

EMPLOYMENT LAW UPDATE-
NO WORK PERMITS FOR 16 OR 17-YEAR-OLDS

June 30, 2017

Under a newly enacted Wisconsin law, minors aged 16-17 are no longer required to obtain a work or street trade permit. In fact, the Department of Workforce Development (“DWD”) has stated it will no longer issue such permits to individuals who are 16 or 17 years old.

It is important to remember that while this is a significant change, employers still have many obligations related to employing minors. For instance, employers are still prohibited from employing *all* minors in 28 occupations or places of employment that have been deemed too hazardous by law. For example, an employer cannot employ a 17-year-old to work on or about a roof, or in a position where the individual would be exposed to lead. Employers must also still comply with requirements regulating when minors may work. For instance, *all* minors are prohibited from working during hours they are required to attend school. There are also state regulations limiting the number of hours and times of day minors can work depending upon the time of year and whether the work occurs during school or non-school days (the DWD, however, no longer limits the hours 16 and 17-year-olds may work despite the existing regulations).

In addition, the new law changes none of the obligations related to employing minors under the age of 16. These individuals are still required to obtain a work permit, unless an exception applies, and an employer is subject to a penalty if the permit is not obtained prior to beginning work. Moreover, employers are still prohibited from employing minors under the age of 16 in an additional 21 positions that have been deemed too hazardous by law. For example, an employee cannot have a 15-year-old perform work on a ladder that is more than 6 feet high or work in a boiler/engine room.

If you have any questions about generally employing minors, whether a minor’s position complies with the hazardous occupation restrictions, the regulations regarding time restrictions, or if you need any other assistance in labor or employment law, please contact:

Jennifer S. Walther
jwalther@mawickelaw.com
414-224-0600

Robert Finn Jensen
rjensen@mawickelaw.com
414-224-0600