



**ADMINISTRATIVE POLICY  
STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES  
EMPLOYMENT STANDARDS**

**TITLE: SCHOOL WEEK AND WORK WEEK FOR MINORS      NUMBER: ES.C.4.1**

**CHAPTER: RCW [13.64.010](#); [28A](#);  
[49.12](#); [49.30](#)**

**WAC [296-125-027](#); [296-131-001](#);  
[296-131-115](#); [296-131-120](#)**

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**ADMINISTRATIVE POLICY DISCLAIMER**

This policy is designed to provide general information in regard to the current opinions of the Department of Labor & Industries on the subject matter covered. This policy is intended as a guide in the interpretation and application of the relevant statutes, regulations, and policies, and may not be applicable to all situations. This policy does not replace applicable RCW or WAC standards. If additional clarification is required, the Program Manager for Employment Standards should be consulted.

This document is effective as of the date of print and supersedes all previous interpretations and guidelines. Changes may occur after the date of print due to subsequent legislation, administrative rule, or judicial proceedings. The user is encouraged to notify the Program Manager to provide or receive updated information. This document will remain in effect until rescinded, modified, or withdrawn by the Director or his or her designee.

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This policy addresses the hours of work rules for minors in both Non-agricultural and Agricultural jobs. Under Washington law, a minor is any individual under the age of 18. The purpose of this policy is to clarify when employers can schedule minors for work and the maximum length of their shifts. This policy does not offer guidance on other requirements for employing minors, such as required breaks or prohibited duties. For additional information on Washington's child labor regulations, please visit L&I's teen worker [web page](#).

Employers are also subject to federal child labor requirements. When state and federal standards differ, employers must follow the one that is most protective of the minor. Instances where employers must follow federal guidelines are noted in this policy. For more information on federal child labor requirements, please visit the U.S. Department of Labor's Wage and Hour Division website at [www.dol.gov/whd](http://www.dol.gov/whd).

## **Scheduling Work Hours and Exemptions in Agricultural and Non-agricultural Jobs.**

### **1. Scheduling Work Hours in Non-agricultural and Agricultural Industries.**

The hours minors can work is dependent on the school week and school hours. Minors cannot work while any of their classes are actively in session.

**1.1 Determining weeks.** The maximum number of hours minors can work in a week is determined by the calendar week, Sunday through Saturday.

The school week is Monday through Friday. A week with any amount of school time is considered a school week. For example, the week of Thanksgiving is usually considered a school week because many schools hold classes on Monday and Tuesday.

**1.2 Determining school hours.** Federal law in the Fair Labor Standards Act (FLSA) requires school hours be based on the local public school in the area where the minor resides while employed. This is required by federal law even if the minor does not attend the public school (i.e., attends a private

school, a religious school, or is home schooled). School hours are the regularly scheduled hours established by the local public school district and not the hours the individual minor is required to attend.

Minors not enrolled in school are subject to the same hours of work rules. There are limited exceptions for 16- and 17-year-olds outlined in Section 4 of this policy.

**1.3 Determining School Holidays, Breaks, and Vacations.** School holidays are days of a school week where the minor's local public school is scheduled to be closed. This is true even if the minor does not attend the public school (i.e., attends a private school, a religious school, or is home schooled).

School vacations are any scheduled full-week break, such as winter and spring breaks, and summer vacation.

There are limited exceptions for 16- and 17-year-olds outlined in Section 4 of this policy.

## **2. Hours of Work Exemptions in Non-agricultural and Agricultural Industries.**

16- and 17-year-olds emancipated by court order are not governed by any limitations under the hours of work regulations. A parent/school authorization form is also not required. However the employer must follow all other child labor requirements including obtaining a minor work permit, providing meal and rest breaks, and not allowing minors to work in any prohibited occupation.

Employers should request documentation for proof of emancipation, such as a court order or other legal document identifying the minor's emancipated status.

### **Non-Agricultural Hours Requirements.**

## **3. Hours for 14- and 15-year-olds in Non-agricultural Jobs.**

**3.1 During a school week.** 14- and 15-year-olds may work a maximum of:

- 16 hours per week, but not more than 6 days per week
- 3 hours per day on a school day (including Friday per federal rules) and 8 hours per day on weekends and school holidays.

