

# DEPARTMENT OF LABOR AND EMPLOYMENT

## Division of Labor Standards and Statistics

### COLORADO YOUTH EMPLOYMENT STANDARDS RULES

#### 7 CCR 1103-20

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As proposed September 30, 2025; if adopted, effective January 1, 2026.

#### **Rule 1. Statement of Purpose and Authority**

- 1.1 The general purpose of these Colorado Youth Employment Standards Rules is to exercise the authority of the Director, through the Division of Labor Standards and Statistics, to administer and enforce the provisions of the Colorado Youth Employment Opportunity Act (CYEOA), including C.R.S. §§ 8-12-105, 8-12-110, 8-12-113(4), 8-12-116, 8-12-117 and these rules shall be interpreted in accordance with the CYEOA. These rules are adopted pursuant to the Division's authority in C.R.S. §§ 8-1-103(3), 8-1-107(2)(p), 8-1-111, 8-6-108.5, 8-12-110(3), 8-12-113(4), and -115. These rules are intended to be consistent with the rulemaking requirements of the State Administrative Procedure Act, C.R.S. § 24-4-103. Unless otherwise noted, in these Rules: all statutes cited apply the most recent 2025 versions of the Colorado Revised Statutes; all rules cited apply the most recent versions adopted as of the adoption of these Rules.
- 1.2 The Director of the Division of Labor Standards and Statistics in the Department of Labor and Employment has the authority to enforce, interpret, apply, and administer the statutes cited in Rule 1.1 above and these rules.
- 1.3 Where these rules have provisions different from or contrary to any referenced material, the provisions of these rules govern so long as they are consistent with Colorado statutory and constitutional provisions. Where these rules reference another rule, the reference shall be deemed to include all subparts of the referenced rule.
- 1.4 Separability. These Rules are intended to remain in effect to the maximum extent possible. If any part (including any section, sentence, clause, phrase, word, or number) is held invalid, (A) the remainder of the Rule remains valid, and (B) if the provision is held not wholly invalid, but merely in need of narrowing, the provision should be retained in narrowed form.
- 1.5 Deadlines in these Rules may be extended for good cause. In considering whether good cause exists, the Division will determine whether the reason is substantial and reasonable, and must take into account all available information and circumstances pertaining to the specific Complaint.

#### **Rule 2. Definitions**

- 2.1 "Complaint" or "Claim" interchangeably mean a Complaint or Claim alleging a violation of the CYEOA. "Complainant" means a person with a Complaint or Claim. "Complainant" includes any authorized representative of the minor.
- 2.2 "Division" means the Division of Labor Standards and Statistics within the Department of Labor and Employment.
- 2.3 "Employer" means any individual or entity engaged in the "employment" of a minor that pays compensation or other valuable consideration in exchange for the minor's work. "Employer" under the CYEOA and these rules includes both contractors and "employers," as defined by C.R.S. § 8-4-101(6). This definition does not apply to Rule 11.

- 2.4 “Employment” has the same definition as C.R.S. § 8-12-103(4). This definition does not apply to Rule 11.
- 2.5 “Includes” means including but not limited to.
- 2.6 “Minor” has the same definition as C.R.S. § 8-12-103(5). This definition does not apply to Rule 11.
- 2.7 “Qualifying adult” means a person who is over eighteen and either (A) a relative of the minor or (B) a managerial worker of the employer.
- 2.8 Temperatures in or applicable to these rules are all on the Fahrenheit temperature scale.

