

MASSACHUSETTS

Guide for Working Teens



Massachusetts Attorney General's Office



**Know Your Rights
Protect Your Health**

This Guide was made possible by the
Massachusetts Attorney General's Office

Information contained in this guide is not legal advice and is intended for informational purposes. Information is accurate as of May 2019.

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You Have Rights



Safety

You have a right to a safe and healthy workplace.

Your employer **must** provide health and safety training, including information on harmful chemicals you might use.

Important! It's illegal for an employer to fire you for speaking up if you are worried about health or safety conditions at work or for filing a health and safety complaint.



Pay

Employers **must**:

- Pay you at least the Massachusetts minimum wage for **all** hours you work. Beginning January 1, 2023, the minimum wage in Massachusetts is \$15/hour.
- Pay you 1.5 times your regular pay for every hour over 40 that you work in a week.
- Let you keep all your tips or your share of a valid tip pool.
- Pay for your medical care (and maybe lost wages) if you get hurt or sick because of your job.
- Let you earn and use up to 40 hours of sick leave a year.



Equal Treatment

In most cases, employers must not pay you less for doing the same or comparable work as another employee of a different gender. They must also not discriminate in hiring, pay, or other benefits based on your:

- Age, race, or color
- Religion, national origin, or ancestry
- Sex (including pregnancy)
- Sexual orientation or gender identity or expression
- Genetic information or disability
- Military service



Job Applicants with a Criminal History

If you are applying for a job in Massachusetts, most employers are not allowed to ask you about your criminal history on the first application. They may ask you *some* questions later. Learn more at: www.mass.gov/guides/guide-to-criminal-records-in-employment-and-housing



Laws for Teen Workers

Special laws (called Youth Employment Laws or Child Labor Laws) protect you at work. These laws:

- Protect you from dangers in the workplace, and
- Limit the hours and schedules you can work.

For more information, visit www.mass.gov/ago/youthemployment



You Have Responsibilities, Too

Make sure you:

- Know your rights.
- Follow workplace safety rules and instructions.
- Know what to do in an emergency.
- Report any dangerous or unsafe conditions right away.
- Use required safety equipment.
- Use required personal protective equipment, like goggles or gloves.

Stay Safe at Work



A job is a big part of teen life. Working has lots of benefits, but it may have risks and dangers, too.

Every year in the **U.S.**, about:

- **180,000** teens are injured at work, and
- **37** die from injuries related to their job.

In **Massachusetts**:

- About **300** teens go to emergency rooms for job-related injuries each year, and
- **A few** young workers have died from their job-related injuries.



Protect Yourself

You have the right to:

- Refuse to perform a task if it threatens your immediate safety.
- File a health and safety complaint with Occupational Safety and Health Administration (OSHA) and Department of Labor Standards (DLS).
- Work without racial or sexual harassment.
- Join or organize a union.
- Go to training programs, or ask for training if there are no programs.
- Use correct safety techniques when working.
- Read chemical labels and follow instructions.
- Ask questions if you are not sure about something.
- Ask a responsible adult, like a co-worker, parent, guardian, or teacher, if you need help talking to your boss.
- Keep your work area clean and neat.
- Keep calm around angry customers. Call your supervisor if you feel threatened.



Before you start a new job, ask your employer:

- What safety hazards should I know about for my job?
- Will I get health and safety training?
- Do I need any safety equipment?
- Is there an emergency plan and emergency training?
- Do you have safety meetings?



Get help if you need it:

For more information about safety, you or your parent or guardian can contact:

- OSHA
- Massachusetts Attorney General's Office, or
- Other agencies listed at the back of this pamphlet

If you get injured at work...



- Tell your supervisor right away, even if you think the injury is not serious.
- Get medical treatment, even if you have to leave work.
- Tell your parent or guardian about your injury.



Work Permits

If you are under 18, you **must** get a work permit before you can start a new job.

