

Federal Labor Laws

In 1938 the U. S. government passed Fair Labor Standards Act (FLSA), also called "Wage and Hour Law." The FLSA sets a federal minimum wage. The first federal minimum wage was 25¢ per hour in 1938, and has increased to \$7.25 per hour today. A state may pass laws that: 1) sets a higher minimum wage for workers; and 2) sets higher overtime pay for workers. For example, in **Washington state**, minimum wage is \$11.50 per hour for 2018. The **FLSA (Federal law) requires** overtime pay (time and one-half of regular pay) when workers work more than 40 hours in one workweek. But, **California requires** overtime pay when workers work more than 8 hours in one day. In addition, FLSA includes **Hazardous Occupation Orders (HOO)**, that make 17 jobs illegal for minors (workers under 18 years old) to do for pay. HOOs were passed to protect the health, safety, and well-being of minors on the job.



Order #1: Manufacturing and storage jobs involving explosives. Minors cannot work in company around explosives or explosive products such as guns, bullets, fireworks.

Order #2: Motor vehicle occupations. Minors cannot be hired in jobs that require driving on public roads. Pizza or flower delivery persons must be 18 years old.

Order #3: Coal mine jobs. Minors cannot be employed in underground work, in open pit, or surface of coal mine. Minors may not be miners.

Order #4: Logging and sawmilling occupations. Minors cannot be hired to operate any sawmill, lath mill, shingle mill, or cooperage-stock mill for a lumber company. A minor may work in the lumber company office doing office or general clean-up jobs, and may be part of surveying crews or forest maintenance crews.

Order #5: Power-driven woodworking machine occupations. Minors may not be hired to operate power-driven woodworking machines, feed materials into such machines, or help operators with such machines. Minors may not be hired to set up, adjust, repair, oil, or clean power-driven woodworking machines.

Order #6: Occupations involving exposure to radioactive substances and to ionizing radiation. Minors may not be hired for jobs where there is a chance of exposure to any radioactive material. For minors to be employed, the exposure to ionizing radiation must be less than 0.5 rem per year.

Order #7: Power-driven hoisting apparatus occupations. Minors may not be employed to assist in the operation of an elevator, crane, derrick, hoist, or forklift truck. **The Department of Labor has recently ruled** that in auto repair shops, minors may be employed as helpers and work around hoists that lift cars. But, some states DO NOT ALLOW minors to work in auto repair shops as helpers. Check with your teacher to find out what your state allows.

Order #8: Power-driven machine occupations. Minors may not work as an operator or helper on metal rolling, punching, pressing, bending, hammering, and shearing machines. Minors cannot help set up, adjust, repair, oil, or clean these machines. Metal working machines that minors may operate include milling machines, running machines, planing machines, grinding, and boring function machines.

Order #9: Jobs related to mining, other than coal. Minors may not work in or around mines except in the office, supply house, laboratory, and other areas considered safe. Minors may not be miners.



Order #10: Occupations involving slaughtering, meat-packing, processing, or rendering. Minors may not be hired to slaughter animals or be employed as meat cutters.

Order #11: Power-driven bakery machine jobs. Minors may not be hired to operate power bakery machines such as dough mixers, bread dividers, molding machines, dough sheeters, bread slicers, or wrapping machines. Minors may operate simple machines such as flour sifters, pretzel machines, pie dough rolling machines, and crimping machines.

Order #12: Power-driven paper products machine jobs. Minors may not be hired in jobs operating or helping with machines that make paper products. These machines include wirestitchers, band saws, corrugating machines, guillotine paper cutters, scrap paper balers, and punch presses.

Order #13: Occupations making brick and tile. Minors may not be hired to help make bricks, clay products, or silica refractory products (tile). Minors may work in offices, labs, storerooms, or drying departments of these companies.

Order #14: Occupations involved in the operation of power-driven circular saws, band saws, and guillotine shears. Minors may not be hired to do any job using circular saws, band saws, or guillotine shears. Minors may not help set up, adjust, repair, oil, or clean these items.

Order #15: Occupations involved in wrecking, demolition, and ship breaking operations. Minors may not be hired to do cleanup or salvage work for the demolishing or dismantling of buildings, bridges, steeples, towers, chimneys, ships, or other structures or vessels.

Order #16: Roofing jobs. Minors may not be hired for any roofing job. Minors cannot be hired to install, repair, maintain, or paint any roof.

Order #17: Occupations in excavation operations. Minors may not be hired to dig holes or tunnels that are dug either manually or by machines. There is one exception. Minors may be hired to dig holes that are not over four feet deep at any point with shovels.



QUICK CHECK:

1. For what do the initials FLSA stand?
2. At Federal minimum wage, what is the worker's pay for 8 hours: a) in 1938? b) Today?
3. a) States may pass laws that do what 2 things? b) What is Washington state's minimum wage?
4. What is the rule for overtime pay with: a) Federal law? b) California law?
5. a) What do HOOs make illegal? b) Define "minors"? c) Why were HOO passed?
6. Order #1: a) For which type of company may minors not work? b) Why do you think is it not safe for minors to be hired to make fireworks?
7. Order #2: a) Minors may not be hired for what job? b) Give one example.
8. Order #5: List 5 illegal job tasks for minors.
9. Order #7: a) May minors drive forklifts? b) What has the Department of Labor ruled?
10. Order #8: a) List 3 metalworking machines employers may not hire minors to operate. b) List 3 machines that are legal to operate.
11. Order #10: Why do you think it is unsafe for minors to be employed as meat cutters?
12. Order #11: a) List 3 bakery machines employers may not hire minors to operate. b) List 3 machines that are legal to operate.
13. Order #14: Minors may not be hired to use what 3 types of equipment?
14. According to Order #16, which 4 types of roofing tasks are illegal for minors to do?
15. Describe the holes minors may be hired to dig.
16. For these 17 Hazardous Occupational Orders, do you think the worker's allowed age should be 16, 18, or 21? b) Give reasons for your answer.