



## **Fact Sheet # 74: The Employment of Youth in Roofing Occupations and On Roofs under the Fair Labor Standards Act (FLSA)**

This fact sheet provides general information concerning the application of the federal child labor provisions as they relate to the employment of youth in roofing operations and on or about a roof. The federal child labor provisions of the [FLSA](#) are administered by the Wage and Hour Division (WHD), which is part of the U.S. Department of Labor. For detailed information about these federal youth provisions, please read Regulations, [29 CFR § 570.67](#).

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 protect the educational opportunities of minors and prohibit their employment in jobs and under conditions which are detrimental to their health or well-being. These provisions include restrictions on the types of jobs that minors may perform.

One such provision, Hazardous Occupations Order No. 16 (HO 16), generally prohibits minors less than 18 years from employment in any roofing occupation—on a roof as well as on the ground—as well as any work requiring the youth to work on or about a roof.

The term *roofing occupations* means all work performed in connection with the installation of roofs, including related metal work such as flashing, and applying weatherproofing materials and substances (such as waterproof membranes, tar, slag or pitch, asphalt prepared paper, tile, composite roofing materials, slate, metal, translucent materials, and shingles of asbestos, asphalt, wood or other materials) to roofs of buildings or other structures. The term also includes all jobs on the ground related to roofing operations such as roofing laborer, roofing helper, materials handler and tending a tar heater.

The term *on or about a roof* includes all work performed upon or in close proximity to a roof, including carpentry and metal work, alterations, additions, maintenance and repair, including painting and coating of existing roofs; the construction of the sheathing or base of roofs (wood or metal), including roof trusses or joists; gutter and downspout work; the installation and servicing of television and communication equipment such as cable and satellite dishes; the installation and servicing of heating, ventilation and air conditioning equipment or similar appliances attached to roofs; and any similar work that is required to be performed on or about roofs.

These prohibitions are not limited to circumstances where the minor employee is standing or working on the roof itself, but extend to standing or working on a ladder or scaffold at or near the roof, as well as working from or being transported to or from the roof in mechanical devices such as hoists.

Youth less than 18 years of age may not use roofs to access equipment or other work places and are prohibited from performing tasks associated with the installation of roofs on metal buildings.

The rules allow 16- and 17-year-olds who are employed pursuant to a bona fide apprenticeship or student-learner program to perform work that would otherwise be prohibited.

### **Where to Obtain Additional Information**

For more information on the FLSA child labor provisions, including a complete list of all hazardous occupation orders, visit the *YouthRules!* Web site at [www.youthrules.dol.gov](http://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 child labor 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](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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