



Interpretive Notice & Formal Opinion (“INFO”) #22

Employment of Minors in Colorado

OVERVIEW

- This INFO covers what types of work, hours, and pay are allowed for those under age 18, under:
 - the [Colorado Youth Employment Opportunity Act \(“CYEOA”\), C.R.S. Title 8, Article 12](#); and
 - the federal Fair Labor Standards Act (“FLSA”).¹
- For information on:
 - *federal* law on minors, see the U.S. Department of Labor (“USDOL”) [Child Labor Bulletin 101](#);² or
 - *other Colorado labor laws* covering minors and adults alike, see the [INFOs](#) on each topic.³

COVERAGE OF FEDERAL AND STATE LAW

- **Colorado law covers employees and independent contractors** performing **any work** that must be paid.⁴
 - *Exceptions:* minors with a high school diploma/GED; news delivery; work for parents/guardians that the parents/guardians aren’t paid for; home chores; and school work or activities.
- **Federal law covers work for either** (1) employers with annual revenue of at least \$500,000, (2) hospitals, schools, or care facilities, (3) government agencies, *or* (4) any job participating in interstate commerce.⁵
 - *Examples of what federal coverage excludes:*
 - paying an individual for in-home, non-revenue-generating work — babysitting, cleaning, etc.; or
 - businesses with under \$500,000 in revenue — a pretzel cart, a hat kiosk in a mall, etc.⁶
 - *Exceptions:* news delivery; non-hazardous work for parents’ business;⁷ performing; home wreath-making.
- **Apply whichever is stricter** if both federal and Colorado law apply. *Examples:*
 - *Federal law* has a stricter age minimum (16) for certain tasks, like manufacturing, than Colorado (14).
 - Apply the stricter standard: 16 is the minimum for manufacturing work in Colorado.
 - *Colorado* has a stricter age minimum (18) for weeks over 40 hours, or days over 8, than federal law (16).
 - Apply the stricter standard: 18 is the minimum for weeks over 40 hours, or days over 8, in Colorado.⁸

¹ U.S.C. Title 29, Chapter 8; see *also* FLSA regulations, including C.F.R. Title 29, Parts 570–579.

² USDOL Wage & Hour Division, [Child Labor Bulletin 101](#), “Child Labor Provisions for Nonagricultural Occupations under the Fair Labor Standards Act,” WH1330 (2016). This INFO details less on federal *agriculture* rules; see [Child Labor Bulletin 102](#), “Child Labor Requirements in Agricultural Occupations under the Fair Labor Standards Act,” WH1295 (2016).

³ *E.g.*, [INFOs](#) #1 (wage/hour basics), 2 (complaints), 4 (breaks), 6 (paid sick leave), 20 (“time worked” that must be paid).

⁴ Covered “[e]mployment” is any work for “money or other ... consideration, whether paid to the minor or to some other person, including ... as a servant, agent, subagent, *or independent contractor*.” [C.R.S. 8-12-103\(4\)](#) (emphasis added).

⁵ For #4, an employee must *directly* participate in interstate commerce, not just *use* items that moved interstate.

⁶ Except: employees buying supplies *from out of state* suppliers may be covered as “participating in interstate commerce.”

⁷ Parents (or guardians) must be 100% owners, and mining/manufacturing is allowed only at 16. 29 C.F.R. 570.2(a)(2).

⁸ “Federal Child Labor Provisions Do Not: . . . limit the number of hours or times of day that workers 16 years of age or older may legally work, though many states do” [Child Labor Bulletin 101](#), p.2.

