

FAQ: What Employers, Minors, Parents, and School Programs need to know about updates to child labor rules

Effective July 1, 2026

1. What bills affecting child labor rules passed in the 2025 Legislative Session?

ESHB 1644 addresses responsible bidder criteria for public works projects; revocation of Minor Work Permit Endorsement for certain violations; requirement for employers to have a safety and health consultation to allow minors in certain educational programs to work with some otherwise-prohibited duties, and new penalties for child labor violations. New requirements take effect on July 1, 2026.

SHB 1121 expands the hours of work for minors enrolled in certain educational programs. New requirements take effect on July 1, 2026.

To preview the updates to the child labor rules for minors in non-agricultural and agricultural industries see **Chapter 296-125 WAC** and **Chapter 296-122 WAC**.

Note: Under Washington law, a minor is any individual under the age of 18.

2. Have rules changed for minors participating in a Registered Apprenticeship program or Career and Technical Education (CTE) Worksite Learning program?

Yes. Before granting a student-learner variance for a minor participating in a registered apprenticeship program or CTE Worksite Learning program to perform duties which are otherwise prohibited, the Department of Labor & Industries (L&I) will:

- Conduct a Division of Occupational Safety and Health (DOSH) consultation at the worksite. This consultation must happen before the variance is issued.
- Consult with the employer on the types of tools, equipment, and practices that are permitted under the variance.

WHAT DOES THAT MEAN?

When an employer applies for a student-learner variance for a registered apprentice or CTE worksite student-learner to work with specific duties which are otherwise prohibited, DOSH Consultation must complete an on-site safety and health consultation. Once completed, the Child Labor unit will consult with the employer about the variance, oversight requirements, and tools listed on the application.

3. What is the new process for a student-learner variance to allow minors in an approved program to work in workplaces with some prohibited equipment or tools?

1. Employer submits a student-learner variance request to L&I.

2. Child Labor unit reviews the application and completes a criteria check of the employer's history to ensure the minor's safety and health in the workplace.
3. If the criteria check is approved, the application is sent to the DOSH Consultation Program.
4. DOSH schedules a consultation with the employer (usually within ~1 week).
5. If DOSH Consultation recommends the employer be approved, the Child Labor unit will contact the employer to consult on the variance requirements, equipment, and tools, followed by a written approval letter.
6. If DOSH Consultation does not recommend approval, the Child Labor unit will send a written denial to the employer.

4. What is the purpose of the consultation?

This is a process to support the employer and minor worker, not an enforcement inspection.

The consultation ensures:

- The work environment is safe for minors.
- Tools and equipment are appropriate for use.
- Job duties are clearly understood.
- Employers have support to meet requirements.

5. What will DOSH review during the consultation?

- Work site environment.
- Tools, machinery, and equipment.
- Job duties assigned to the minor.
- General safety conditions.
- Associated training for the task.
- Written safety and health programs.

HOW MUCH TIME SHOULD BE ALLOCATED FOR THE CONSULTATION PROCESS?

DOSH Consultation and the Child Labor unit will work together to support employers with an expedient process. Once the Child Labor unit has completed the criteria check, the application is submitted to DOSH, and the goal is to schedule an on-site visit within 5 business days. The consultation visit will be limited in nature, focusing on the specific process and equipment that student-learners will work with.

If an employer wants an expanded review of their business, DOSH Consultation will do so, however, it is outside the scope of the variance request. The employer can expect a report of the DOSH consultation visit within 14 business days of the closing conference. If safety concerns are found that need to be resolved before a student-learner can work on-site, this may lengthen the process.

6. Do I need a DOSH Consultation on-site visit for renewals?

Yes. DOSH consultations are valid for one academic school year and must be done again for each new school year. Employers must have a consultation that covers the equipment and tools used by the

minor and may need an additional consultation during the school year if new equipment or tools are requested.

7. Are on-site safety and health consultations required for all child labor variances?

No. Only student-learner variances require an on-site safety and health consultation.

8. Are minors in CTE worksite learning programs allowed to work additional hours during the school year?

Yes. Minors who are enrolled in a CTE worksite learning program may work non-school week hours of work during the school year. Please visit **Hours of Work** for more information on non-school week allowed hours.

9. How far in advance should an employer apply for a student-learner variance?

As early as possible, especially before the new academic school year starts, if the employer plans to have a registered apprentice or CTE worksite student-learner in the 2026-2027 school year.

10. Can an employer's Minor Work Permit Endorsement on their business license be suspended?

Yes. An employer's Minor Work Permit Endorsement will be suspended, and the employer will be prohibited from obtaining a Minor Work Permit Endorsement for at least 12 months if:

- DOSH and/or the Child Labor unit has placed an order of immediate restraint on an employer's condition, practice, method, process, or means in the workplace.
- DOSH and/or the Child Labor unit has cited the employer for a violation that caused serious physical harm or death to a minor employee.

WHAT DOES THAT MEAN?

If an employer has received an order of immediate restraint from DOSH and/or the Child Labor unit and/or has received a citation for violations that caused serious physical harm or death to a minor, an employer's Minor Work Permit Endorsement will be immediately suspended and the employer will not be permitted to employ minors for at least 12 months after the suspension.

11. Are there any changes to the criteria employers must meet to be considered a responsible bidder for a public works project?

Yes. Beginning July 1, 2026, employers bidding on a public works contract must provide the awarding agency with a sworn statement that the employer is not subject to suspension (revocation) of their Minor Work Permit Endorsement.

WHAT DOES THAT MEAN?

If L&I has suspended an employer's Minor Work Permit Endorsement, the employer cannot bid on a public works project. Employers may not bid on public works contracts while the Minor Work Permit Endorsement is suspended (for at least 12 months).

Questions? Contact Us

Prevailing Wage Program

Email/Phone: PW1@Lni.wa.gov/1-855-545-8163

Visit: www.Lni.wa.gov/licensing-permits/public-works-projects/awarding-agencies/#bidding-contracting-and-hiring-responsible-contractors

Employment Standards Child Labor Program

Email/Phone: TeenSafety@Lni.wa.gov/1-360-902-5316

Visit: www.Lni.wa.gov/teenworkers

Division of Occupational Safety and Health Consultation Program

Email/Phone: EyeOnSafety@Lni.wa.gov/1-800-423-7233

Visit: www.Lni.wa.gov/safety-health/preventing-injuries-illnesses/request-consultation/

Washington Office of Superintendent of Public Instruction (School Worksite Learning Requirements)

Email/Phone: cte@k12.wa.us/1-360-725-6000

Visit: <https://ospi.k12.wa.us/student-success/career-technical-education-cte/cte-resources-essentials/work-based-learning>

Washington State Registered Apprenticeship Program (Apprenticeship Worksite Learning Requirements)

Email/Phone: Apprentice@Lni.wa.gov/1-360-902-5320

Visit: www.Lni.wa.gov/BecomeApprentice