

## New Rules for Employees Under 18

**Author :** Tara Matheson

With summer fast approaching, employers and students with a few free months may both be considering work opportunities. But before proceedings, employers should take note of the incoming rules in Alberta that stipulate how and when minors can be employed legally. Bill 17: *The Fair and Family-Friendly Workplaces Act* received royal assent in 2017 and many of the changes take effect on June 1, 2018.

### 16 & 17 Year Old Employees

Employees that are 16 and 17 years of age are eligible for all forms of work, except anything deemed hazardous. Employers wishing to employ anyone 16 or 17 years of age in a hazardous role must receive a permit from Employment Standards and have the consent of the employee's parent or guardian. Hazardous work performed by minors must be supervised at all times by a responsible adult and the employee must be adequately trained before starting the work. More information on what the Alberta Government considers 'hazardous work' is expected by June 1, 2018 ([click here](#) for full details), but it will be based on the definition in the Occupational Health and Safety legislation.

There are also restrictions on the hours of the day under age employees can work and when they can be left unsupervised.

Employees who are 16 or 17 years old and working in hospitality or retail:

- May not work between 9 pm and 12 am without adult supervision
- May not work between 12:01am and 6am

Employees of the same age in other industries:

- May not work between 12:01 am and 6 am unless their parent/guardian has consented and they are supervised by an adult

### 13, 14 & 15 Year Old Employees

Youth aged 13 to 15 may be employed in an 'artistic endeavour' or to perform 'light work' such as setting tables, caddying or tutoring, as long as they have the consent of their parent/guardian. They are also eligible to for other forms of work that are not considered hazardous if permitted by the Director of Employment Standards and their parent/guardian. More details on what is considered 'light work' is expected from the Alberta Government by June 1, 2018 ([click here](#) for full

details).

In addition to the restrictions on the type of work youths between 13 and 15 years of age can perform, there are also regulations on when they can work, how long they can work and the supervision they must receive.

Anyone aged 13 or 14:

- May not work between 9 pm and 6 am
- May not work during school hours
- May not work more than 2 hours on a school day
- May not work more than 8 hours on a weekend or holiday

If the employee is 15 years of age, they:

- May not work between 12:01 am and 6 am
- May not work during school hours

### **Employees 12 Years Old and Under**

Minors 12 years of age or younger cannot be employed unless the work is considered an 'artistic endeavour' such as performing in a play or recording a performance. A permit from the Director of Employment Standard is required for such employment, along with the signed consent of a parent/guardian. During the school year, this work cannot go later than 9 pm on a weekday and 11 pm on the weekends.

Hiring workers under the age of 18 can be a win win for your business and the employee who gains work experience and income. But there are rules that must be followed. If you have questions or concerns about hiring anyone under 18, the [employment law group](#) at Duncan Craig LLP is here to help.

[Tara Matheson](#)