

West Virginia Child Labor Laws

Child Labor Hazardous Occupation Order #8

West Virginia Division of Labor
Wage & Hour Section

Child Labor Fact Sheet 4.8 - Chapter 21, Article 6, Section 2(a)(8) & §42CSR-9 4.20

Reference: Federal Regulation Title 29, Part 570, Subpart E - §570.59

(July 2016)

HAZARDOUS OCCUPATION ORDER #8

OCCUPATIONS INVOLVED IN THE OPERATION OF POWER-DRIVEN METAL FORMING, PUNCHING, AND SHEARING MACHINES

(a) *Finding and declaration of fact.* The following occupations are particularly hazardous for the employment of minors between 16 and 18 years of age:

(1) The occupations of operator of or helper on the following power-driven metal forming, punching, and shearing machines:

(i) All rolling machines, such as beading, straightening, corrugating, flanging, or bending rolls; and hot or cold rolling mills.

(ii) All pressing or punching machines, such as punch presses except those provided with full automatic feed and ejection and with a fixed barrier guard to prevent the hands or fingers of the operator from entering the area between the dies; power presses; and plate punches.

(iii) All bending machines, such as apron brakes and press brakes.

(iv) All hammering machines, such as drop hammers and power hammers.

(v) All shearing machines, such as guillotine or squaring shears; alligator shears; and rotary shears.

(2) The occupations of setting up, adjusting, repairing, oiling, or cleaning these machines including those with automatic feed and ejection.

(b) *Definitions.*

(1) The term *operator* shall mean a person who operates a machine covered by this section by performing such functions as starting or stopping the machine, placing materials into or removing them from the machine, or any other functions directly involved in operation of the machine.

(2) The term *helper* shall mean a person who assists in the operation of a machine covered by this section by helping place materials into or remove them from the machine.

(3) The term *forming, punching, and shearing machines* shall mean power-driven metal-working machines, other than machine tools, which change the shape of or cut metal by means of tools, such as dies, rolls, or knives which are mounted on rams, plungers, or other moving parts. Types of forming, punching, and shearing machines enumerated in this section are the machines to which the designation is by custom applied.

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(c) *Exemptions.* This section shall not apply to the employment of apprentices or student-learners under the conditions prescribed in §570.50 (b) and (c).