



A Guide for Employers on

Employing Young Workers

Ontario

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A Guide for Employers: Employing Young Workers

Managing and Protecting Young Workers

Employers have certain obligations and responsibilities when employing young workers in Ontario. The *Occupational Health and Safety Act* (OHSA) and the *Employment Standards Act* (ESA) have rules and regulations on youth employment that employers must comply with. This guide includes useful information for employers on student minimum wage and work restrictions for young workers in certain industries.

Employers must comply with the OHSA by protecting young employees in the workplace. This includes educating them on their workplace rights and providing extra training and supervision when required.

Health and Safety

Young and new workers are particularly susceptible to injury in the workplace and face unique health and safety risks. It is the employer's duty to educate young employees on workplace hazards, address potential health and safety concerns, and instruct them on how to safely carry out their job duties. Employees should be encouraged to ask questions and employers should provide them with extra training if they have no work experience or are new to the industry.

Employment Standards

Young workers are also more vulnerable because they may not have a complete understanding of their rights at work. Employers should inform them of their entitlements under the ESA by clearly setting them out in their employment contract or employee handbook. Additionally, young employees should be introduced to workplace policies and procedures and provided with supervision when necessary.

Minimum Age for Work

Any employee under the age of 25 is considered a young worker by Ontario's Ministry of Labour. The ESA does not place work restrictions on young employees based on age. The OHSA, however, does impose the following age restrictions based on the industry and workplace. Young employees must be at least:

- 14 years of age for work in industrial establishments including stores, restaurant serving areas, and offices
- 15 years of age for work in factories including auto

service garages, shipping and receiving in grocery stores, restaurant kitchens, warehouses and laundries

- 16 years of age for work in construction

In addition, the Education Act prohibits almost every student under the age of 16 from working during school hours. However, students over the age of 14 may attend supervised alternative learning programs instead of school, and employment may be a component of these programs.

Minimum Wage Requirements

The ESA sets out the minimum wage for employees in Ontario. Most young workers under the age of 18 must be paid a student minimum wage of \$13.15 per hour. The student minimum wage applies to students who work during school breaks and who work 28 hours or less when school is in session. The general minimum wage of \$14.00 per hour applies to students in all other situations.

Some industries have special minimum wage rates. Additionally, there are certain positions in which young workers are not covered by the provisions of the ESA. For example, students employed at summer camps are not entitled to minimum wage, overtime pay or public holiday pay.

Employer FAQs

What are employers asking about employing young workers in Ontario?

1. Who is considered a young worker?

Ontario's Ministry of Labour considers any employee under the age of 25 to be a young worker.

2. At what age can young people start working?

The OHSA establishes 14 years of age to be the minimum age for certain work in Ontario.

3. What are the work restrictions for young employees?

Students under the age of 16 may not work during school hours unless they are enrolled in an alternative learning program that includes employment. Work in factories (kitchens, garages, warehouses, etc.) is limited to students at least 15 years old, and work in construction is limited to those at least 16 years old.

4. What is the minimum wage for young workers?

Students under the age of 18 must be paid at least \$13.15 per hour. If they work over 28 hours a week when school is in session, they become eligible to receive the general minimum wage, which is \$14.00 per hour. Workers aged 18 and older must be paid the general minimum wage.

5. What hours are young employees allowed to work?

There are no laws in Ontario that restrict how many hours young employees can work. However, employers must pay them correct wages for all hours worked.

6. Are young workers entitled to overtime?

Yes, generally they are entitled to at least 1 and a half times their regular rate of pay for each hour worked over 44 hours per week.

7. Are young workers entitled to the same rights as other workers?

Except for minimum wage in some circumstances, young employees who are covered by the ESA have the same entitlements as other workers. This includes vacation time and holiday pay.

8. Does the 3-hour rule apply to students?

As of January 1, 2019, the 3-hour rule generally applies to students (including those over the age of 18).

