day <input type="checkbox"/> Week <input type="checkbox"/> Salary <input type="checkbox"/> Piece <input type="checkbox"/> Commission <input type="checkbox"/> Other method <input type="checkbox"/>	

Resources

- **Labor Standards Division:** dli.mn.gov/laborlaw
- **Child and youth labor:** dli.mn.gov/business/employment-practices/child-labor-laws
 - Age restrictions, exemption permits, FAQs, hours of work, penalties, prohibited work, proof of age, teen worker fact sheet
- **Informational videos in four languages:** dli.mn.gov/labor-standards-videos

Thank you

- Sign up for the *Wage and Hour Bulletin* at dli.mn.gov/business/employment-practices/minnesota-wage-and-hour-bulletin.
- Contact the DLI Labor Standards Division at 651-284-5075 or dli.laborstandards@state.mn.us.