

# Youth Farming in Oklahoma

## Can Oklahoma youth engage in youth farming?

The state child labor laws do not apply to children working either on farms or for parents or any entity in which a parent owns an equity interest. Please contact the **United States Department of Labor** at 1-866-487-9243 or [www.dol.gov](http://www.dol.gov) for more information.

## Do federal child labor laws apply to youth engaged in farm jobs?

The **Fair Labor Standards Act** (FLSA) sets standards for child labor in agriculture. These standards differ from those for non-farm jobs. The FLSA covers employees whose work involves production of agricultural goods which will leave the state directly or indirectly and become a part of interstate commerce. Please contact the **United States Department of Labor** (USDOL) at 1-866-487-9243 or [www.dol.gov](http://www.dol.gov) for more information.

## What minimum age standards does the USDOL set for youth agricultural employment?

Age of Child	USDOL Standards
<b>16 and above</b>	May work in any farm job at any time
<b>14 and 15</b>	May work outside school hours in jobs not declared hazardous by the Secretary of Labor
<b>12 and 13</b>	May work outside of school hours in non-hazardous jobs on farms that also employ their parent(s) or with written parental consent
<b>under 12</b>	May work outside of school hours in non-hazardous jobs with parental consent, but <b>only</b> on farms where none of the employees are subject to the minimum wage requirements of the FLSA
<b>10 and 11</b>	May hand harvest short-season crops outside school hours for no more than 8 weeks between June 1 and October 15 if their employers have obtained special waivers from the Secretary of Labor
<b>other</b>	Youths of any age may work at any time in any job on a farm owned or operated by their parents

## What happens if the state child labor standards differ from federal standards?

Many states have laws setting standards for child labor in agriculture. When both state and federal child labor laws apply, the **law setting the most stringent standard must be observed.**

## Who enforces the federal child labor laws?

The **United States Department of Labor** enforces the federal child labor laws. **Employers may be fined up to \$10,000 for each child labor violation.** Therefore, COMPLY.

## What agricultural jobs are prohibited for minors under 16?

The USDOL Secretary of Labor declared the following farm occupations to be hazardous for **any minor under 16**. **Occupations which threaten health and well-being** include, but not limited to:

anhydrous ammonia	operating
auger conveyor	passengers
automobile driving	potato combine
automobile passenger	potato digger
buckling	power-driven band saw
bus driving	power-driven chain saw
bus passenger	power-driven circular saw
corn picker	power post drive
cotton picker	power post-hole digger
crop dryer	riding
driving	scaffold
earthmoving equipment	skidding
explosives	timber
feed grinder	tractor of over 20 PTO horsepower
felling	tractor helper
forage blower	tractor implements
forage harvester	tractor parts
fork lift	tractor passenger
grain combine	tractor riding
hay baler	trailer
hay mower	transporting
heights over 20 feet	trencher
ladder	truck
loading	truck driving
mobile pea viner	truck passenger
nonwalking-type rotary tiller	unloading

**Working** in a **yard, pen, or stall** occupied by:

A bull, boar, or stud horse maintained for breeding purposes  
A sow with suckling pigs  
A cow with a newborn calf (with umbilical cord present)

**Working** inside:

A fruit, forage, or grain **storage** designed to retain an oxygen-deficient or toxic atmosphere

An upright **silo** within two (2) weeks after silage has been added or when a top unloading device is in operating position

A **manure pit**

A horizontal **silo** while operating a tractor for packing purposes

**Handling** or applying toxic agricultural chemical identified by the words: **Danger, Poison,** or **Warning** or a skull and crossbones on the label.

## What exemptions if any apply to youth farming?

The prohibition of employment in hazardous occupations does not apply to youths employed on farms **owned or operated** by their parents. In addition, there are some exemptions from the prohibitions:

14 and 15 year old student learners enrolled in vocational agricultural programs are exempt from certain hazardous occupations when certain requirements are met.

Minors aged 14 and 15 who hold certificates of completion of training under a 4-H or vocational agriculture training program may work outside school hours on certain equipment for which they have been trained.

## Who do I contact to get more information regarding the federal child labor laws?

### **United States Department of Labor**

866-487-9243

405-231-4158

[www.dol.gov](http://www.dol.gov)

[www.youthrules.dol.gov](http://www.youthrules.dol.gov)