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Notice Relative to the Regulation of Employment: of Minors, Payment of Wages, Safety and Health of Employees and Other Applicable Laws, Nov. 2002

Labor/Labor Standards

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Notice Relative to the Regulation of Employment

Of minors, payment of wages, safety and health of employees and other applicable laws.

The employer must post this notice. Failure to do this is punishable by a fine.

Child Labor Laws

Minors 16 & 17 years of age may be employed in most businesses, but not in hazardous jobs in many businesses.
Minors 14 & 15 years of age may be employed in most businesses except in most occupations in manufacturing, mechanical, dry cleaners, laundries, bakeries, hotels/motels, and most commercial places of amusement.
Minors under 14 years of age are prohibited from working in most businesses.
Effective May 2001, state rules prohibit minors under 18 years of age from working at many hazardous jobs. Contact the Bureau of Labor Standards for details.

Work Hours - Minors under 16 years of age

- No more than 6 days in a row.
- Cannot work before 7 a.m.
- Cannot work after 7 p.m. during school year.
- Cannot work after 9 p.m. during summer vacation.

School not in session

- No more than 8 hours in any one day (weekend, holiday, vacation or workshop).
- Not more than 40 hours in a week (school must be out entire week).

School in session

- No more than 3 hours on a school day, including Friday.
- Not more than 18 hours in a week that school is in session 1 or more days.

Work Hours - Minors 16 & 17 years of age (enrolled in school)

- No more than 6 days in a row.
- Cannot work before 7 a.m. on a school day.
- Cannot work before 5 a.m. on a non-school day.
- Cannot work after 10 p.m. the night before a school day.
- Can work up to Midnight when there is no school the next day.

School not in session

- No more than 10 hours in any one day (weekend, holiday, vacation, or workshop).
- No more than 50 hours in a week.

School in session

- No more than 4 hours on a school day.
- No more than 10 hours on any holiday, vacation, or workshop day.
- On last day of school week or unscheduled school closure day, may work up to 8 hours.
- No more than 20 hours in a week except may work 50 hours any week that approved school calendar is less than 3 days or during the first and last week of school calendar.
- May work up to 28 hours in week that an unscheduled school closure occurs. (snow day, frozen pipes, etc.)

Work Permits

- Needed by minors under 16 years of age.
- Issued by superintendent of schools.
- Employer must keep Bureau-approved permit on file.
- Minor allowed only 1 permit during school year, 2 during summer vacation.
- Minor cannot work until permit is approved by Bureau of Labor Standards.

Records - All employers must keep accurate daily records of hours for minors under 18 years of age.

All Employees

Time of Payment - Employees cannot be paid any less frequent than semi-monthly.
Payment of Wages - Any employee leaving employment must be paid in full on the next payday or within two weeks, whichever is earlier. Any vacation pay earned by company policy is due at the same time.

Unfair Agreement - Employees must be paid money for working. Employees may not be allowed or required to pay for damages such as shortages, bad checks and credit cards or for property damages.

Rest Breaks - Most employees working more than 6 hours must be offered a 30-minute, unpaid rest break.

Family Medical Leave - Must be allowed if:

- The employer has 15 or more employees and
- The employee has worked continuously for the last 12 months.
- If both of the above apply, the employee can have up to 10 paid or unpaid consecutive weeks in 2 years for:
 - Birth or adoption of a child
 - Serious illness of employee or immediate family member
 - The donation of an organ of the employee for a human organ transplant

Leave for Domestic Violence - Must be allowed, upon request, if employee or daughter, son, parent or spouse of employee is a victim of violence, assault or stalking to:

- Prepare for and attend court proceedings; or
- Receive medical treatment; or
- Obtain necessary services to remedy crisis

Mandatory Overtime - Most employers may not require their employees to work more than 80 hours of actual overtime in any consecutive 2-week period. A nurse who has worked 12 mandatory hours may not be disciplined for refusing to work additional hours and must be allowed at least 10 hours off following any such period (there are exceptions to this law).

At-Will Employment - Under Maine law, an at-will employee may be terminated for any reason not specifically prohibited by law. In most instances, you are an at-will employee unless you are covered by a collective bargaining agreement or other contract that limits termination. If you have questions about at-will employment, contact your human resources department or the Bureau of Labor Standards.

Caution - This is a summary of the laws. It gives brief information. A copy of the law itself or formal interpretations may be obtained from the Bureau of Labor Standards. Nothing in the Maine law exempts an employer from the Federal Fair Labor Standards Act. For information about Federal Law, contact the U.S. Department of Labor at (207) 780-3344. This notice may be reproduced.

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