



ARE YOUR TEEN WORKERS TAKING OUT THE CARDBOARD OR OTHER TRASH?

Taking out the cardboard or other trash is one of the duties commonly assigned to teen workers in retail and service establishments. While most of the duties associated with taking out the trash and cardboard are safe for teens to perform, there are both safety hazards and potential violations of the federal child labor provisions of the Fair Labor Standards Act to consider if young workers take trash to a compactor or baler.

The law permits teen workers to take the trash and cardboard to the site of the compactor or baler and place it on the ground, but workers under the age of 18 are generally prohibited from actually placing the items into the compactor or baler. They may not operate the compactor or baler, including “pushing the on button,” nor may they unload the compactor or baler. Performing any of these actions may violate Hazardous Occupations Order No. 12 of the federal child labor provisions and can result in monetary penalties for the employer.

This prohibition applies even if an employer does not own the compactor or baler but uses centralized equipment that is owned or provided by someone else (*i.e.*, retail businesses located in shopping malls).

There is a limited exception in the law that allows 16- and 17-year-olds to load, **but not operate or unload**, certain paper box compactors and scrap paper balers. This exception applies only if all of the five following requirements are met:

1. The equipment meets one of the following the American National Standards Institute (ANSI) standards:

For employers to take advantage of the limited exception discussed in this section, the <u>scrap paper baler</u> must meet one of the following ANSI standards:	For employers to take advantage of the limited exception discussed in this section, the <u>paper box compactor</u> must meet one of the following ANSI standards:
ANSI Standard Z245.5-1990	ANSI Standard Z245.2-1992
ANSI Standard Z245.5-1997	ANSI Standard Z245.2-1997
ANSI Standard Z245.5-2004	ANSI Standard Z245.2-2004
ANSI Standard Z245.5-2008	ANSI Standard Z245.2-2008

2. The equipment contains a poster or notice that:
 - Identifies the specific ANSI standard that the equipment meets,
 - States that 16- and 17-year-olds may only load the equipment,
 - States that no one under 18 years old may operate or unload the equipment;
3. The equipment must include an on/off switch with a key-lock or other system, and the control of the system must be in the custody of employees 18 years of age or older;
4. The on/off switch must be maintained in the off position when the equipment is not in operation; and
5. The equipment cannot be operated while it is being loaded.

The exception for loading does not involve all compactors and balers—just paper box compactors and scrap paper balers. The limited exemption does not apply to anyone under 16 years of age. This age group may not under any circumstances dump trash into, operate, or unload any compactor or baler.

For information regarding Hazardous Occupations Order No. 12 for compactors and balers, please read [Wage and Hour Division Fact Sheet No. 57](#).

ENFORCEMENT

Child labor protections continue to be a priority for the Department of Labor. Accordingly, strong enforcement of these regulations includes a penalty structure designed to encourage employers to take compliance, and the safety of young employees, seriously. Violators of the youth employment provisions may be subject to a civil money penalty of more than \$13,000 for each minor employed in violation. Penalties for violations that cause the death or serious injury of a minor may be increased to more than \$59,000 and those penalties may be doubled (to more than \$118,000) when the violations are determined to be willful or repeated.

For additional information on the Fair Labor Standards Act, visit the Wage and Hour Division website: at <https://www.dol.gov/agencies/whd> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).