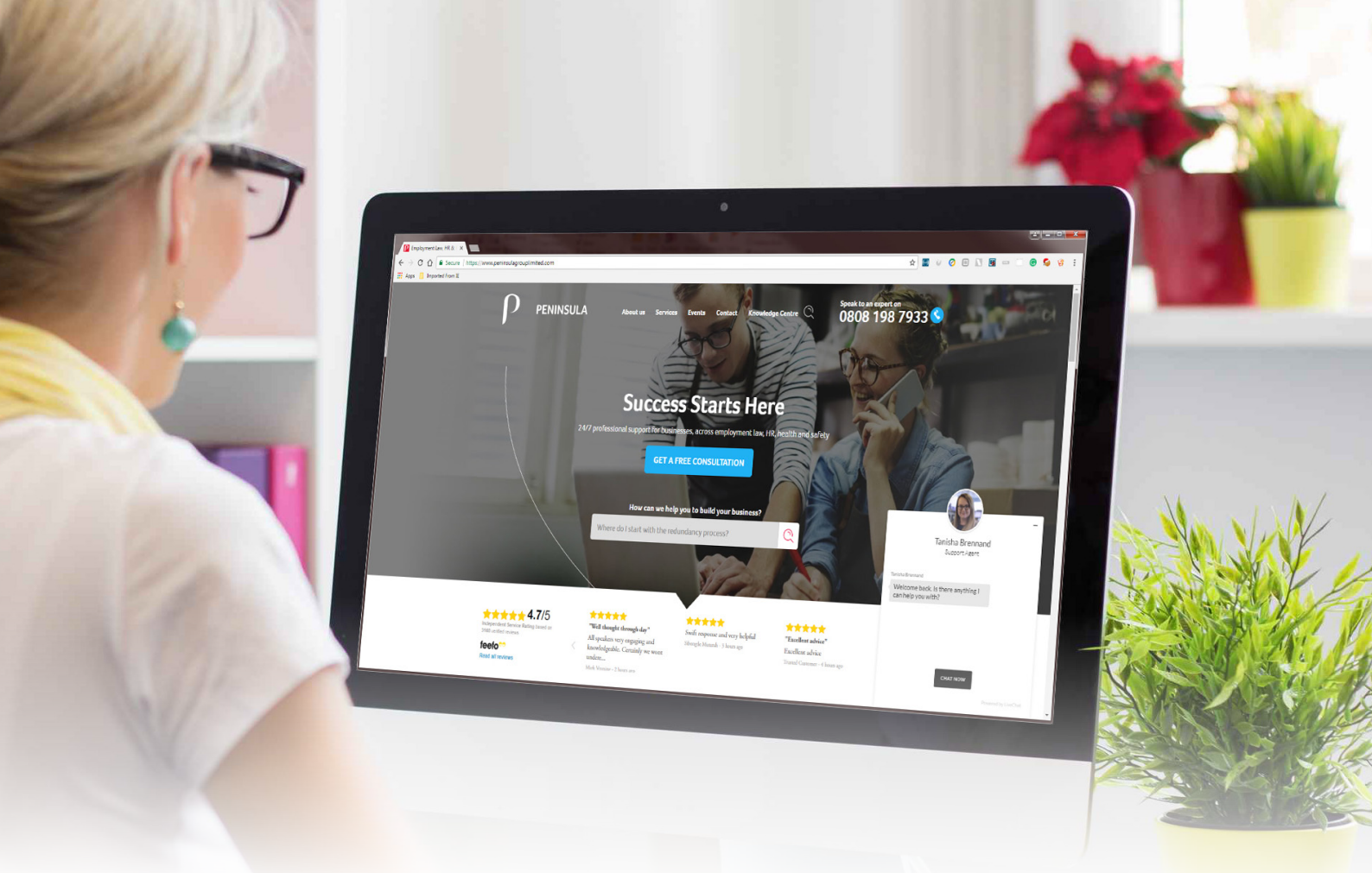
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