Follow these steps:

1. Get a job offer from an employer.
2. Fill out a work permit application. To get an application:
 - Go to your school district's Superintendent of Schools' Office (where you live or go to school), or
 - Download an application from: www.mass.gov/dols/youth
 - If you need help with the application, ask a guidance counselor or job placement coordinator at your high school.
3. Ask your employer to fill out the **Promise of Employment** section.
4. If you are **14 or 15**, a doctor must fill out and sign the **Physician's Certificate of Health** section. Your doctor can do this part up to 12 months before you file your application.
Note: If you are 16 or 17 you may skip step 4.
5. **Sign.** You and your parent, guardian or custodian **MUST** sign your completed application.
6. Take your completed application to the Superintendent of Schools (or the person in charge of permits) at the school district where you live or go to school. Also take proof of your age, like a birth certificate, passport, or immigration record. If they approve your application, they will tell you when to pick up your work permit.
7. Give your work permit to your employer. Your employer must keep it at the workplace at all times until you leave your job.

If you are 17 and have a high school diploma (or equivalent)...



Just fill out the work permit application and take proof of your high school diploma (or equivalent) to the person in charge of permits in the school district where you live or where you work (if you live outside Massachusetts).

Legal Work Hours

14- and 15-year-olds



School Year

7 a.m. – 7 p.m.
(not during school hours)



Summer

(July 1 to Labor Day)
7 a.m. – 9 p.m.

Maximum Hours

School Year

- 18 hours per week
- 3 hours per day on school days
- 8 hours per day on weekends / holidays
- 6 days per week

Summer

- 40 hours per week
- 8 hours per day
- 6 days per week

16- and 17-year-olds



School Nights

6 a.m. – 10 p.m.
(or until 10:15 p.m. if the
business stops serving
customers at 10 p.m.)



Non-school Nights

6 a.m. – 11:30 p.m.
(or until midnight if a
restaurant or racetrack)

Maximum Hours

- 48 hours per week
- 9 hours per day
- 6 days per week

After 8 p.m. there must be an adult at the workplace to supervise 14- to 17-year-olds.

Exception: A teen may work alone after 8 p.m. at a kiosk, cart, or stand in the common area of an enclosed shopping mall if the mall has security.

Prohibited Jobs & Tasks



If you are under 14, you may NOT work.

There are a few exceptions – you can work:

- as babysitters,
- as newspaper carriers,
- on farms, and
- in entertainment (if the employer gets a special permit).



If you are under 16, you must NOT:

- Cook (except on electric or gas grills that do not have open flames), operate fryolators, rotisseries, NIECO broilers, or pressure cookers
- Operate, clean, or repair power-driven machinery
- Work in freezers or meat coolers
- Perform any baking activities
- Clean kitchen surfaces that are hotter than 100°F
- Work in or near factories, construction sites, manufacturing plants, mechanized workplaces, garages, tunnels
- Filter, transport, or dispose of cooking oil or grease hotter than 100°F
- Load or unload trucks
- Work on or use ladders, scaffolds, or their substitutes
- Ride in or on a motor vehicle (except in passenger seat if wearing a seatbelt)
- Work in any occupation or task prohibited for someone under age 18



If you are under 18, you must **NOT**:

- Drive a motor vehicle or forklift on the job
- Work at a job that requires having or using a firearm
- Use, clean or repair certain kinds of power-driven machines, including meat slicers, grinders, choppers and processors
- Handle, serve, or sell alcoholic beverages
- Use, service, drive, or work from hoisting machines
- Operate or load power-driven balers, compactors, or paper-processing machines
- Work 30 or more feet off the ground
- Work in roofing or on or about a roof (for example, installing solar panels)
- Work in excavation, wrecking, or demolition
- Use circular, chain, or band saws; guillotine shears; wood chippers; and abrasive cutting discs

This information is based on state and federal laws. It applies to all teens and all employers, including family members who employ their teen relatives.

There are additional regulations and some exceptions for employers in agricultural industries and student learners participating in cooperative education programs.

This is a partial list of prohibited jobs for minors. For a complete list, visit www.mass.gov/ago/youthemployment

How Safe Is Your Workplace?

Many jobs have conditions or hazards that can hurt you or make you sick. Speak up if there are dangers at your workplace! If this is hard for you to do, talk to your parent, guardian, or a trusted adult.

