

## **EMPLOYMENT OF YOUNG PEOPLE**

### **Restrictions on Employment of Young People**

Under the Children and Young Persons Act, no child under 13 may be employed at all. There are very limited exceptions such as e.g. acting. Working hours are strictly controlled and a Local Authority permit is required. Persons under 16 may not be employed in manufacturing or dangerous activities.

School leaving age is determined at the end of school year (June). A young person must attend school up to the June where they are 16 years of age or if they will be 16 before the start of the next year.

People aged between 13 and the school minimum age may not work as follows:-

- before 7.00 a.m. or after 7.00 p.m.;
- for more than 2 hours on a school day or Sunday;
- before the close of school hours (subject to Local Authority bye-laws);
- more than 12 hours a week during term time;
- more than 5 hours or 8 hours on Saturdays or during school holidays on weekends;
- more than 25 hours in total in a week (35 hours at aged 15 or over during school holidays);
- more than 4 hours without taking a break of at least 1 hour;
- in any occupation prohibited by Local Bye-laws e.g. pubs, betting shops or in any industrial setting etc.

Young people must have a two week break from work during the school holiday in each calendar year.

Local Authorities have powers to make Bye-laws in relation to school age workers which must be verified.

### **School Leaving Age to 18**

Workers aged 16 and 17 who are over the minimum school leaving age, but under 18 must not work for more than 8 hours a day or 40 hours a week. Hours cannot be averaged and there is no opt out. Employees of this age group must be given a break of 30 minutes every 4½ hours. A rest period of 12 hours between each working day and two days off a week are required. Young persons may not ordinarily work at night between 10.00 p.m. and 6.00 a.m.

All 16 and 17 year olds above compulsory school leaving age are entitled to a reduced Minimum Wage of £3.53 an hour. Apprentices under 19 are exempt from the National Minimum Wage. Employed apprentices funded by the Learning & Skills Council in England must receive a minimum income of £80.00 per week.

Health and Safety requirements include an obligation to carry out a risk assessment. Particular attention must be paid to the health and safety implications of employing young people.

An employee aged 16 or 17 who has not achieved a certain standard in education may be entitled to paid time off for study or training. There are grants for businesses towards the financial cost of this.

It is possible to employ an employee up to the age of 24 under an Apprenticeship programme.

At 18 most workers must be paid the National Minimum Wage which is £4.77 per hour for people aged 18 to 21 and £5.73 per hour for people aged 22 and over.

Employees between 18 and 24 who have been claiming Job Seekers Allowance for 6 months or more may be eligible for benefits under the New Deal Programme.

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This Guide is intended as an overview and broad outline of the matters covered in it. Its purpose is to inform and raise awareness. We are happy to offer specific legal advice on particular circumstances.

This Guide should not be relied on as a substitute for comprehensive legal advice with reference to the particular circumstances.

While we have taken due care in the preparation of this publication, we do not accept legal liability as a result of any reliance placed on anything in this Guide. The reader should rely only on specific legal or taxation advice.

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