WORK HOUR RESTRICTIONS ([C.R.S. 8-12-105](#); 29 C.F.R. 570.35)

- **Minors of Any Age:** At most **40 hours** per week, and **8 hours** in any 24-hour period.⁹
- **Under Age 16:**
 - **Nights/mornings:** - no work from **7:00 pm** (or **9:00 pm** from June 1 to Labor Day) to **7:00 am**¹⁰
 - **School days:** - during **school hours, no work**, except with approval (detailed below)
 - outside school hours but on **school days, 3 hours** maximum (including Friday)¹¹
 - **School weeks:** - **18 hours** maximum in weeks with **any school days**

WORK & SCHOOL RELEASE PERMITS, & AGE CERTIFICATES ([C.R.S. 8-12-111, 113](#))

- **No work permit is required** — but **school-hours work** isn't permitted before **age 14**, and **at ages 14-15:**
 - (1) If federal law applies (see p.1), then federal law allows school-hours work **only under a USDOL-approved work experience, career exploration, or work-study program**, with other requirements, including school and parent agreement.¹²
 - (2) If federal law is inapplicable, or allows the work: **Colorado requires a school release permit** that a school can issue, for up to 30 days, based on a minor's best interests, with parent approval, employer confirmation of non-hazardous duty, and 3 class hours generally still required.¹³
- **Age Certificate:** To confirm that a minor is old enough for a specific job, an employer *may*, but *doesn't need to*, ask the minor for an age certificate, issued by the school or county where they live.¹⁴

MINIMUM WAGES FOR MINORS (C.R.S. 8-6-108.5(1))

- **Minimum wages adjust annually** for inflation, and are posted on www.ColoradoLaborLaw.gov.
- **Colorado minimum wage:** Employers can pay most minors 85% of full Colorado minimum wage — for example, in 2023, \$11.61 rather than the full \$13.65 minimum — *except*:
 - **Only “non-emancipated” minors**, not “emancipated”¹⁵ minors, can be paid the 85% minimum.
 - **A tip credit of up to \$3.02 per hour** may be applied to the minor minimum wage, making the 2023 Colorado minimum for a tipped minor \$8.59 — *if* all tip requirements (see the [INFO #3](#) series) are met.
 - **Underpaid minors are owed full minimum wage.** Paying 85% of the full minimum is just an *option* employers “may” choose, not a *requirement* to reduce minors' pay. An employer paying *less than 85%* of the full minimum hasn't lawfully taken advantage of that option, so it owes the *full* minimum.

Example 1: A 14-year old worked for \$8.65 per hour for 10 hours in 2023. The employer *could've* offered and paid 85% of the full minimum (\$11.61 per hour), but didn't. So the minor is owed \$50.00 in unpaid wages: \$5.00 for each of the 10 hours paid only \$8.65, rather than the full \$13.65 minimum.
- **Higher local minimum wages:** Employers must pay any local minimum wage above Colorado's, such as in **Denver** — which allows the reduction to 85% for *only* city-certified youth employment program work.

⁹ Exceptions to these hours limits: (1) during an emergency the Division authorizes; and (2) in seasonal, piece-rate, harvest work, up to 12 hours per 24 hours, and 30 per hours 72 hours, as of age 14 — except only 10 days of over 8 hours in of a 30-day period at ages 14-15. Also, overtime pay is required after 40 hours weekly or 12 daily (see [INFO #1](#)).

¹⁰ If state but not federal law applies, the CYEOA limit is: no 9:30 pm - 5:00 am work before school days, except babysitting.

¹¹ If state but not federal law applies, the CYEOA limit is: at most 6 hours per day, unless the next day isn't a school day.

¹² 29 C.F.R. §§ 570.36–37. For details or more information on federal law, consult the USDOL or its materials.

¹³ See [C.R.S. 8-12-113\(2\)](#) for the other details required. Also, the permit must be issued by a board of education or superintendent, or a person they designate, and the 3-hour class requirement can be waived for “extreme hardship.”

¹⁴ An employer must keep certificates available for Division review, and return them to minors when jobs end. Certificate information includes: name, address, birth date, and description of minor; date issued; issuing officer name and position; and the evidence accepted as age proof (birth certificate, passport, etc.). [C.R.S. 8-12-112](#).

¹⁵ Minors who: self-support; are married living away from parents; or depend on work for well-being. C.R.S. § 8-6-108.5.

