

## **NOTICE TO EMPLOYERS**

Effective March 1, 1997, the Department of Workforce Services will no longer issue work permits for minors under the age of 16. The Wyoming Legislature amended the state child labor laws and repealed the requirement of work permits for children under the age of 16. Employers of 14- and 15-year-old youth are now required to have proof of age for such employees. The acceptable forms of proof of age are either a properly completed I-9 form showing the age of the child or a copy of a verified birth certificate. The specific statutes read as follows:

### **“W.S. 27-6-107. Children; proof of age required; prohibited employment.**

It shall be unlawful for any person, firm or corporation to employ, permit or allow any child under the age of fourteen (14) years to work at any gainful occupation except farm, domestic or lawn and yard service. To ensure that a child is of proper age to be employed under this section, every person, firm or corporation employing a child under sixteen (16) years of age shall procure and have on file where the child is employed, a form of proof of age as required under W.S. 27-6-108; provided however that under no circumstances shall any child under sixteen (16) years of age be employed in any occupation listed in W.S. 27-6-112 or in any occupation declared by the department of employment to be hazardous for children under sixteen (16) years of age.”

### **“W.S. 27-6-108. Children; proof of age required; inspection and form.**

- (a) The proof of age required by W.S. 27-6-107 shall be made available for inspection by any official charged with the enforcement of laws regulating the employment of minors. The acceptable forms of proof of age include the following:
  - (I) A duly attested birth certificate;
  - (II) A properly prepared immigration and naturalization form I-9 showing the age of the child;
  - (III) Any other document showing the age of the child as approved by the department of employment.”

In addition to the above amendment, the Legislature added a provision which allows children under the age of 14 to work for their parent, legal guardian, or grandparent in a nonhazardous occupation outside of school hours. The legislature also increased the penalty for violating the state child labor laws. The specific law reads as follows:

### **“W.S. 27-6-113. Children; penalty for violations.**

- (a) Any person employing any child or children in violation of the provisions of this act, or any child, subject hereto, who willfully and intentionally violates the

provisions of this act, or any person who permits a violation, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than seven hundred fifty dollars (\$750.00) or imprisoned in the county jail not more than one hundred (100) days, or both, in the discretion of the court.

- (b) Nothing in this act applies to or prevents a child under fourteen (14) years of age to be employed in a nonhazardous occupation outside of school hours by his parents, grandparents or legal guardian, or by a business owned by his parents, grandparents or legal guardian.”

Finally, the Legislature gave the Department of Workforce Services authority to declare any occupation as hazardous for the employment of children under the age of 16. Currently, there are two specific occupation which, by state law, are considered hazardous:

- (1) The operation of or working on heavy construction equipment;
- (2) Employment requiring contact with or exposure to explosives or dangerous chemicals; or in any other occupation declared by the department of employment as hazardous for the employment of children under sixteen (16) years of age.

**CAUTION:** The amendments listed above apply only to state child labor laws. Be advised that many employers are covered by the federal child labor provisions. Federal law also requires proof of age for minors under the age of 18. the federal law also allows children under 14 to work for their parents in nonhazardous occupations but not for their grandparents. The federal law also has a list of hazardous occupations for minors under the age of 16, and specifically identifies 18 hazardous occupations for minors under the age of 18. It is recommended that before you hire any minor under the age of 18 that you contact the U.S. Department of Labor to make sure you are in compliance with federal law as well as state law.

Questions concerning federal child labor requirements should be directed to:

US Department of Labor  
P.O. Box 895  
Casper, WY 82602  
(307) 261-6242

U.S. Department of Labor  
10 E. South Temple, Room 1680  
Salt Lake City, UT 84133  
(801) 524 5706

Questions concerning state child labor provisions should be directed to the Department of Workforce Services, Labor Standards, at on of the offices listed below:

1510 E. Pershing Blvd, West Wing  
Cheyenne, WY 82002  
(307) 777-7261

100 W. Midwest,  
P.O. Box 2760  
Casper, WY 82602  
(307) 235-3679