



Teen Summer Jobs

Have you a teenager hoping to work this summer - make sure they, and you, know their employment rights

Children and young people have specific rights under the following employment

- Protection of Young Persons (Employment) Act 1996
- Safety, Health and Welfare at Work (Children and Young Persons) Regulations 1998 SI 504/1998
- Protection of Young Persons (Employment) Act 1996 (employment in Licensed Premises) Regulations 2001 SI 350 /2001 - Includes a Code of Practice for guidance of employers and employees in connection with the employment of young people on licensed premises
- Education (Welfare) Act 2000

It is important to be clear about what is meant by children and young people as the regulations governing both groups are different. The Protection of Young Persons (Employment) Act 1996 defines

- children as being aged under 16
- young persons refers to those aged 16 or 17 years of age.

Regulations Applicable Children, ie. to those under 16 yrs

The Protection of Young Persons (Employment) Act 1996 generally prohibits the employment of children (i.e. those under 16) however there are some exceptions to this general rule:

- Employment authorised by the Minister for Jobs, Enterprise and Innovation in advertising, cultural, artistic and sporting activities.
- Over 14 yrs - A child who is over 14 may do light work outside school term where the hours do not exceed 7 in any day or 35 in any week. Slightly longer hours are allowed in work experience programmes, for example, as part of a transition year programme. Such children must, however, have a complete break of at least 21 days during the summer holidays.
- Over 15, but under 16, may work up to 8 hours a week doing light work in school term time.
- Children may be employed by a close relative in, for example, a family business doing non-industrial work.

Even allowing for these exceptions to the general rule, a child under 16 may not work between 8pm and 8am. The Act also lays down minimum rest periods and breaks, including at least a 30-minute break in a 4-hour work period

Regulations Applicable Young People , ie. to those age 16 yrs or 17 yrs

Employment of young persons is less restricted than that of a child. However, there are still important points to note. For example,

- there is a maximum working day of 8 hours
- there is a maximum working week of 40 hours.
- Generally, a young person may not be employed between the hours of 10pm and 6am.
- Rest periods and breaks must include at least a 30-minute break in a four and a half hour working period.

Where a young person (that is, a 16 or 17 year old) is employed on licensed premises, he/she may be required to work up to 11pm on any day which is not immediately followed by a school day for that young person. However, work on the following day cannot start before 7am. The work involved on the licensed premises must be general duties only not involving the sale of alcoholic drink at the bar or in an off-licence.

Obligations of an employer of a child or young person

Before employing a child or a young person, an employer should request a copy of the employee's birth certificate to verify the age and, in the case of a child, a letter of consent from his/her parent or guardian. While employing a child or young person, the employer is obliged to keep records of the employee's details, date of birth and so on, and of the hours worked by the employee. Employers should retain these records for at least 3 years as the onus is on the employer to show that the law has been complied with. In addition, the employer should display a summary of the legal provisions at the place of work and give the child or young person a copy of the summary within one month of starting.



Minimum Wage in Ireland in 2017

Age	As of January 1st 2017
Experience Adult Worker	€9.25
Under 18	€6.48
Over 18 in first year of employment	€7.40
over 18 in second year of employment since they turned 18	€8.33

Enforcing rights

Where a child or young person considers that he/she has been victimised for seeking to have the legislation applied (for example, by refusing to work prohibited hours), then a complaint may be referred to a Rights Commissioner. An employer who employs a young person or child contrary to the Act is liable to prosecution. Inspectors from the Department of Enterprise, Trade, and Employment have responsibility for enforcing the legislation.

