

Diocese of Covington

Policies & Procedures Manual

Section: Compliance – Payroll and Personnel

Policy: Hiring Minors



Seasonal and/or temporary hiring of employees can greatly assist a parish for short-term labor requirements. One advantage to seasonal hiring during the summer is that there is typically an abundant source of young workers who are off from school and able to fill many different positions. Their demand for wages is often lower because they are not supporting families of their own yet, and their availability is very flexible because they are not in school. It is important that the parish follow all legal requirements related to the hiring of young people in order to ensure compliance with federal and state labor laws. The consequences of not doing so may subject the parish to penalties or fines.

Many young people seek employment during the summer months while they are out of school. While it may be tempting to take advantage of this readily available source of labor, it is important to keep in mind several Kentucky statutes to ensure that your company remains compliant. The following summarizes the child hiring guidelines provided by the Kentucky Labor Cabinet.

Minors Under the Age of Fourteen - Kentucky law prohibits the employment of any minor under the age of 14 years old. KRS 339.220 provides that the only exception to this rule is "employment in connection with an employment program supervised and sponsored by the school or school district such child attends." It may be tempting to hire young family members or the family members of other employees for odd jobs around the office. Unless your parish has arranged to participate in an internship program that has been approved by the Kentucky Department of Education, minors under the age of 14 cannot be employed.

Minors Between the Ages of 14 and 15 — The employment of minors between the ages of 14 and 15 is restricted in different ways depending on whether school is in session or not. If you hire a minor in this age range in the early summer, it may be safer to wait until school is officially out of session before allowing him or her to begin. It is important to keep these distinctions in mind if a minor in this age range is hired over the summer and your parish wishes to retain him or her on through the fall once school is back in session. Lastly, because the statute makes distinctions based on whether school is in session or not, it is important to ensure that anyone employed in this age range during the summer is not attending summer school.

The Kentucky Labor Cabinet provides the following useful summary of the Kentucky statutes applicable to employees between the age of 14 and 15:

1. May work three (3) hours per day on a school day, eight (8) hours a day on a non-school day and up to eighteen (18) hours total in a week when school is in session.
2. May work eight (8) hours per day, forty (40) hours per week when school is not in session for the entire school week.
3. May work between the hours of 7 a.m. and 7 p.m.
4. Between June 1 and Labor Day, the minor may work as late as 9 p.m.
5. Minors under sixteen (16) years of age may not be employed during regular school hours.

Source: <http://labor.ky.gov/dows/doesam/KCLL/Pages/Child-Labor-Law.aspx>

Additionally, minors in this age range are prohibited from working in any position that may be hazardous to them. The parish should review §570.33 of the CFR 29 to ensure that no prohibited work is assigned to employees. It is also strongly recommended that the parish obtain written permission from the minor's parents to perform the requested job duties. ([Click here](#) to see CFR 29)

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Employees between the ages of 16 and 17 — If a parish is considering employees in this age range, be sure to comply with the following guidelines that are less restrictive than those that apply to younger employees.

1. May work six (6) hours a day on a school day; eight (8) hours a day on a non-school day and up to thirty (30) hours total in a school week.
2. May work between the hours of 6 a.m. and 10:30 p.m. preceding a school day and between the hours of 6 a.m. and 1 a.m. preceding a non-school day during a school week.

Source: <http://labor.ky.gov/dows/doesam/KCLL/Pages/Child-Labor-Law.aspx>

Employment of workers between the ages of 16 and 17 continues to be prohibited in a large range of industries that involve heavy machinery. However, some exemptions become available in this range.

All Employees Under the Age of 18 — The following provisions are in place for all employees under the age of 18:

1. Minors who are under the age of 18 must take a 30-minute lunch break for each five hours that they work. KRS 339.270.
2. The parish must maintain proof of age for each minor it employs, usually in the form of a birth certificate, driver's license or school identification card. KRS 339.450.
3. By employing minors under the age of 18, The parish is required to post a summary of Kentucky's Child Labor Laws where they are plainly visible to the minors. KRS 339.400.
4. Minors are also required to be paid the legal minimum wage. Minimum wage in Kentucky is currently \$7.25.

While there are numerous regulations that must be carefully complied with in the course of hiring minors for summer employment, it can be a worthwhile experience for both the employer and the minor employee. The employer gains a valuable cost-efficient asset, and the minor gains a wealth of experience that will help him or her in the future.