



Fact Sheet # 57: Hazardous Occupations Order No. 12 Rules for Employing Youth and the Loading, Operating, and Unloading of Power-Driven Scrap Paper Balers and Paper Box Compactors 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 loading, operating, and unloading of certain scrap paper balers and paper box compactors. The federal child labor provisions of the [FLSA](#) are administered by the Wage and Hour Division (WHD). For detailed information about these federal youth provisions, please read Regulations, [29 CFR § 570.63](#).

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. 12 (HO 12), generally prohibits minors less than 18 years of age from loading, operating, and unloading power-driven paper processing machines, including all balers and compactors, guillotine paper cutters or shears, platen printing presses, and envelope die-cutting presses. Prohibited balers and compactors include scrap paper balers and paper box compactors that process only paper materials as well as those compactors and balers that also process such things as trash, foam rubber, metal, food waste, plastic, and fabric.

Limited Exception Allowing 16- and 17-year-olds to Load—But Not Operate Or Unload—Certain Scrap Paper Balers and Paper Box Compactors

Section 13(c)(5) of the FLSA created a limited exception to HO 12 that permits 16- and 17-year-olds to load, but not operate or unload, certain scrap paper balers and paper box compactors when all of the following five requirements are met:

1. The scrap paper baler or paper box compactor must include an on-off switch incorporating a key-lock or other system, and the control of the system must be maintained in the custody of employees who are 18 years of age or older. A numeric pad that requires an operator to first enter a pass code is acceptable as long as the pass code is not shared with anyone under the age of 18 years.

2. The on-off switch of the equipment must be maintained in an **off** position when the equipment is not being operated.
3. The equipment cannot be operated while it is being loaded.
4. The employer must ensure that the equipment meets, and continues to meet, one of the following American National Standards Institute (ANSI) standards:

In order for employers to take advantage of the limited exception discussed in this section, the <i>scrap paper baler</i> must meet one of the following ANSI Standards:	In order for employers to take advantage of the limited exception discussed in this section, the <i>paper box compactor</i> must meet one of the following ANSI Standards:
ANSI Standard Z245.5-1990	ANSI Standard Z245.2-1992
ANSI Standard Z245.5-1997	ANSI Standard Z245.2-1997
ANSI Standard Z245.5-2004	ANSI Standard Z245.2-2004
ANSI Standard Z245.5-2008	ANSI Standard Z245.2-2008

ANSI is a national organization that coordinates the development of voluntary, consensus standards in a wide range of areas, including product and worker safety. The Department of Labor has used ANSI standards in other contexts as expressions of the best available technology in the safety area. The ANSI standards for scrap paper balers and paper box compactors govern the manufacture and modification of the equipment, the operation and maintenance of the equipment, and employee training.¹

5. Prior to permitting minors under age 18 to load materials into balers and compactors, the employer must post a notice on each piece of equipment that:
 - fully identifies the specific ANSI standard listed above that the employer is stating that the equipment to be loaded by the young workers meets; and
 - states that 16- and 17-year-olds may only load this piece of equipment; and
 - states that no one under 18 years of age may operate or unload this piece of equipment.

There is no proscribed form that the notice must follow, but it must contain all the information listed above. Some employers are keeping their young workers safe by also posting “*Do Not Load*” notices on those machines that do not meet the

¹ Copies of the applicable ANSI standards are available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, D.C., 20408, at the Occupational Safety and Health Administration Docket Office at Room N2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C., 20210, and at any of the OSHA regional offices. Copies of these standards are available for purchase at the American National Standards Institute, 23 West 43rd St., Fourth Floor, New York, NY, 10036.

requirements of this limited exemption and therefore are “out of bounds” to workers under the age of 18 years.

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.

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.

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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