

## Office of Personnel Management

### Policy Directive

<b>Policy Title:</b> Employment of Persons Under 18 Years of Age	<b>Policy Number:</b> 30.11
<b>Citation:</b> Arkansas Code Annotated §§ 11-6-104 through 110	<b>Forms:</b> None

#### Purpose

Arkansas law establishes the conditions and circumstances regarding the employment of children under the age of eighteen (18) in the state of Arkansas. The administering agency for the enforcement of this law is the Arkansas Department of Labor. Provided below is a brief overview of the law; however, state agencies or departments wanting to hire children under the age of 18 should follow the guidelines established by the Department of Labor. Their web site on Child Labor regulations is: <http://www.arkansas.gov/labor/>

#### Policy Overview

Any person or employer found to be in violation of this law shall be subject to a civil penalty.

This policy does not include children between the ages of 16 and 18 who:

- have graduated from any high school, vocational school, or technical school;
- are married; or
- are a parent.

#### **Limitations on hours of work for children under fourteen (14) years of age:**

Children under the age of fourteen (14) shall not be employed in any paying capacity, except during school vacation when they may be employed by their parents or guardians in occupations owned or controlled by them.

#### **Limitations on hours of work for children under sixteen (16) years of age:**

Children under the ages of sixteen (16) shall not be employed in any occupation dangerous to the life and limb, injurious to the health and morals of the child, or in any saloon, resort, or bar where liquors are sold or dispensed.

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No child under the age of sixteen (16) shall be employed, permitted, or suffered to work:

1. more than six (6) days in any week;
2. more than forty-eight (48) hours in any week;
3. more than eight (8) hours in any day; or
4. before 6:00 am or after 7:00 pm, except for nights preceding non - school days when they may be employed until 9:00 pm.

Federal law provides that the hours and times a child under the age of sixteen (16) may work is limited to:

1. outside school hours;
2. no more than three (3) hours on a school day, including Fridays;
3. no more than eight (8) hours on a nonschool day;
4. no more than eighteen (18) hours during a week when school is in session;
5. no more than forty (40) hours during a week when school is not in session;
6. no more than six (6) days per week; and
7. between 7:00 a.m. and 7:00 p.m.—except between June 1 and Labor Day when the evening hour is extended to 9:00 p.m.

School hours are determined based on the public school in the district where the child resides even if the child is in private school or is home schooled.

Children under the age of 16 working in a state agency must acquire an employment certificate from the Department of Labor. The state agency shall keep the certificate on file and shall make it accessible to the Department of Labor and the Department of Education. The employment certificate issued by the Department of Labor requires proof of age, a description of the work and work schedule, and written consent from the parent or guardian.

**Limitations on hours of work for children under eighteen (18) years of age:**

No child under the age of eighteen (18) shall be employed, permitted or suffered to work:

1. more than six (6) days in any week;
2. more than fifty-four (54) hours in any week;
3. more than ten (10) consecutive hours in any one (1) day;
4. more than ten (10) hours in a twenty-four hour period; or
5. before 6:00 am or after 11:00 pm. except for nights preceding non - school days, when they may be employed until 12:00 midnight.

If a state agency wants to employ a sixteen (16) or seventeen (17) year old between the hours of 12:00 a.m. and 6:00 a.m., contact the Arkansas Department of Labor for current rules.

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For children under 16 and 18, there are limitations on the hours of work. For children under 16, there are limitations on the types and/or places of work. For a listing of the restrictions regarding the types and /or places of work for a child under 16, consult Arkansas Code Annotated §11-6-106 and 107 or the Arkansas Child Labor laws and Administrative Regulations at the following website:

<http://www.labor.ar.gov/divisions/Pages/childLabor.aspx>

Revised August 16, 2013