

Enclosed is an employment permit application for minors under 14 years of age.

Federal law prohibits the non-agricultural employment of minors under age 14 in most cases. The bureau's Child Labor Unit cannot approve the employment of any minor under age 14 if the proposed employment is regulated under the federal Fair Labor Standards Act ("FLSA").

There are two ways in which an employee can be covered by the FLSA; "enterprise coverage" and "individual coverage."

Enterprise Coverage

Employees who work for certain businesses or organizations (or "enterprises") are protected by the FLSA. These enterprises, which must have at least two employees, are:

- (1) those which do at least \$500,000 a year in business
- (2) hospitals, businesses providing medical or nursing care for residents, schools and preschools, and government agencies

Individual Coverage

Even when there is no enterprise coverage, employees are protected by the FLSA if their work regularly involves them in commerce between states ("interstate commerce"). In its own words, the law covers individual workers who are "engaged in commerce or in the production of goods for commerce."

Examples of employees who are involved in interstate commerce include those who: produce goods (such as a worker assembling components in a factory or a secretary typing letters in an office) that will be sent out of state, regularly make telephone calls to persons located in other states, handle records of interstate transactions, travel to other states on their jobs, and do janitorial work in buildings where goods are produced for shipment outside the state. Also, domestic service workers (such as housekeepers, full-time baby-sitters, and cooks) are normally covered by the law.

Parents may employ their children under 16 years of age in occupations other than manufacturing or mining, or occupations declared hazardous by the Secretary of Labor.

If you have questions regarding application of the FLSA, please contact the U.S. Department of Labor, Wage and Hour Division at (503) 326-3057 for assistance.

If you do not believe that the FLSA applies to the proposed employment of the minor, complete and return the enclosed permit application form with a copy of the minor's birth certificate or other proof of age to the bureau at the address listed on the application. The Bureau of Labor and Industries will notify you as soon as possible regarding the action taken relating to the employment permit application.

Also enclosed for your information is a summary of "Guidelines for Employment of Minors Under 14."

If you have any questions regarding this process, please contact this office at (971) 673-0836.

Enclosures