

April 21, 2021

Even though we haven't finished the Drake Relays and most likely have at least one more blizzard in our future, employers are thinking about when school ends and potentially hiring youth workers in Iowa. Employers who hire a significant number of people under the age of 18 generally have well-established programs and clear guidelines for how youth workers are hired. For those who only occasionally hire someone under the age of 18, here are some important reminders.

## State vs. Federal law

Youth wage hour laws and restrictions on workers under 18 are governed by both state and federal law. The state statute has significantly more specificity than federal law and should be assessed prior to hiring any person under the age of 18.

## Work permits

Work permits are required for minors who are 14 or 15 years old for most jobs in Iowa and information regarding this necessity can be found on the Iowa Division of Labor website. Note that given the significantly different requirements for those 15 and younger it may be important for you to obtain a certificate of age or simply have proof that an employee is 16 and above. This can be done in a variety of ways including a driver's license, potentially a school ID, or a birth certificate. Remember even for a youth worker, you will need an I-9 and documentation should be reviewed as part of your I-9 process.

## Schedules

For those under 16 years old, work hours are limited and are different during the traditional school year:

- Labor Day-May 31 - acceptable hours are between 7 a.m.-7 p.m.
- June 1-Labor Day - acceptable hours are 7 a.m.-9 p.m.

They cannot work more than four hours a day on school days, no more than 28 hours a week, no longer than 8 hours a day during vacations, weekends or holidays. In the summer break, they may work no more than 40 hours a week. There are also special rules that apply to vacations and similar items.

## Breaks

One of the few categories of employment in Iowa that requires mandatory break times is young workers. If a worker who is 16 years or younger works five hours or more, they must be allowed a 30-minute break. There has been no clear administrative rule change during the pandemic year where school hours are frequently variable or school is remote. Many employers have determined that the safest practice during this chaotic period is to adhere to the statutory schedule regardless of what the remote school schedule looks like.

## Work restrictions

There are also limitations on the type of work that may be done depending on age. While the restrictions are most substantive for those under 16, it is always important to remember that youth safety is taken very seriously, with violations frequently subject to non-negotiable fines and penalties.

Individuals between 16 and 18 years old may not work with certain powered equipment and may not do roofing, excavation, or demolition work or operate certain power-driven equipment such as baking machines, paper producing machines, saws, and similar items. Additionally, those under 18 may not act as motor vehicle drivers as part of their job duties or responsibilities.

## The big picture

Many employers need extra hands during the summer months and youth can be seen as easy hires. However, hiring someone under 18 brings a new set of complex requirements for employers. Take the time upfront to set up compliant policies and procedures to avoid risk down the road.

## Your Key Contacts



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