EXEMPTION REQUESTS ([C.R.S. 8-12-104](#))

- **What exemptions can be requested.** An employer, a minor (or their parent or guardian), or a school official or youth employment specialist may ask the Division for an exemption from certain CYEOA limits:

An exemption <i>may</i> :	An exemption <i>may not</i> :
✓ allow duties ordinarily requiring a higher minimum age	X waive school work release permit requirements
✓ allow longer hours than ordinarily allowed for the minor's age	X conflict with federal law (on duties, hours, etc.), if federal law applies to the work

- **How exemptions are evaluated.** With a focus on “the **best interests of the minor** involved” (C.R.S. 8-12-104(3)), exemptions are evaluated case by case, based on the facts required to be submitted (below).
- **How to request an exemption.** Complete the Youth Law Exemption Form on the [Youth Law page](#), which asks for details of the job, which limit(s) exemption is sought from (e.g., duties or hours limits), and why the employer believes the quantity and type of work is safe and appropriate for the minor. Submit the completed form by email (cdle_labor_standards@state.co.us), fax (303-318-8400), or mail (address above).
- **Multiple minors** may be included in one request, as long as all required information is detailed for **each**.
 - If an employer has an exemption, then wants to employ *another* minor, it must submit another request, *but*: If the job and duties are the same, it can refer to the prior request, adding details on the new minor.
- **Submit requests in advance of the work**, by several weeks or longer. The Division aims to respond in 14 days, but may need longer if many requests arrive in a busy period, if more information is required, etc.
 - Exemptions apply to only the individuals, duties, hours, and conditions specifically described in the request. A new request is required for any different individuals, or if duties, hours, or conditions change.

COMPLAINTS OF VIOLATIONS ([C.R.S. 8-12-115](#))

- The Division investigates complaints of CYEOA violations, e.g., hours or duties disallowed for the age.
 - After receiving a complaint that it determines requires investigation, the Division sends the employer the allegations, educational information on youth employment, and any document or information requests.
 - After reviewing the employer's response, and any relevant documents or other information from any source, the Division determines whether violations occurred.
 - If the Division finds a violation, it may issue an order to cease the violation and assess non-compliance fines, depending on the violation type and scope, and the promptness of any redress by the employer.
- Submit complaints on the Youth Law Complaint Form on the Division [Youth Law page](#), by email (cdle_labor_standards@state.co.us), fax (303-318-8400), or mail (address above).
 - Submit complaints about *other* labor violations affecting minors (wages, breaks, paid sick, etc.), on the Labor Standards Complaint Form on the Division [Demands, Complaints, & Responses page](#).
 - For violations of both *youth law and any other* labor law(s), submit *both* kinds of complaints.

TYPES OF WORK ALLOWED AND PROHIBITED BY AGE

- Below are lists of work permitted by age, except: permitted work can't include other duties *not* permitted.
 - **Example 2:** At age 14, restaurant work is permitted, but using not certain power-driven food preparation devices. So a restaurant can employ a 14-year-old, but not to work with disallowed devices.
- Federal versus Colorado limits:
 - While *Colorado* law allows some work below 14, and a broader range at 14-15: **federal law allows almost no work below age 14**, and a **limited** range at 14-15.
 - That means that **of the work Colorado law allows below age 16**, most is **allowed only if federal law doesn't apply** — mainly, for very small employers (see page 1 on coverage).
- The following work with age-restricted substances is prohibited for *any* minors:¹⁶
 - Selling, dispensing, or serving **alcoholic beverages**, except minors *can* bus tables or handle empty alcoholic beverage containers. (Colorado Liquor Rules, 1 CCR 203-2, Reg. 47-913.)
 - Working in the **marijuana industry**. (C.R.S. 44-10-307(1)(d)).
- For more detail on each item below:
 - for Colorado law, see [CYEOA sections 104-110](#)
 - for federal law, see [Child Labor Bulletin 101](#) (nonagricultural work) and [102](#) (agricultural work).