Here are examples of common hazards and safety problems:



Violence Hazards

- Contact with angry customers
- Working with cash
- No security guards or cameras
- Working late at night
- Working alone



Physical Hazards

- Lifting heavy objects
- Standing for a long time
- Lots of noise
- Very hot or very cold temperatures
- Poor lighting and/or ventilation
- Repeated movements, like scanning groceries



Safety Hazards

- Knives, razors, box cutters
- Hot grease, water, steam
- Unguarded machinery
- Slippery floors
- Falling objects
- Paper balers*
- Motor vehicles*



Biological and Chemical Hazards

- Cleaning products, solvents, acids
- Gasoline
- Pesticides
- Bacteria and viruses
- Mold and dust mites

** You must be at least 18 to use this equipment.*

Workers' Compensation

Your employer cannot fire you for getting hurt at work or for missing work because of a job-related injury or illness. Employees who get hurt on the job have a right to workers' compensation benefits.



Workers' compensation benefits include:

- Medical treatment for your work-related injury or illness paid for by your employer.
- Some of your lost wages if you are unable to work for 5 or more calendar days because of the injury or illness. These 5 days do not have to be in a row.
- Double compensation if child labor laws were not followed when you got injured.
- Other benefits if you become permanently disabled.

All Massachusetts employers must have workers' compensation insurance for their employees and must have a poster with their workers' compensation insurer and the policy number hanging at your workplace.



You are covered regardless of:

- How old you are
- How many hours a week you work
- How you are paid
- Your immigration status
- Who or what caused your work-related injury or illness

You have these rights even if your employer does not have workers' compensation insurance.

Do I need a lawyer to get workers' compensation?



No. You can ask for workers' compensation without a lawyer. But if the employer's insurer denies or fights your claim, you and/or your parent or guardian may want to talk to an experienced workers' compensation lawyer.

If you get a lawyer and win your case, the insurer must pay your lawyer's fees. If you lose, the lawyer can only charge you for specific costs.

More Information & Help

These organizations can help with questions on the following topics:



Child Labor Laws & Wages

Massachusetts Attorney General's Office, Fair Labor Division (FLD)

(617) 727-3465

www.mass.gov/ago/youthemployment

U.S. Department of Labor Wage and Hour Division

(617) 624-6700

www.youthrules.gov



Discrimination at Work

Massachusetts Attorney General's Office, Civil Rights Division (CRD)

(617) 963-2917

www.mass.gov/ago/civilrights

Massachusetts Commission Against Discrimination (MCAD)

(617) 727-3990

www.mass.gov/mcad

U.S. Equal Employment Opportunity Commission (EEOC)

(800) 669-4000 • Boston Area Office

www.eeoc.gov



Work Permits

Massachusetts Department of Labor Standards (DLS)

(617) 626-6952

www.mass.gov/dols/youth



Workplace Health and Safety

U.S. Department of Labor Occupational Safety and Health Administration (OSHA)

(978) 837-4460 • Andover Office

(617) 565-6924 • Braintree Office

(413) 785-0123 • Springfield Office

www.osha.gov/youngworkers

Massachusetts Department of Labor Standards

Workplace Safety and Health Program

(617) 969-7177

www.mass.gov/dols

Massachusetts Department of Public Health (DPH)

Young Workers: Injury Surveillance and Prevention Project

(617) 624-5632

www.mass.gov/dph/teensatwork

MA Youth Employment and Safety (YES) Team

www.mass.gov/youngworkers

National Institute for Occupational Safety and Health (NIOSH)

Workplace Safety & Health Topics

www.cdc.gov/niosh/topics/youth

Youth @ Work: Talking Safety

www.cdc.gov/niosh/talkingsafety

National Young Worker Safety Resource Center

www.youngworkers.org



Workers' Compensation

Massachusetts Department of Industrial Accidents (DIA)

(800) 323-3249

www.mass.gov/dia

Office of the Massachusetts Attorney General

www.mass.gov/ago

www.mass.gov/ago/youthemployment