14- and 15-year-olds can start work no earlier than 7:00 a.m.. Federal law requires 14- and 15-year-olds to end work by 7:00 p.m. from the day after Labor Day through May 31<sup>st</sup>. From June 1 through Labor Day, 14- and 15-year-olds must end by 7:00 p.m. if there is school the next day, but may work until 9:00 p.m. if there is no school the next day.

**3.2 During winter and spring breaks.** 14- and 15-year-olds may work a maximum of:

- 40 hours per week, but not more than 6 days per week
- 8 hours per day

14- and 15-year-olds can start work no earlier than 7:00 a.m.. Federal law requires 14- and 15-year olds to end work by 7:00 p.m., as winter and spring breaks occur between the day after Labor Day and May 31.

**3.3 During summer vacation.** 14- and 15-year-olds may work a maximum of:

- 40 hours per week, but not more than 6 days per week
- 8 hours per day

14- and 15-year-olds can start work no earlier than 7:00 a.m. and end work by 7:00 p.m., except such youth may work until 9:00 p.m. on non-school days from June 1st through Labor Day.

**3.4 During school hours.** 14- and 15-year-olds may not work during public school hours even if enrolled in home school, private school, alternative school, asynchronous, or online school.

**Note:** The legal age to work in Washington State is 14. If an employer plans to hire a minor under the age of 14, the employer must first gain Superior Court approval. For more information, please visit L&I's [website](#). Minors under the age of 14 must follow the same hours of work rules as 14- and 15-year-olds once the employer has received Superior Court approval.

#### **4. Hours for 16- and 17-year-olds in Non-agricultural Jobs.**

**4.1 During a school week.** 16- and 17-year-olds may work a maximum of:

- 20 hours per week (or 28 hours with a special variance), but not more than 6 days per week
- 4 hours on a school day preceding another school day (or 6 hours with a special variance)
- 8 hours on days preceding a non-school day (typically a Friday or a day before a holiday)
- 8 hours on non-school days (typically weekends and school holidays)

16- and 17-year olds can start work no earlier than 7:00 a.m. and must end work by 10:00 p.m. if there is school the next day, otherwise they must end work by midnight.

Minors not enrolled in school or enrolled in alternative schools, including home school arrangements, are subject to the hours of work rules determined in Section 1.2 of this policy.

**Special variances** are an optional part of the [Parent/School Authorization form](#) that allows 16- and 17-year-olds to work additional hours with parent and school permission. 16- and 17-year-olds need both their parent and school to sign the special variance before they may work the additional hours.

With a special variance, 16- and 17-year-olds may work 2 additional hours per day on a school day preceding a school day (up to 6 hours total) and 8 additional hours per week (up to 28 hours total) during school weeks. A special variance does not change when a 16- or 17-year-old may start or stop work, and does not change the hours they may work during a non-school week. For more information on special variance hours, see [WAC 296-125-0700](#).

**4.2 During school holidays.** 16- and 17-year-olds may work 8 hours per day. They must end work by 10:00 p.m. if the holiday is on a school night.

**EXAMPLE 4.2-1:** Alex is a 16 year old enrolled in public school and has a school holiday on Wednesday. Alex's school is in-session during the remaining days of the school week. Alex may work up to 8 hours per day on both Tuesday and Wednesday. Alex may work until midnight on Tuesday, but must end work by 10:00 p.m. Wednesday.

**4.3 During winter and spring breaks and summer vacation.** 16- and 17-year-olds may work a maximum of:

- 48 hours per week, but not more than 6 days per week
- 8 hours per day

16- and 17-year-olds can start work no earlier than 5:00 a.m. and must end work before midnight. On the Sunday night before school resumes, 16- and 17-year-old minors must end work by 10:00 p.m.

**4.4 Non-school week hours year-round.** 16- and 17-year-olds may work non-school week hours, described in Section 4.6 of this policy, year-round if they meet one of the following conditions:

- Have their high school diploma or high school equivalency certificate, such as a GED certificate.
- Are enrolled in a bona fide college program (i.e., students enrolled in a “running start” program that can be credited towards a degree)
- Are named on a valid certificate of marriage
- Are named as a parent on a valid certificate of birth

Employers should keep documentation on file verifying the minor’s eligibility to work the additional hours. Examples include a copy of the minor’s diploma or GED certificate, or a copy of their transcript showing enrollment in college courses.

**4.5 During school hours.** 16- and 17-year-olds cannot work while any of their classes are actively in session. 16- and 17-year-olds may not work during school hours, as determined in section 1.2, unless an exception to school hours applies.