Age	Allowed by Colorado Law (CYEOA)	Allowed by Federal Law* <i>*Note: If federal law doesn't apply to the work (see p.1), no federal limits apply.</i>
Any age	<ul style="list-style-type: none"> • Actors, performers, and models¹⁷ • School work and supervised educational activities • Home chores/work for parent who isn't paid for the work • Newspaper carriers 	<p>No work below age 14, <i>except</i> the following are allowed at <i>any</i> age:</p> <ul style="list-style-type: none"> • Newspaper delivery
Age 9+	<ul style="list-style-type: none"> • Delivery of handbills, advertising, and advertising samples • Shoeshining • Gardening and lawn care with no power-driven lawn equipment • Cleaning of walks with no power-driven snow-removal equipment • Casual work at the employer's home not otherwise prohibited • Caddying on golf courses • Work similar to any of the above 	<ul style="list-style-type: none"> • Non-hazardous duties for a business owned 100% by the minor's parent or guardian (but not mining or manufacturing until 16) • Actors and performers • Homeworkers making wreaths
Age 12+	<ul style="list-style-type: none"> • Baby-sitting • Agricultural work not declared "hazardous" by federal law • Selling and delivering periodicals • Door-to-door selling and delivering merchandise • Gardening, lawn care, and cleaning walks, including power-driven equipment for snow removal or (with Division-approved equipment or training) lawns • Work similar to any of the above 	<ul style="list-style-type: none"> • Non-hazardous agricultural work <i>if</i> parents or guardians are employed at the farm <i>or</i> give written consent

¹⁶ For more information, contact the Marijuana Enforcement Division (303-866-3330), or Liquor/Tobacco Enforcement Division (303-205-2300), of the Colorado Department of Revenue.

¹⁷ While *Colorado* law exempts "models" along with "actors" and "performers" from age limits (C.R.S. 8-12-104), *federal* law permits certain "modeling" only at 14. See 29 C.F.R. 570.34(1)(b),(d) allowing "intellectual or "artistically creative" work and "[c]ashiering, selling, modeling, art work, work in advertising departments, window trimming, and comparative shopping"). For details or more information on federal law, consult the USDOL or its materials.

Age	Allowed by Colorado Law (CYEOA)	Allowed by Federal Law* <i>*Note: If federal law doesn't apply to the work (see p.1), no federal limits apply</i>
Age 14+	<p align="center"><u>Work permitted by both Colorado and federal law:</u></p> <ul style="list-style-type: none"> ● Office and clerical work, including operating office equipment ● Errand and delivery work by foot, bicycle, and public transport ● Janitorial and custodial work including the operation of vacuum cleaners and floor waxers ● Cooking with electric or gas grills, or deep fryers with automatically raising/lowering baskets ● Kitchen and other food or beverage preparation or service work (including operating devices); cleaning kitchen equipment; handling oil up to 100°F; and occasionally and briefly entering freezers to restock or prepare food ● Cleaning vegetables and fruits, and wrapping, sealing, labeling, weighing, pricing, and stocking items, including vegetables, fruits, and meats, in areas physically separate from a freezer or meat cooler ● Loading/unloading on motor vehicles the following items that the minor will use at work: light, non-power-driven hand tools; personal protective gear; or other personal items ● Work in gasoline service establishments, including dispensing gasoline, oil, and other consumer items; courtesy service car cleaning, washing, and polishing ● Work in stores: cashiering, selling, modeling, artwork, advertising work, window trimming, comparative shopping ● Bagging and carrying out customer orders; price marking or tagging; assembling orders; packing and shelving ● At 15, lifeguarding at pools or water parks, but not natural water bodies (river, lake, etc.) until age 16 ● Intellectual or artistically creative work (ex: programming, music, visual arts, teaching/tutoring, peer counseling)¹⁸ 	
	<p><u>Work permitted by Colorado law, in addition to the above:</u></p> <ul style="list-style-type: none"> ● Public messenger service work ● Warehousing, storage and other vehicle loading/unloading ● Other retail store, retail food service, or restaurant work ● Hotel, motel, or other public accommodations work <ul style="list-style-type: none"> – except not operating power food slicers and grinders ● Parks or recreation work ● Non-hazardous manufacturing, construction, or repair work ● In gasoline service: changing tires; supervised use of hoists <ul style="list-style-type: none"> – except not inflating or changing tires mounted on rims with removable retaining rings ● Operating automatic enclosed freight or passenger elevators ● Other similar work 	<p><u>Work permitted by federal law, in addition to the above:</u></p> <ul style="list-style-type: none"> ● Other cleanup work, and maintenance of grounds ● Employment at inside and outside places where machinery processes wood products, for certain school-exempt minors meeting federal requirements ● Certain work riding inside passenger compartments of motor vehicles ● Non-hazardous agricultural work¹⁹ <p><u>Disallowed duties at ages 14-15, even in otherwise permitted jobs:</u></p> <ul style="list-style-type: none"> – Construction, manufacturing, mining, processing, or boiler/engine room work – Work using power-driven machinery or a hoisting apparatus – Other baking or cooking, or food service work that is either: <ul style="list-style-type: none"> – In freezers, in meat coolers, or otherwise preparing meat for sale – Using power food slicers, grinders, or equipment such as rotisseries, broilers, or fryolators – The following motor vehicle work: <ul style="list-style-type: none"> – Operating, riding or serving as a helper on, or motor vehicles – Loading or unloading items on motor vehicles, rail cars, or conveyors – Car or truck work using pits, racks, or a lifting apparatus, or inflating or changing tires mounted on rims with removable retaining rings – Transportation of persons or property – Warehousing and storage – Work on a ladder, scaffold, or similar item, or a window sill washing windows – Youth peddling with offsite sales (customer home/office, public places, etc.) – Catching and cooping poultry in preparation for transport or for market. – Communications and public utilities – Public messenger service work
Age 16+	<ul style="list-style-type: none"> ● Using a motor vehicle that the minor is licensed to operate 	<ul style="list-style-type: none"> ● At 17, limited non-hazardous (see list below) daytime driving on public roads ● Lifeguarding at natural bodies of water ● All other non-hazardous work, and all agricultural work

