



U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

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

This fact sheet provides general information concerning cooking and baking activities under the federal youth employment provisions. For detailed information about the federal youth employment provisions, please read Regulations, 29 CFR Part 570 located at http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_570/toc.htm.

The Department of Labor is committed to helping young workers find positive, appropriate and safe employment experiences. The youth employment 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 youth employment 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 youth employment 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.

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 No. 43 in this series (*Youth Employment Provisions for Nonagricultural Occupations*) for information about these hours standards. The rules regarding what cooking tasks 14- and 15-year-olds may legally perform were revised by the U. S. Department of Labor, effective February 14, 2005. The following charts highlight the changes in these rules.

Youth Employment Rules for Cooking by 14- and 15-Year-Olds AFTER February 13, 2005	Youth Employment Rules for Cooking by 14- and 15-Year-Olds PRIOR to February 14, 2005
Cooking by this age group may be performed out of the view of the public.	Cooking by this age group had to be performed "in plain view" of the public.

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.	Fourteen- and 15-year-olds could only do light cooking, including using grilles and deep fat fryers, that was performed in plain view of the public.
This age group may not cook with NEICO broilers, fryolators, rotisseries, or pressure cookers.	This age group could not cook with NEICO broilers, fryolators, rotisseries, or pressure cookers.
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 dish-washers, 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.	Fourteen- and 15-year-olds could 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 dish-washers, 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 is prohibited from operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers, and cutters, and bakery type mixers.	This age group was prohibited from operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers, and cutters, and bakery type mixers.
Fourteen- and 15-year-olds are prohibited from performing any occupations declared hazardous for workers 16 and 17 years of age (described above).	Fourteen- and 15-year-olds were prohibited from performing any occupations declared hazardous for workers 16 and 17 years of age (described above).
This age group 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.	This age group was prohibited from cleaning power-driven equipment.
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.	Fourteen- and 15-year-olds could filter, transport and dispose of oil and grease without any restrictions.
This age group may not perform work in a freezer or meat cooler.	This age group was prohibited from performing work in a freezer or meat cooler.
Youth Employment Rules for Baking by 14- and 15-Year-Olds AFTER February 13, 2005	Youth Employment Rules for Baking 14- and 15-Year-Olds PRIOR to February 14, 2005
Fourteen- and 15-year-olds may not be employed to perform any part of the baking process, such as weighing and mixing ingredients; placing or assembling products in pans or on	Fourteen- and 15-year-olds could not be employed to 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, microwave ovens (except those used for warming food as described above), pizza ovens, and automatic feeding ovens; removing items from ovens; placing items on cooling trays; and finishing baked products.	trays; operating ovens, including convection ovens, microwave ovens (except those used for warming food as described above), pizza ovens, and automatic feeding ovens; removing items from ovens; placing items on cooling trays; and finishing baked products.
---	---

Additional Information

For more information regarding 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 more information regarding the Fair Labor Standards Act, visit the Wage and Hour Division Web site at www.wagehour.dol.gov or call our toll-free help line, available 8 a.m. to 5 p.m. in your time zone at 1-866-4US-WAGE (1-866-487-9243). The FLSA statute appears at 29 U.S.C. § 201 et seq.

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 www.dol.gov/esa/contacts/state_of.htm.

The Department of Labor provides this information to enhance public access to information on its programs. This publication is for general information and is not to be considered in the same light as official statements of position contained in regulations.

Revised December 2004

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE, TTY: 1-877-889-5627
Contact Us