**4.6 Exceptions to school hours.** 16- and 17-year-olds can work during school hours if one of the following exceptions applies:

**Worksite Learning programs.** 16- and 17-year-olds enrolled in Worksite Learning programs are considered excused if they have been released early by their school to begin work.

**Excused from attendance during school hours.** According to the FLSA, school hours are the hours that a minor’s local public school is in session. 16- and 17-year-olds may work during school hours if their public or private school district superintendent, or their authorized representative such as a principal, excuses them from attendance of those hours. 16- and 17-year-olds are considered excused if their public or private school adopts a class schedule that releases students during the time their local public school is in session. 16- and 17-year-olds receiving home-based instruction are considered excused from attendance if their parent or guardian submits a home-based instruction notification to the local public school district as required by [RCW 28A.200.010\(1\)\(a\)](#).

In all situations, minors cannot work while any of their classes are actively in session.

**Non-school week hours year-round.** 16- and 17-year-olds that meet an exemption under Section 4.4 of this policy may work during the school hours that their local public school is in session but cannot work while any of their classes are in session.

**Examples of exceptions to school hours.** The following scenarios are examples of school hour exceptions for 16- and 17-year-olds:

***EXAMPLE 4.6-1:*** Hunter is enrolled in an alternative high school within his local public school district. The alternative high school has a limited schedule with fewer hours than the local public high school.

Hunter is excused from attendance for his local traditional public school because his alternative high school schedule was approved by the local public school district superintendent. Hunter may work during the hours that his local traditional public school is in session, so long as he does not have classes at his alternative high school during this time. Hunter cannot work while his alternative high school classes are actively in session.

***EXAMPLE 4.6-2:*** Isabelle is enrolled in college-level courses through a Running Start program. The college-level courses count towards a degree.

Isabelle can work non-school week hours year-round. Isabelle’s employer should keep documentation on file verifying she is eligible to work the additional hours, such as a copy of a transcript showing Isabelle’s enrollment in college courses.

**EXAMPLE 4.6-3:** Nick is enrolled in a home school program. Nick’s parent or guardian notified his local public school district of his home schooling.

Nick can work during local public school hours, because his local public school district was notified of his home-based instruction program. Nick can work during the local public school hours, so long as Nick does not work while any of his home school classes are actively in session.

**EXAMPLE 4.6-4:** Antonia transferred out of the local public school district to attend a private online high school. The private online high school has a limited schedule with fewer hours than the local public high school. The private online high school is unaffiliated with the local public school district.

Antonia can work when her local public school is in session, as her private school superintendent or their representative approved her school’s limited schedule. Antonia cannot work while any of her online classes are actively in session.

**EXAMPLE 4.6-5:** Nina earns her high school diploma when she graduates from her local public high school on June 1. Nina turns eighteen years old on the following July 19.

Nina can work non-school week hours year-round, beginning June 1, the day she received her diploma. Nina’s employer should keep documentation on file verifying she is eligible to work the additional hours, such as a copy of a diploma/certificate of graduation.

**5. Non-Agricultural Hours of Work Chart:**

	Hours per day	Hours per week	Days per week	Start	End
<b>14/15 year-olds</b>					
School weeks*	3 hours (8 hours Sat.-Sun.)	16 hours	6 days	7:00 a.m.	7:00 p.m.
Non-school weeks	8 hours	40 hours	6 days	7:00 a.m.	9:00 p.m. June 1 – Labor day (7:00 p.m. all other days)
<b>16/17 year-olds</b>					
School weeks*	4 hours (8 hours Fri.-Sun.)	20 hours	6 days	7:00 a.m.	10:00 p.m. (midnight Fri.-Sat.)
Special Variance	6 hours (8 hours Fri.-Sun.)	28 hours	6 days	7:00 a.m.	10:00 p.m. (midnight Fri.-Sat.)
Non-school weeks	8 hours	48 hours	6 days	5:00 a.m.	midnight
*In most cases, minors cannot work during school hours.					

**Agricultural Hours Requirements**

Washington’s rules define agricultural labor as work on a farm in connection with cultivation of the soil or in connection with raising or harvesting any agricultural or horticultural commodity.

Under Washington law, the agricultural minor work regulations do not apply to immediate family members of the employer, see [WAC 296-131-001](#). Washington includes parents and grandparents in this exemption. For employers covered by the [Fair Labor Standards Act](#), the agricultural exemption only applies to minors employed on farms owned and operated by their parents.

