

Colorado Youth Law

The Colorado Youth Employment Opportunity Act (C.R.S. 8-12-101 *et seq.*) regulates the employment of minors in Colorado. The Fair Labor Standards Act (FLSA) and its regulations do not permit the employment of minors in a variety of circumstances. When both federal and state laws apply, the more stringent standard must be observed. Contact the U.S. DOL for information on FLSA and federal youth laws (www.dol.gov or 1-866-4USWAGE).

DEFINITION OF A MINOR (8-12-103(5))

A minor is any person under the age of 18, except a person who has received a high school diploma or a passing score on the general educational development (GED) examination.

EXEMPTIONS FROM CYEOA (8-12-104)

The CYEOA does not generally apply to the following:

1. Schoolwork and supervised educational activities.
2. Home chores.
3. Work done for a parent or guardian, except where the parent or guardian receives any payment therefore.
4. Newsboys and newspaper carriers.
5. Actors, models, and performers are exempt from the age-related restrictions for minors under age fourteen.

WORK PERMITS (8-12-111)

Work permits are **not** required by Colorado law.

Age Certificates

Any employer desiring proof of the age of any minor employee or prospective employee may require the minor to submit an age certificate. Age certificates are issued by or under the authority of the school superintendent of the district or county in which the applicant resides.

School Release Permits

Any minor fourteen or fifteen years of age who wishes to work on school days during school hours shall first secure a school release permit. Such permit is issued only by the school district superintendent, his agent, or some other person designated by the board of education.

REQUEST AN EXEMPTION (8-12-104)

- The Director may grant exemptions from some provisions of the CYEOA.
- Any employer, minor, minor's parents or guardian, school official, or youth employment specialist may request an exemption.
- Exemptions are evaluated on a case-by-case basis, and are granted or denied in accordance with the best interests of the minor.
- Exemption determinations involve the scrutiny of such factors as the minor's previous training and safety concerns.

PERMISSIBLE OCCUPATIONS (8-12-106, 107, 108, 109)

Minors under the age of 9 cannot generally be employed.

Permissible at age 9 or older:

1. Delivery of handbills and advertising.
2. Shoe shining.
3. Gardening and care of lawns involving no power-driven lawn equipment.
4. Cleaning of walks involving no power-driven snow-removal equipment.
5. Casual work usual to the home of the employer and not specifically prohibited.
6. Caddying on golf courses.
7. Occupations similar to the above.

Permissible at age 12 or older:

1. Sale and delivery of periodicals.
2. Door-to-door selling and delivery of merchandise.
3. Baby-sitting.
4. Gardening and care of lawns, and cleaning of walks; contact the Division regarding use of power-driven equipment.
5. Non-hazardous agricultural work.
6. Occupations similar to the above.

Permissible at age 14 or older:

1. Non-hazardous occupations in manufacturing.
2. Public messenger service and errands by foot, bicycle and public transportation.
3. Operation of automatic enclosed freight and passenger elevators.
4. Janitorial and custodial service.
5. Office work and clerical work.
6. Warehousing and storage, including unloading and loading of vehicles.
7. Non-hazardous construction and non-hazardous repair work.
8. Occupations in retail food service.
9. Certain gasoline service occupations.
10. Occupations in retail stores.
11. Occupations in restaurants, hotels, motels, or other public accommodations.
12. Occupations related to parks or recreation.
13. Occupations similar to the above.

Permissible at age 16 or older:

The occupations listed above and the operation of a motor vehicle if the minor is licensed to operate the motor vehicle for such use pursuant to Colorado Revised Statutes Article 2, Title 42.

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HAZARDOUS / PROHIBITED (8-12-110)

1. Operation of any high pressure steam boiler or high temperature water boiler.
2. Work which primarily involves the risk of falling from any elevated place located ten feet or more above the ground except that work defined as agricultural involving elevations of twenty feet or less above ground.
3. Manufacturing, transporting, or storing of explosives.
4. Mining, logging, oil drilling, or quarrying.
5. Any occupation involving exposure to radioactive substances or ionizing radiation.
6. Operation of power-driven machinery:
 - a) Woodworking machines
 - b) Metal-forming machines
 - c) Punching or shearing machines
 - d) Bakery machines
 - e) Paper products machines
 - f) Shears
 - g) Automatic pin-setting machines
 - h) Power food slicers and grinders
7. Any other power-driven machinery deemed hazardous by the Director.
8. Slaughter of livestock and rendering and packaging of meat.
9. Occupations directly involved in the manufacture of brick or other clay construction products, or silica refractory products.
10. Wrecking or demolition, but not including manual auto wrecking.
11. Roofing.
12. Occupations in excavation operations.

WORK HOUR RESTRICTIONS (8-12-105)

General Restrictions

No employer shall be permitted to work a minor more than forty hours in a week or more than eight hours in any twenty-four-hour period.

School Day Restrictions

On school days, during school hours, no minor under the age of sixteen shall be permitted employment except as provided by a school release permit. After school hours no minor under the age of sixteen shall be permitted to work in excess of six hours unless the next day is not a school day.

Nighttime Restrictions

Except for babysitters, no minor under the age of sixteen shall be permitted to work between the hours of nine-thirty p.m. and five a.m., unless the next day is not a school day. An exception to this rule is a minor employed as an actor, model, or performer.