

# Take 4 Steps to Protect New & Young Employees



**How to comply with employment standards and OHS requirements for employees under age 17.**

Bringing in students or young people to work for the summer can be a win-win. But it can also get you into a lot of trouble. Employment standards laws impose strict restrictions on employment of workers under age 17. Then there are the safety risks. Workers who've been on the job for less than 6 months are more likely to get killed or injured. The risks are even greater if the new worker is below age 25. Here's a 4-step game plan for complying with employment standards and OHS laws applicable to new and young workers.

## **1. Ensure Employee Is Old Enough to Do the Job**

For purposes of safety, every jurisdiction has [rules governing the minimum age](#) a person must be to do a particular job or work in a particular industry. Thus, for example, in BC, a person who's 14 to 15-years-old is allowed only to perform "light work." **Bottom Line:** There are 3 factors you need to consider in navigating minimum age requirements:

- How old the employee is;
- The industry you're in and whether there's a minimum age a person must be to work in it; and
- Whether the employee is old enough to perform the proposed job.

Thus, for example, in some jurisdictions, an auto repair firm can't hire a 15-year-old for any job; in others, a 15-year-old may be allowed to work for the firm doing filing, reception or other low-risk office or administrative work.

## **2. Get Required Permit or Parental Consent**

Find out whether you need to get a permit from the employment standards division or other government agency and/or the written consent of the employee's parent or guardian.

**Example:** An Alberta museum hired a 14-year-old boy and then assigned him the job of sandblasting a truck box. While doing the work, the box fell on him, crushing him to death. In addition to 10 OHS violations, the museum and its director were charged

with 2 offences under the Alberta *Employment Standards Code*: hiring a worker under 15-years-old without his parents' consent and making him work in an environment that could be dangerous to his life, health, education or welfare. Both defendants were convicted and the court imposed what was at that time, the maximum penalty—a \$500,000 fine [*Reynolds Museum Ltd.*, AB Govt. News Release, July 13, 2006].

### 3. Properly Schedule Young Employees' Work Hours

Employment standards laws restrict the hours young employees may work. For one thing, you can't have school age employees work during hours that provincial laws require them to be in school. Other restrictions:



### 4. Provide Required OHS Training

While **all** employees are entitled to receive training ensuring they can do their assigned jobs safely, most jurisdictions' OHS laws (all but FED, AB, NS, PEI, QC) also require employers to provide special safety orientation to new and young workers before they start their employment. Unlike employment standards laws, OHS laws define "young worker" as under age 24. In other words, special OHS training may be required even if the employee is well beyond the minimum age requirement of employment standards laws, e.g., a worker ages 20 to 24. Also note that OHS safety orientation training requirements aren't based solely on an employee's age but may apply when you:

- Hire post-grad students, co-op placements, volunteers or apprentices;
- Bring in immigrants or other permanent or temporary workers without experience in your industry; and
- Reassign current employees to new jobs or sites that pose different hazards.

While requirements vary slightly by jurisdiction, new and young safety orientation training must cover:

- The supervisor's name and contact information;
- Contact information for the workplace JHSC or health and safety representative, if any;
- The employer's and young/new worker's OHS duties and rights, including reporting unsafe conditions and refusing unsafe work;
- Workplace health and safety rules;
- Hazards to which the new/young worker may be exposed;
- Proper use of any PPE required;
- The location of first aid facilities and method of calling for help;
- Fire and emergency procedures; and
- Required WHMIS information.

Be sure to maintain written records of the safety orientation and training you provide to new and young workers.