¹⁸ Permitted expressly by federal law, and implicitly by CYEOA sections permitting a range of similar white-collar and non-manual work, e.g., not only “[o]ffice ... and clerical work, including the operation of office equipment,” but also “[a]ny other occupation which is similar to those enumerated” and “not specifically prohibited.” [C.R.S. 8-12-108\(e\).\(m\)](#).

¹⁹ Hazardous work in agriculture, and available exemptions, are detailed in [Child Labor Bulletin 102](#).

HAZARDOUS WORK ([C.R.S. 8-12-110](#))

Colorado and federal law **prohibit** minors from the following “hazardous” work²⁰ **except** (as detailed below):

- (A) in an qualifying **apprenticeship or educational program** (see p.7) or
- (B) if granted an **exemption** from work disallowed as hazardous by only **Colorado** law (see p. 3).

I. Declared Hazardous by *Federal* law, in a “Hazardous Occupations Order” (“HO”)*

**Note: If federal law doesn’t apply to the work (see p.1), no federal limits apply.*

Work that may be exempt under federal law, if in a qualifying program (see p.7), as of age 16:

- Roofing (HO 16) or excavation (HO 17)*
- Slaughter of livestock, and rendering and packaging of meat (HO 10)*
- Operating various power-driven machines (HO 5, 8, 10, 12, & 14)²¹

Work that has no federal exemptions:

- Manufacturing, transporting, or storing explosives (HO 1)*
- Manufacturing brick, clay construction, or silica refractory products (HO 13)*
- Mining (including coal), logging, oil drilling, quarrying, wrecking, or demolition (HO 3, 4, 9, 15)*
- Any work with exposure to radioactive substances or ionizing radiation (HO 6)*
- Driving or work as an outside helper on a motor vehicle on public roads, or at a mine, logging, or excavation site, except limited public road driving at age 17 (HO 2)²² (*Colorado law allows operating motor vehicles at 16+*)
- Operating a power-driven bakery (HO 11) or hoisting machine, including a forklift (HO 7)
- Forest fire fighting/prevention, forestry, sawmill/timber tract (HO 4)²³

** Also declared hazardous under Colorado law*

II. Declared Hazardous by *Colorado* law only
([C.R.S. 8-12-110](#))

- Operating high-pressure/temperature boilers, automatic pin-setters, or power-driven machines that the Division deems hazardous
- Other work with risk of falling from 10 feet or more (20 feet in agriculture)

²⁰ This list does not detail hazardous *agricultural* work prohibited, or exempt, under 16 - see [Child Labor Bulletin 102](#).

