Questions?

Direct any questions or requests for informational materials and posters about New Jersey child labor laws to:

New Jersey Department of Labor and Workforce Development
Division of Wage and Hour Compliance
PO Box 389
Trenton, NJ 08625-0389
Phone (609) 292-2305
FAX (609) 695-1174

nj.gov/labor
(click on *Wage & Hour*, then *General Information*, then *Child Labor*)

Direct any questions about federal child labor laws to the U.S. DOL Wage & Hour office closest to you:

U.S. Department of Labor
Wage and Hour Division
200 Sheffield St., Suite 102
Mountainside, NJ 07092
(908) 317-8611

U.S. Department of Labor
Wage and Hour Division
3131 Princeton Pike
Bldg. 5, Rm. 216
Lawrenceville, NJ 08648
(609) 538-8310

www.dol.gov

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MW-36 (9/16)

EMPLOYER GUIDE

About Working Papers

An Employer Guide for Completing the Employment Certificate

NEW JERSEY DEPARTMENT OF
LWD
LABOR AND WORKFORCE DEVELOPMENT
nj.gov/labor

Working Together to Keep New Jersey Working

Chris Christie, *Governor*
Aaron R. Fichtner, Ph.D., *Acting Commissioner*

Employment Certificates

"Working Papers"

All minors (workers under age 18) who work in New Jersey must have an employment certificate – also called "working papers." Minors need an employment certificate for each employer – even when they're employed by family members or for school-sponsored cooperative education experiences, apprenticeships and paid structured learning experiences.

Young workers can get a blank employment certification (form A300) online at *nj.gov/labor* (click on *Wage & Hour*, then *General Information*, and then *Child Labor*) or from their local school district. Minors from a different part of the state or from out of state may get working papers from the New Jersey school district where they are residing or working.

Special Permits for Agriculture, Newspaper Carrier, or Theatrical Employment

Younger minors who will be working in agriculture, as a newspaper carrier, or in theatrical employment may need a special permit (form A310). They can get this permit from the Issuing Officer of the local school district where they live. Minors who are not New Jersey residents can get the A310 special permit from the district where they have a promise of employment.

Employers Complete the Employment Information Section

If you hire minors, you must complete the employment information section of their employment certificates, and sign and date the promise of employment. If any employment details completed by the minor are incorrect, cross out the incorrect information and enter, initial and date the corrections.

The required information includes:

- Employer business name
- Street address where minor will be working
- Name of contact person and telephone number
- Approximate number of hours per workweek the minor will be working. Include either daily or start and end times.
- Rate of pay. A minor is entitled to minmum wage pay in most industries, but there are exceptions. See the "Rate of Pay" section of this brochure for details.
- Type of business/industry (for example, amusement park, golf course, gas station, restaurant, retail, summer day camp, etc.).
- Minor's job title. Be specific (for example, cashier, sales associate, server, gas attendant, bank teller, etc.).
- If liquor is sold for consumption on the premises, check the "yes" box and describe the area licensed.

Note: *Minors* ***under 16*** *are not permitted to work at any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or sold for consumption on the premises. Minors* ***16 or older*** *are permitted as long as they do not prepare, sell, or serve alcoholic beverages.*

- Indicate whether minor has a regular or vacation certificate (summer hours differ).
- Signature of the employer or hiring person

	minimum age	employment certificate	special permit ages
agriculture work	12		ages 12–15 need special agriculture permit
newspaper carriers	11	16 & 17	ages 11–15 need special newspaper carrier certificate
theatrical workers	none	16 & 17	under 16 need special theatrical certificate

After you complete the employment information and sign the promise of employment, return the form to the minor. The minor then asks his/her parent/guardian to sign, authorizing employment. The young worker then brings the form to the school district. There a designated school official will review the promise of employment. The school official will issue a working paper only after being satisfied that the working conditions and hours will not interfere with the student's education or damage a student's health. The official may refuse to issue working papers if such refusal would be in the minor's best interest. The official also sends a copy of the working paper to the Division of Wage and Hour Compliance to ensure compliance with child labor laws.

Hours of Work

Child labor laws protect minors from working excessive hours. There are limits on daily and weekly hours, and limits on the actual hours of work allowed.

Breaks: All minors must be given a 30-minute meal break after 5 continuous hours of work. This break can be paid or unpaid. You must document this meal break on the minor's time records.

School-sponsored cooperative education experiences, apprenticeships and paid structured learning experiences:

- Training site experiences may not exceed 5 hours on any day that school is in session. The combination of school and work may not exceed 8 hours on any day that school is in session.

Other hours may apply for agricultural jobs, for work in factories, for newspaper carriers, or for theatrical employment.

Rate of Pay

A minor is entitled to minimum wage pay in the following industries:

- Retail/mercantile
- Food service (restaurant)
- Hotel/motel
- Beauty culture
- Laundry/cleaning/dyeing
- Light manufacturing apparel
- First processing of farm products

The current hourly minimum wage is posted online at *nj.gov/labor*, click on *Wage & Hour*.

minor's age		maximum number hours/day	maximum number hours/week	maximum number consecutive days/week	prohibited hours
14 & 15	school weeks	3	18	6	• not before 7 a.m. or after 7 p.m. • not more than 8 hours a day on Saturday or Sunday
	non-school weeks	8	40	6	• not before 7 a.m. or after 7 p.m. during the school year • not before 7 a.m. or after 9 p.m. from the last day of school to Labor Day, with written permission from a parent
16 & 17	school weeks	8	40	6	• not before 6 a.m. or after 11 p.m. • not before 6 a.m. or after midnight on Fridays or Saturdays, or days not followed by a school day
	non-school weeks	8	40	6	• not before 6 a.m. or after 11 p.m. • not before 6 a.m. or after 3 a.m. in restaurant and seasonal amusements, with written permission from a parent

Certain places are not required to pay minimum wage. Some examples are nursing homes, boardwalk and other seasonal amusements, summer camps, professional offices, and libraries. However, jobs related to food service in any of those places must pay the minimum wage. For example, an office worker in a nursing home can be paid less than the minimum wage; however, a dining room waitress in the nursing home must be paid minimum wage.

Tips: Where tips are part of the pay, the sum of cash wages plus tips earned in a week, and meal credits (where meals are provided), divided by the number of hours worked during the same week, must amount to at least the minimum wage.

Overtime: Minors may not work more than 40 hours per week.

Prohibited Work

Workers under age 18 have twice as many work accidents as workers overall. Child labor laws protect minors from working in hazardous conditions, and restrict the type of work which can be performed. Some of the prohibited jobs and activities are listed below. For a complete list of prohibited occupations, please consult the New Jersey Child Labor Laws and Regulations (find contact information on the back of this publication).

Minors Under 16 Years of Age:

- May not use power-driven machinery, including power tools, power lawn mowers, power woodworking, and metal working tools.
- May not use conveyors. However, minors age 15 and older may work as cashiers or baggers.

Minors Under 18 Years of Age:

- May not work in construction.
- May not operate hoisting apparatus, including forklifts.
- May not service rim wheels (for changing tires).
- May not slaughter animals; or pack, process, or render meat; or operate deli or other slicing machines.
- May not use dough brakes or mixing machines in bakeries or cracker machinery.
- May not operate or unload compactors, but may load certain compactors.
- May not work at establishments where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or sold for consumption on the premises. However, minors age 16 are permitted as long as they do not prepare, sell, or serve alcoholic beverages.

Note: *Minors at least 14 years of age may work as golf caddies and pool attendants.*