**Note:** Additionally, in Washington State, minors working on their parents' farm are exempt from workers' compensation coverage, but are not exempt if working on their grandparents' farm.

All minors working in agriculture may only work 6 days per week unless they are employed in dairy or livestock production, the harvest of hay, or in crop production that requires daily attention to irrigation.

## 6. Hours of Work Exemptions in Agriculture.

Emancipated minors are exempt from all hours of work limitations when the employer has record of:

- A valid certificate of marriage for the minor
- The minor named as a parent on a valid certificate of birth

Minors legally required to attend school may not be employed during school hours except by special permission from school officials, such as a superintendent or principal, in accordance with [WAC 296-131-120\(1\)](#).

## 7. Hours for 12- and 13-year-olds in Agriculture.

**7.1 School weeks prohibited.** Minors under the age of 14 cannot work during school weeks in agriculture.

**7.2 During non-school weeks.** 12- and 13- year olds may work to hand-harvest berries, bulbs, cucumbers, and spinach. 12- and 13-year-olds may work a maximum of:

- 40 hours per week, but not more than 6 days per week
- 8 hours per day

12- and 13-year-olds can start no earlier than 5:00 a.m. and must end work by 9:00 p.m.

## 8. Hours for 14- and 15-year-olds in Agriculture.

**8.1 During a school week.** 14- and 15-year-olds may work a maximum of:

- 21 hours per week
- 3 hours per day on a school day and up to 8 hours per day on a non-school day

14- and 15-year-olds can begin work no earlier than 7:00 a.m. on school days and 5:00 a.m. on non-school days. 14- and 15-year-olds working in animal agriculture, or in crop production that requires daily attention to irrigation, can begin work no earlier than 6:00 a.m. on school days.

14- and 15-year-olds must end work by 8:00 p.m. on school days and 9:00 p.m. on non-school days.

In very limited circumstances, 15-year-olds may be eligible to work expanded work hours, see [RCW 28A.225.080](#).

**8.2 During winter, spring, and summer vacation.** 14- and 15-year-olds may work a maximum of:

- 40 hours per week
- 8 hours per day

14- and 15-year-olds can start no earlier than 5:00 a.m. and must end work by 9:00 p.m.

## 9. Hours for 16- and 17-year-olds in Agriculture.

**9.1 During a school week.** 16- and 17-year-olds may work a maximum of:

- 28 hours per week
- 4 hours on a school day and up to 8 hours per day on non-school days

16- and 17-year-olds can start work no earlier than 5:00 a.m. and must end by 10:00 p.m. 16- and 17-year-olds cannot work past 9:00 p.m. on more than two consecutive school nights preceding a school day.

**EXAMPLE 9.1-1:** In a standard school week, if a 16- and 17-year-old works until 10:00 p.m. on Monday and Tuesday, they cannot work past 9:00 p.m. on Wednesday.

**9.2 During winter and spring breaks, and summer vacation.** 16- and 17-year-olds may work a maximum of:

- 50 hours per week
- 60 hours a week in the mechanical harvest of peas, wheat, and hay during weeks when school is not in session
- 10 hours per day

16- and 17-year-olds can begin work no earlier than 5:00 a.m. and must end work by 10:00 p.m.

## 10. Agricultural Hours of Work Chart:

	Hours per day	Hours per week	Days per week	Start	End
<b>12/13 year-olds</b>					
Non-school weeks	8 hours	40 hours	6 days*	5:00 a.m.	9:00 p.m.
<b>14/15 year-olds</b>					
School weeks***	3 hours	21 hours	6 days*	7:00 a.m. ** (5:00 a.m. Sat.- Sun.)	8:00 p.m. (9:00 p.m. Sat- Sun.)
Non-school weeks	8 hours	40	6 days*	5:00 a.m.	9:00 p.m.
<b>16/17 year-olds</b>					
School weeks***	4 hours	28 hours	6 days*	5:00 a.m.	10:00 p.m.****
Non-school weeks	10 hours	50 hours*****	6 days*	5:00 a.m.	10:00 p.m.
*Minors may work 7 days per week if they work in dairy or livestock production, hay harvest, or crops that require daily irrigation					
**Minors may begin work at 6:00 a.m. if they work in animal agriculture or crop production that requires daily irrigation					
***In most cases, minors cannot work during school hours					
****Minors may not work later than 9:00 p.m. on more than two consecutive school nights					
*****Minors may work 60 hours per week in mechanical harvest of peas, wheat, and hay					