

Surry-Yadkin Works Playbook

Appendix D: Navigating State and Federal Regulations and Insurance Requirements

When preparing to welcome youth under the age of 18 into the workplace, employers should familiarize themselves with all state and federal laws and regulations related to the employment of minors to ensure they are in compliance. The process to obtain proper youth work authorization depends on the nature of the work the youth will be doing and the employer for whom they will be working.

Many occupations – including office or clerical work, IT roles, and roles in childcare – require the completion of a **Youth Employment Certificate**. When performed for a state or county agency, including a school system or community college, these same occupations *do not* require a Youth Employment Certificate. Step-by-step instructions for completing the Youth Employment Certificate process are included in the “Required Paperwork” section below and spelled out in more detail [here](#).

Detrimental and hazardous occupations (see below for examples) are governed differently. The N.C. Commissioner of Labor has adopted regulations identifying nine **detrimental occupations** in which youths under 18 may not be employed. However, youths and employers working under the supervision of bona fide apprenticeship or student-learner programs, as defined by the Fair Labor Standards Act, are exempt from the prohibition against employment of youths in detrimental occupations. Even so, special work guidelines still apply to these exemptions. The North Carolina Department of Labor (NCDOL) has confirmed that pre-apprentices or apprentices who are 16 or 17 must still complete a waiver (see **Appendix E**).

Detrimental occupations include:

1. Welding, brazing and torch cutting.
2. Any processes where quartz or any other form of silicon dioxide or asbestos silicate is present in powdered form.
3. Any work involving exposure to lead or any of its compounds in any form.
4. At any work involving exposure to benzene or any benzene compound that is volatile or can penetrate the skin.
5. Occupations in canneries, seafood and poultry processing that involve cutting or slicing machines, or freezing or packaging activities.
6. Any work which involves the risk of falling a distance of 10 feet or more, including ladders and scaffolds.
7. Any work as an electrician or electrician’s helper.
8. Any work in confined spaces.

9. Occupations requiring the use of respirators.
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Additionally, federal law identifies seventeen **hazardous occupations** in which no youth under the age of 18 may be employed. These limitations apply to all youths under the age of 18, even those employed by their parent or legal guardian. However, for some of those occupations, limited apprenticeship or student-learner program exemptions may apply – please see NCDOL’s *Hazardous and Detrimental Occupations for Youths* [website](#) for the full list. The federal government does not require a waiver for apprentices in those cases. Please visit the U.S. Department of Labor’s *Frequently Asked Questions About Youth Employment* [site](#) for more information.

Required Paperwork

Youth Employment Certificates - In North Carolina, youth under the age of 18 are allowed to work in many different occupations and fields after completing the state’s [Youth Employment Certificate process](#), handled entirely online. Several stakeholders are involved in this process, including the youth, their parents/guardians, and their employer.

- The youth starts the application process by visiting [this site](#) and providing basic information about themselves, including:
 - First and last name;
 - Address;
 - Birth date; and
 - Contact information (phone and email).
- After submitting this information, the youth receives a Youth Employment Identification (YEID) number along with a confirmation email. The youth is responsible for sharing this YEID number with their prospective employer.
- Employers visit [this site](#) to begin their portion of the process. They can expect to:
 - Provide their company’s name and address;
 - Enter the youth’s YEID number; and
 - Verify the youth’s age, proposed job duties, and any restrictions.
- After the employer submits this information and it is reviewed by NCDOL, the youth will receive an email with a link to electronically sign their certificate. Once the youth clicks on the link in the email, the youth will enter their name and provide their electronic signature. They will also enter their parent/guardian’s email address.
- After the youth submits this information, an email will be sent to the parent/guardian with a link to electronically sign the certificate. The link will have the name of the employer and the job description. After reviewing the information provided, the parent will provide their electronic signature.
- The parent will submit this information, and an email will be sent to the employer with the completed Youth Employment Certificate attached. The Youth Employment Certificate is now valid and complete.

Youth Employment Certificates must be obtained and electronically signed via the process above before the youth's first day of work. Please allow sufficient time (up to one business day) to complete this process. The employer shall retain a copy of the certificate for three years after the youth turns 18 or separates from employment. It is not necessary to mail the completed certificate to the NC Department of Labor. Certificates are valid for one year and for one position. If the youth moves into a different position, they are required to apply for a new certificate.

Supervised Practice Youth Work-Based Experience Waiver for the Nine Detrimental Occupations in North Carolina – For all work-based learning opportunities in detrimental occupations, the employer must submit a signed Supervised Practice Youth Work-Based Learning Experience Agreement (see **Appendix E**) with signatures from the youth, employer, parent, and principal to the Wage and Hour Bureau at the NCDOL at least 60 days prior to the youth's proposed start date.

- The youth provides their name and school name.
- The employer provides a detailed description of the work site and occupation, including equipment and materials that will be used and/or encountered by the youth.
- The youth, parent/guardian, principal, and employer sign, and the waiver is submitted to the NCDOL for review.
 - The waiver can be submitted to the Wage and Hour Bureau at 1101 Mail Service Center, Raleigh, NC 27699-1101 or scanned and emailed to dol.youthintern@labor.nc.gov or shannon.council@labor.nc.gov.
- Once the Supervised Practice Youth Work-Based Learning Experience Agreement is approved by the NCDOL's Legal Division, Shannon Council (shannon.council@labor.nc.gov) will issue the Youth Employment Certificate.
- The Youth Employment Certificate must be signed by the youth, the parent and the employer prior to the youth's first day of work.

A signed Supervised Practice Youth Work-Based Learning Experience Agreement (see **Appendix E**) with signatures from the youth, employer, parent, and principal must be submitted to the Wage and Hour Bureau at the NCDOL at least 60 days (two months) prior to the youth's proposed start date. Once issued, certificates are valid for one year and for one position. If the youth moves into a different position, they are required to apply for a new waiver and/or certificate.

Working with Your Insurance Carrier

Employers are expected to comply with all state laws regarding workers' compensation and liability insurance. In the process of verifying that an existing policy covers students, pre-apprentices/apprentices, and/or minors, it may be helpful to refer insurance carriers to state and federal youth employment guidelines and/or reach out to alternative carriers to learn more about their coverage options. Additional North Carolina-specific resources related to workers' compensation requirements are available through the [North Carolina Industrial Commission](#).