



Fact Sheet #58: Cooking and Baking under the Federal Child Labor Provisions of Fair Labor Standards Act (FLSA)

This fact sheet provides general information concerning cooking and baking activities under the federal child labor provisions. For detailed information about the federal child labor provisions, please read Regulations, [29 CFR Part 570](#).

The Department of Labor is committed to helping young workers find positive, appropriate and safe employment experiences. The child labor provisions of the [FLSA](#) were enacted to ensure that when young people work, the work does not jeopardize their health, well-being or educational opportunities.

Minimum Age Standards for Employment

The FLSA and the child labor regulations, issued at [29 CFR Part 570](#), establish both hours and occupational standards for youth. Youth of any age are generally permitted to work for businesses entirely owned by their parents, except those under 16 may not be employed in mining or manufacturing and no one under 18 may be employed in any occupation the Secretary of Labor has declared to be hazardous.

18 Years of Age Once a youth reaches 18 years of age, he or she is no longer subject to the federal child labor provisions.

16 & 17 Years of Age Sixteen- and 17-year-olds may be employed for unlimited hours in any occupation other than those declared hazardous by the Secretary of Labor. Examples of equipment declared hazardous and often used by cooks and bakers include power-driven meat processing machines (meat slicers, meat saws, patty forming machines, meat grinders, and meat choppers), commercial mixers and certain power-driven bakery machines. Employees under 18 years of age are not permitted to operate, feed, set-up, adjust, repair, or clean any of these machines. This prohibition includes the hand-washing of the disassembled parts of meat processing machines.

- Sixteen- and 17-year-olds may operate, set up, adjust, repair, oil, and clean lightweight, small capacity, portable, counter-top power-driven mixers that are, or are comparable to, models intended for home use.
- Sixteen- and 17-year-olds may operate, but **not** set up, adjust, repair, oil, or clean, pizza-dough rollers/sheeters that have been

constructed with safeguards contained in the basic design as to prevent fingers, hands, or clothing from being caught in the in-running point of the rollers, have gears that are completely enclosed, and have microswitches that disengage the machinery if the backs or sides of the rollers are removed.

**14 & 15
Years
of Age**

Fourteen- and 15- year-olds may be employed in food preparation, but they may not perform any baking activities and only limited cooking tasks. There are also restrictions on the number of hours and times of day that these minors may be employed. See [Fact Sheet # 43](#) in this series (*Child Labor Provisions for Nonagricultural Occupations*) for information about these hours standards.

Cooking Tasks and 14- and 15-year-olds

- Fourteen- and 15-year-olds may perform only that cooking which involves the use of (1) electric or gas grilles that do not entail cooking over an open flame, and (2) deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets into and out of the oil or grease.
- This age group may **not** cook with NEICO broilers, high speed ovens, rapid broilers, fryolators, rotisseries, pressure cookers, or over open flames.
- This age group may **not** perform any part of the baking process, such as weighing and mixing ingredients; placing or assembling products in pans or on trays; operating ovens, including convection ovens, toaster ovens, pizza ovens, automatic feeding ovens, and microwave ovens (except those microwave ovens used for warming food as described above); removing items from ovens; placing items on cooling trays; and finishing baked products.
- Fourteen- and 15-year-olds may perform kitchen work and other work involved in preparing and serving food and beverages, including the operation of machines and devices used in the performance of such work, such as but not limited to dishwashers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, coffee grinders, devices used to maintain the temperature of prepared foods (such as warmers, steam tables, and heat lamps), and microwave ovens that are used only to warm prepared food and do not have the capacity to warm above 140°F.
- This age group may **not** operate, set up, tend, adjust, clean, oil, or repair power-driven food slicers, grinders, choppers, mixers, and cutters.
- Fourteen- and 15-year-olds may clean kitchen surfaces and non-power-driven kitchen equipment, but only when the temperatures of the surfaces and equipment do not exceed 100°F.
- Fourteen- and 15-year-olds may filter, transport, and dispose of oil and grease, but only if the temperature of such materials does not exceed 100°F.
- This age group may **not** perform work in a freezer or meat cooler, although they may occasionally enter a freezer momentarily to retrieve items.

Where to Obtain Additional Information

For more information on the FLSA youth employment provisions, including a complete list of all hazardous occupation orders, visit the YouthRules! Web site at www.youthrules.dol.gov.

For additional information on the Fair Labor Standards Act, visit the Wage and Hour Division Web site: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

When state youth employment laws differ from the federal provisions, an employer must comply with the higher standard. Links to your state labor department can be found at http://www.dol.gov/whd/contacts/state_of.htm.

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

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