

West Virginia Child Labor Requirements

Hazardous Occupations for Minors under 18

West Virginia Division of Labor
Wage & Hour Section

Child Labor Fact Sheet 4 - West Virginia Code Chapter 21, Article 6, Section 2(a)

Reference: Federal Regulation Title 29, Part 570, Subpart E

(July 2016)

17 HAZARDOUS OCCUPATION ORDERS

Relating to the Employment of Minors Under the Age of 18

The following Hazardous Occupation Orders apply to the employment of all minors under the age of eighteen. These orders identify seventeen different categories of occupations that are considered hazardous for minors under both state and federal law. For detailed information relating to any one of these occupations, please refer to the individual Hazardous Occupation Fact Sheet for that specific HO.

HO 1. Manufacturing or storing explosives bans minors working where explosives are manufactured or stored, but permits work in retail stores selling ammunition, gun shops, trap and skeet ranges, and police stations. §42CSR-9 4.13

HO 2. Driving a motor vehicle or work as an outside helper on motor vehicles bans operating motor vehicles on public roads and working as outside helpers on motor vehicles, except 17-year-olds may drive cars or small trucks during daylight hours for limited times and under strictly limited circumstances. §42CSR-9 4.14

HO 3. Coal mining bans most jobs in coal mining. §42CSR-9 4.15

HO 4. Occupations in forest fire fighting, forest fire prevention, timber tract, forestry service, and occupations in logging and sawmilling operations bans most jobs in forest fire fighting; forest fire prevention that entails extinguishing an actual fire; timber tract management; forestry services; logging; and sawmills. §42CSR-9 4.16

HO 5. Power-driven woodworking machines bans the operation of most power-driven woodworking machines, including chain saws, nailing machines, and sanders. §42CSR-9 4.17

HO 6. Exposure to radioactive substances and ionizing radiation bans employment of minors where they are exposed to radioactive materials. §42CSR-9 4.18

HO 7. Power-driven hoisting apparatus bans operating, riding on, and assisting in the operation of most power-driven hoisting apparatus such as forklifts, non-automatic elevators, skid-steers, skid-steer loaders, backhoes, manlifts, scissor lifts, cherry pickers, work-assist platforms, boom

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trucks, and cranes. Does not apply to chair-lifts at ski resorts or electric and pneumatic lifts used to raise cars in garages and gasoline service stations. §42CSR-9 4.19

HO 8. Power-driven metal-forming, punching and shearing machines bans the operation of certain power-driven metal-working machines but permits the use of most machine tools. §42CSR-9 4.20

HO 9. Mining, other than coal bans most jobs in mining at metal mines, quarries, aggregate mines, and other mining sites including underground work in mines, work in or about open cut mines, open quarries, and sand and gravel operations. §42CSR-9 4.21

HO 10. Power-driven meat-processing machines, slaughtering and meat packing plants bans the operation of power-driven meat processing machines, such as meat slicers, saws and meat choppers, wherever used (including restaurants and delicatessens). Also prohibits minors from cleaning such equipment, including the hand-washing of the disassembled machine parts. This ban also includes the use of this machinery on items other than meat, such as cheese and vegetables. HO 10 also bans most jobs in meat and poultry slaughtering, processing, rendering, and packing establishments. §42CSR-9 4.22

HO 11. Power-driven bakery machines bans the operation of power-driven bakery machines such as vertical dough and batter mixers; dough rollers, rounders, dividers, and sheeters; and cookie or cracker machines. Permits 16- and 17-year-olds to operate certain lightweight, small, portable, counter-top mixers and certain pizza dough rollers under certain conditions. §42CSR-9 4.23

HO 12. Balers, compactors, and power-driven paper-products machines bans the operation of all compactors and balers and certain power-driven paper products machines such as platen-type printing presses and envelope die cutting presses. Sixteen- and 17-year-olds may load, but not operate or unload, certain scrap paper balers and paper box compactors under very specific guidelines. §42CSR-9 4.24

HO 13. Manufacturing of brick, tile and related products bans most jobs in the manufacture of brick, tile and similar products. §42CSR-9 4.25

HO 14. Power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs bans the operation of, and working as a helper on, the named types of power-driven equipment, no matter what kind of items are being cut by the equipment. §42CSR-9 4.26

HO 15. Wrecking, demolition, and ship-breaking operations bans most jobs in wrecking, demolition, and ship-breaking operations, but does not apply to remodeling or repair work which is not extensive. §42CSR-9 4.27

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HO 16. Roofing operations and work performed on or about a roof bans most jobs in roofing operations, including work performed on the ground and removal of the old roof, and all work on or about a roof. §42CSR-9 4.28

HO 17. Trenching and excavation operations bans most jobs in trenching and excavation work, including working in a trench more than four feet deep. §42CSR-9 4.29