

CHILD EMPLOYMENT. **INFORMATION AND GUIDELINES FOR EMPLOYERS**

If you, as an employer, want children to work for you then you must take into account that there are strict rules and regulations which control how many hours the child may work, what type of work the child can do and the type of premises the child will be working in. The rules are there to prevent the child coming to any harm or being exploited and to make sure the child's education does not suffer.

The employer may be prosecuted in the Magistrates Court for any breach of the regulations.

The legislation applies to all children (including the children of the employer) who are below the upper limit of compulsory school age.

(A child's compulsory schooling finishes on the last Friday in June of the school year during which they have their 16th birthday and does not finish on their 16th birthday. This means that a child who has their 16th birthday (lets say) in October still come within the legislation until the last Friday in June the following year. Receiving a National Insurance Card and number is not a sign that a child can get a full time job and /or leave school.)

The Local (Education) Authority is the agency which has the role of overseeing children who have a part time job and of prosecuting any employer who may break the rules.

Every child of school age who has a part time job working for an employer must be registered with the Education Department of the Local Authority and have an Employment Licence. It is the **employers'** responsibility to apply for an Employment Licence in order to employ the child.

The employer must carry out a specific Young Persons Assessment of any hazards in the work and tell the parents of the child what (if any) those hazards are. The employer must also make sure that proper clothing and footwear are worn and that proper training and guidance is given to the child.

Within 7 days of the child starting work the employer must complete a Child Employment Application form which must be signed by the child's parent and sent to the Education Department of the Local Authority. At the same time the child's parent must also complete a medical questionnaire in respect of the child which must also be sent to the Local (Education) Authority. The application gives the details of the child, the hours of work, the place of work and the type of work.

There are no rules which state how much a school aged child must be paid, this is left to negotiations between the employer and the child, however, no payment at all or payment in kind (free riding lessons or free goods 'off the shelf') is still regarded as being employed.

Although the employer may have seven days to complete a Child Employment Application form and send it to the Local Authority, employment of a child within

this period still requires that employment to be within the legislation. i.e. the hours worked, the place and type of employment.

Any employer who is thinking of employing a child and has not previously employed a child is advised to contact one of the Child Employment Officers at the Local Authority for advice.

Employers should take note of the following.

- It is illegal to employ a child who is under 13 years of age.
- It is illegal to employ a child without having obtained a Child Employment Licence. (Apart from the first seven days of employment).
- Children aged 13 years can only be employed in specific types of work.
- No child can work at any time between 7.0pm and 7.0am.
- No child can work more than 2 (two) hours on a Sunday.
- No child can work for more than 2 hours on a school day.
- No child can work more than 12 hours during any week they are required to attend school.
- A child aged 13 or 14 years can work up to 5 hours on a Saturday or school holiday, and can work up to a maximum of 25 hours a week during school holidays.
- A child aged 15 or 16 years can work up to 8 hours on a Saturday or school holiday, and can work up to a maximum of 35 hours a week during school holidays.
- A child who is employed for 4 hours must have a break of at least 1 hour.

The above are only some of the rules and regulations surrounding child employment and you, as an employer, are responsible for ensuring that you are fully aware of the Child Employment Legislation and that any child in your employ is employed legally.