### **Rule 3. Complaints**

- 3.1 A minor or a representative of a minor may file a complaint with the Division. Complaints shall be filed using a Division-approved form.
- 3.2 A complaint or appeal is considered “filed” with the Division when it is received by the Division via mail, fax, email, online submission, or personal delivery. Any Complaint, appeal, or termination received after 11:59pm Mountain Time is considered filed the next business day. If a complaint is filed without using a Division-approved form, the date the complaint is received will be the date of the complaint, then the complainant will have 14 days to submit a Division-approved form to avoid dismissal of the complaint without prejudice. The 14 days runs from the date the Division requests completion of the Division-approved form, unless the deadline is extended by the Division.
- 3.3 The complaint shall include the complainant’s signature, contact information, and basis for the complaint. Failure to include this information on the complaint form may result in administrative dismissal of the complaint. Any such submission is considered “signed,” or to have a “signature,” if it has either an ink signature, a scanned signature, an electronically drawn or generated signature, or a typed name entered by the party or their authorized representative in the signature area; by signing in any such fashion, the individual is deemed to have agreed and assented that the document is signed by them.
- 3.4 The complaint shall include a short and plain statement of its grounds. Any evidence probative of a relevant issue may be submitted or considered. The Division will cease investigating a complaint that, upon review, fails to raise a reasonable inference of a violation of the CYEOA.
- 3.5 Any party to the complaint may designate an authorized representative using the procedures of Wage Protection Rule 4.3, 7 CCR 1103-7 (2025).
- 3.6 If the complaint is filed by someone other than a minor (a “third-party filer”), the Division will contact the third-party filer. The third-party filer will have 14 days to be designated as an authorized representative, using the procedures of Wage Protection Rule 4.3, 7 CCR 1103-7 (2025). If the third-party filer is not an authorized representative or does not meet the requirements, the complaint will be dismissed or, at the sole and total discretion of the Division, investigated.
  - 3.6.1 If the Division, in its discretion, proceeds with the investigation, the complaint will be converted to a direct investigation subject to the Direct Investigation Rules, 7 CCR 1103-8, and the third-party filer will be removed as a party to the investigation. The Division shall issue a Notice of Conversion to the third-party filer, notifying them that

they are no longer a party. The Notice of Conversion shall inform the third-party filer that they:

- (A) have been removed as a party;
- (B) will have no involvement with the further investigation of the claim, except at the request of the Division;
- (C) will receive no further updates or have rights to updates;
- (D) will have no rights to withdraw the claim; and,
- (E) have no right to appeal the conversion or the outcome of the investigation.

3.7 A complainant may withdraw a complaint at any time before the issuance of a determination by notifying the Division in writing.

3.8 A complainant shall respond in a timely manner to informational or investigatory requests by the Division. Failure to comply with this Rule may result in dismissal of the complaint. If a complaint is dismissed before a Notice of Complaint is sent to the employer due to failure to respond to a Division request for information, the complaint may be reopened if the complainant provides the requested information or documentation to the Division within 35 days of the request. A complainant may be required to file a new complaint if the response is received more than 35 days after the request.

#### **Rule 4. Investigations**

4.1 The Division will investigate complaints that provide sufficient evidence from which a violation of the CYEOA may be reasonably inferred (subject to Rule 3.6 as to third-party complaints).

4.2 Wage Protection Rules (WPR), 7 CCR 1103-7, Rules 4.1, 4.2.1, and 4.3–4.9, regarding investigation procedures and protections shall apply, except:

- (A) All references to a “wage claim” or “wage complaint” shall include a claim or complaint alleging a violation of the CYEOA;
- (B) All references to “wage,” “wage and hour,” or “labor” law, rights, responsibilities, investigations or proceedings shall include labor rights or responsibilities within these Rules;
- (C) All references to “HFWA” shall include other labor rights or responsibilities within these Rules; and,
- (D) in WPR Rule 4.4.3 “C.R.S. § 8-4-113(1)(b)” is replaced with “C.R.S. §§ 8-4-113(1)(b); 8-1-114; 8-1-116; 8-1-117; and 8-1-140(2).”

4.3 The Division may exercise its discretion to have an investigation sequenced or divided into two or more stages on discrete questions of liability or relief (e.g., bifurcation), yielding two or more determinations or phases of the investigation.

#### **Rule 5. Determinations and Remedies**

5.1 After investigating the complaint and assessing the employer’s compliance, the Division will issue a written determination.