²¹ Power-driven machines for: woodworking (HO 5);* metal-forming/punching/shearing (HO 8);* paper processing*, balers, or compactors (HO 12); meat-processing, or food slicing/grinding (HO 10); sawing and wood chipping (HO 14).

²² A licensed driver at 17 may drive only (a) occasionally and incidentally, (b) in daylight, (c) a car or truck (not a motorcycle, bus, ATV, etc.), and (d) without certain duties (towing, certain deliveries, etc.); see HO 2 in the [Child Labor Bulletin 101](#).

²³ The sawmill prohibition doesn’t apply to certain schooling-exempt minors as of 14; see [Child Labor Bulletin 101](#), HO 4.

HAZARDOUS WORK ALLOWED IN QUALIFYING PROGRAMS ([C.R.S. 8-12-110\(1\)](#)²⁴)

- Work **Colorado** law declares hazardous is **allowed** at **age 14**,²⁵ with **no need for an exemption**, if either:
 - (A) after, or incidental to (part of), a program of —
 - (1) **apprentice training** approved by, and registered with, Apprenticeship Colorado, Colorado's State Apprenticeship Agency²⁶ or USDOL (typically for national programs), as of age 16,²⁷ or
 - (2) **student-learner occupational education**, through a qualifying school or program;²⁸ or
 - (B) after —
 - (1) **training** approved by the **state board** for community colleges and occupational education, or
 - (2) an **out of state occupational education** program the Division determines is comparable.
- Work **federal** law declares hazardous is allowed **only**:
 - at **age 16-17**; and
 - in a qualifying program —
 - **apprenticeships** in a recognized trade that are approved by, and registered with, USDOL or Apprenticeship Colorado, or
 - **student learning** in a course of study and training in a cooperative training program under a recognized State or local educational authority or similar private school program; and
 - under certain work **conditions** (training, safety, supervision, limited hours, etc.) under federal law.
- **How to determine whether a minor can perform hazardous work:**
 - Step 1:** Is the work **covered by federal law**?
 - If **yes**, go to Step 2. If **no**, go to Step 4
 - Step 2:** Is the work listed as **hazardous under federal law**?
 - If **yes**, go to Step 3. If **no**, go to Step 4
 - Step 3:** Is the work under a **federally approved apprenticeship or student-learning program**?
 - If **yes**, go to Step 4. If **no**, the work isn't allowed.
 - Step 4:** Is the work listed as **hazardous under Colorado law**?
 - If **yes**, go to Step 5. If **no**, the work is allowed, other than any age-limited duties (see pp.4-5).
 - Step 5:** Is it in a qualifying **apprentice, student-learner, or occupational program** under state law?
 - If **yes**, the work is allowed. If **no**, the work isn't allowed, unless exemption is sought (see p.3).

For More Information: Visit the Division [website](#), call 303-318-8441, or email cdle_labor_standards@state.co.us.
For federal law, see [Child Labor Bulletin 101](#), visit www.dol.gov, or call 866-4USWAGE.

²⁴ For details or more information on federal law, consult the USDOL or its materials.

²⁵ While state law allows exemption at 14, the Division would not grant an exemption for work covered by federal law, because federal law prohibits such work before that age.

²⁶ Visit Apprenticeship Colorado (apprenticeship.colorado.gov), Colorado's state apprenticeship agency as of July 1, 2023, for resources such as: an apprenticeship program directory; apprenticeship postings; information for employers interested in apprenticeships; and contact information for questions. See C.R.S. Title 8, Article 15.7 (apprenticeship law).

²⁷ See C.R.S. 8-15.7-101 (defining apprentice as someone 16 or older, unless other law sets higher age).

²⁸ C.R.S. 8-12-110(1)(b) ("a public school, local district college, community and technical college, federally funded work-training program, or private occupational school approved by the private occupational school division").