

UNITED STATES
DEPARTMENT OF LABOR

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• **Standard Number:** 1975.3

OSHA requirements are set by statute, standards and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>.

November 10, 1999

The Honorable Charles E. Grassley
United States Senate
Washington, DC 20510

Attention: Kurt Kovarik

Dear Senator Grassley:

Thank you for your September 10, 1999 letter to the Occupational Safety and Health Administration's (OSHA's) Office of Intergovernmental Affairs. Your letter has been forwarded to the Directorate of Compliance Programs for response. You forwarded a letter from Bob Alexander of Galva, Iowa regarding OSHA's regulations pertaining to child labor and the use of big equipment.

OSHA's safety and health regulations apply to all employees regardless of age. OSHA, therefore, does not have any specific regulations regarding minors.

As you know, the State of Iowa administers its own occupational safety and health program under provisions of the Occupational Safety and Health Act of 1970, with approval and monitoring by Federal OSHA. Under the plan, the Iowa Division of Labor Services administers the Iowa program. This Division may be contacted at:

[David Neil, Labor Commissioner]
Iowa Division of Labor Services
1000 E. Grand Avenue
Des Moines, Iowa [50319-0209]
[(515) 281-8067]

Mary Bryant, Administrator
(515) 281-3469

However, the Wage and Hour (W&H) Division of the U.S. Department of Labor's Employment Standards Administration administers the child labor provisions of the Fair Labor Standards Act (also known as the Wage-Hour law). Enclosed are two W&H publications that contain information on child labor laws in nonagricultural occupations, and in agricultural operations.

There are currently 17 hazardous occupations in the **nonagricultural** area. These occupations are considered hazardous for minors under 18 years of age. Generally, minors may not work at jobs that involve:

1. Manufacturing or storing explosives
2. Driving a motor vehicle and being an outside helper on a motor vehicle
3. Coal mining
4. Logging and sawmilling
5. Power-driven woodworking machines*
6. Exposure to radioactive substances and ionizing radiations

7. Power-driven hoisting equipment
8. Power-driven metal-forming, punching, and shearing machines*
9. Mining, other than coal mining
10. Meat-packing or processing (including power-driven meat slicing machines)
11. Power-driven bakery machines
12. Power-driven paper-products machines*
13. Manufacturing brick, tile, and related products
14. Power-driven circular saws, band saws, and guillotine shears*
15. Wrecking, demolition, and shipbreaking operations
16. Roofing operations*
17. Excavation operations*

* Limited exemptions are provided for apprentices and student-learners under specified standards.

There are currently 11 hazardous occupations in the **agricultural** area, which are detailed in the second enclosure. These occupations are considered hazardous for minors under 16 years of age.

Mr. Alexander has not defined what he means by "big equipment," but based on the above 17 hazardous occupations it does not appear that lawn mowing or making milk shakes or taking french fries out of a machine would qualify as a hazardous occupation. However, the State of Iowa may have child labor laws that are more restrictive than the Federal laws. Mr. Alexander may call the following to get more information on Iowa's child labor laws:

State of Iowa
Division of Labor
[Telephone (515) 281-6374 or (515) 242-5869]

if Mr. Alexander should wish to verify the guidance provided herein, he may consult the U.S. Department of Labor's website [Kids' Pages at <http://www.dol.gov/dol/topic/youthlabor/Kidspages.htm>] or he may call:

[U.S. Department of Labor
OSHA
210 Walnut Street, Room 815
Des Moines, IA 50309-2015 Telephone (515) 284-4794]

Thank you for your interest in occupational safety and health. We hope you find this information helpful. If you have any further questions, please feel free to the [Office of General Industry Enforcement at (202) 693-1850].

Sincerely,

Charles N. Jeffress
Assistant Secretary

[Corrected 08/16/2007]

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200 Constitution Ave NW
Washington, DC 20210
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OCCUPATIONAL SAFETY AND HEALTH

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