

# Hiring Children for Summer Jobs



**Question:** *My 13 year old nephew wants a summer job in my business to make some money. His mother does not want him to work but his father thinks it is a good idea to keep him busy and out of trouble. What are my options, limitations, and obligations when hiring a young worker? I am not sure I have work for him but I could keep him busy with odd jobs. My nephew lives in Manitoba but my business is located in Alberta.*

## **Know Your Jurisdiction Laws First**

Across the Provinces and Territories in Canada, it is not uncommon for children to be in the workplace. However, these young people will require careful training and supervision to ensure their safety, no matter how tame the work environment. Greeting the public and scooping ice cream may seem basic to an adult, but to a young person whose cognitive reason is still developing, sometimes the simplest tasks may not be so simple.

Before you offer a job to a teenager, ask yourself a few questions:

- Do you really want to hire a 13 year old? How would he fit into your workplace?
- What types of jobs can you offer a 13 year old in your Province?
- Do you know the restrictions related to employment of a 13 year old, including total hours worked each day, permissible work, required wages and scheduling limitations?
- Have you considered the full amount of the costs, including minimum wage based on minimum hours, insurance and other costs?
- Are you prepared to provide orientation, adequate and ongoing training and supervision?
- Are you prepared to obtain necessary permissions?
- Is your workplace a safe environment for a young worker?
- Could having a young person in your workplace have a negative impact on your employees or customers?

## **Minimum Age and Permissions**

Many people are not fully aware of the labour laws that apply to children in Canada. Although rare, children under the age of 12 can work in some jobs in some Provinces, including working in a family run business, on a farm, as a babysitter, delivering papers and in the entertainment industry. For children up to the age of 16, the options for employment vary widely across Canada with some Provinces and Territories placing significant limitations and others much fewer.

In many jurisdictions, an employer is required to obtain permission from the Director of Employment Standards in order to employ a minor under a certain age. That age varies; in Manitoba the age is 16, and in most other jurisdictions it is under 14 or 12. In some jurisdictions, including Alberta, you will also need to obtain permission from one legal guardian.

In Alberta, you cannot normally employ someone under 12 (although there are no child labour laws stopping you from hiring a 12 year old to work on a farm). To employ a youth between 12-14, you will require written permission of one parent or guardian. According to the Alberta Employment Standards Act, you will need a permit and your nephew can only work a few industries; clerking in an office or retail store, delivering flyers, and fulfilling certain approved duties in the restaurant industry.

### **Restrictions on Hours, Duties and Minimum Pay**

Across the country there are restrictions placed on the hours and types of duties a child can be employed to fulfill. Hours range depending on age and jurisdiction. In Alberta, for example, a youth can only work 2 hours on a school day and 8 hours on a non-school day. There is also a minimum number of hours you must pay a youth regardless of how many hours are worked; a minimum of 2 hours on a school day even if he works only 1 hour and a minimum 3 hours on a non-school day. Note also that in Alberta, a youth between the ages of 12 and 14 cannot work between 9:00pm and 6:00am.

### **Contract Work and Self-Employment**

If you do not need to hire a teen for 3 hours per day, consider hiring a young person as a temporary employee on an as-needed basis. In this case, the young person may be considered self-employed. However, you will need to ensure that the employment relationship is reflective of a contractor relationship, which includes autonomy on the part of the contract worker. If you only need a youth to do odd jobs that do not fall within the definition of the 4 permissible jobs in your jurisdiction, contracting him as a self-employed worker may be a viable option.

Do keep in mind that an employee, volunteer, student intern, and contract worker are all entitled to protections and you will need to apply the same employment standards, including health and safety, as you would with other employees.

Hiring a young worker can be an excellent way to introduce them to the working world, provide them with invaluable experience and skills, and bring a new perspective into your workplace. However, it is vitally important that you thoroughly understand the restrictions and requirements before bringing a 13 year old into your workplace.