- 5.1.1 The determination will be provided to the employer and complainant in writing via U.S. postal mail, electronic means, or personal delivery.
- 5.1.2 The determination will contain information on the extent of the employer's compliance with the law, and will describe:
  - (A) what provisions of the law were adhered to or violated; and,
  - (B) if a violation of the CYEOA has occurred, steps the employer must take to cure the violation.
- 5.1.3 Determinations by the Division may include the following remedies, depending on which, if any, the Division's findings support:
  - (A) order(s) to cease non-compliance or effectuate compliance, as authorized by the CYEOA and statutes on Division investigative and enforcement authority in C.R.S. Title 8, Article 1;
  - (B) fines pursuant to C.R.S. § 8-1-140(2) or the CYEOA, C.R.S. § 8-12-116(1);
  - (C) damages payable to the aggrieved minor under C.R.S. § 8-12-116(3); and,
  - (D) any other remedies authorized by law.
- 5.1.4 The determination will contain information on appeal rights and appeal procedures.
- 5.1.5 The date of issuance of the Division's determination is the date the Division's determination is sent. Both the termination and appeal deadlines are calculated from the date the Division's determination is originally issued and sent to the parties.
- 5.1.6 A certified copy of any citation, notice of assessment, or order imposing relief or remedies may be filed with the clerk of any court having jurisdiction over the parties at any time after the entry of the order. Such a filing can be in a county or district court, and will thereby have the effect of a judgment from which execution may issue.
- 5.2 Pursuant to C.R.S. § 8-12-115(4)(b), the Division may issue an additional determination that orders penalties for each offense without sending an additional Notice of Complaint. Any resulting determination shall follow Rule 5.1, and any appeal shall follow Rule 6.

## **Rule 6. Appeals**

- 6.1 Any party to the claim may appeal the Division's determination(s). Wage Protection Rule 6 regarding appeal procedures shall apply.

## **Rule 7. Recordkeeping Requirements**

- 7.1 An employer must retain a true and accurate record for each minor, including the date of birth for minors under 18 years of age, as required by COMPS Rule 7.1.
- 7.2 An employer must retain a copy of these records for three years after the minor's eighteenth birthday or three years after the termination of employment, whichever is sooner:
  - (A) Any exemption under C.R.S. § 8-12-104.
  - (B) Any documents supporting use of the C.R.S. § 8-12-110(1) exception, including proof

of completion of or enrollment in a qualifying program;

(C) Any age certificate and any other documents under C.R.S. § 8-12-111;

(D) Any proof of a high school diploma, a passing score on the general educational development examination, completion of a career and technical education program, or any other documents under C.R.S. § 8-12-112; and,

(E) Any school release permit and other documents under C.R.S. § 8-12-113;

7.3 All documents described in Rules 7.1 and 7.2 must be made available to the Division upon request. Nothing in this rule shall be construed to limit the Division's authority to obtain documents and information from any employer.

7.4 Where a claim, complaint, or investigation under the CYEOA has been filed or commenced, the employer shall preserve all relevant documents throughout the duration of the investigation and until the expiration of the statutory period within which a person aggrieved may bring a civil action.

#### **Rule 8. Hazardous Occupations Prohibited for All Minors Under C.R.S. § 8-12-110**

8.1 Operation of any high-pressure steam boiler or high-temperature water boiler

8.1.1 An employer shall not permit a minor to perform any job duty that involves the operation of any high-pressure steam boiler or high-temperature water boiler.

8.1.2 "High-pressure steam boiler" means any boiler that operates at a pressure in excess of 15 pounds per square inch (psi).

8.1.3 "High-temperature water boiler" means a water boiler that operates at greater than 160 psi water pressure or over 250°F.

8.2 Risk of falling

8.2.1 A minor shall not be permitted to perform any job duty that involves the risk of falling from any elevated place located 10 feet or more above the ground for non-agricultural employment and 20 feet or more above the ground for agricultural employment.

8.2.2 For heights below the applicable limit, an employer must ensure compliance with all applicable occupational safety standards (e.g., 29 C.F.R. §§ 1910.23, 1910.27, and 1910.140).

8.3 Manufacturing, transporting, or storing of explosives

8.3.1 An employer engaged in manufacturing, transporting, using, or storing explosives may not employ minors.

8.3.2 An employer shall not permit a minor to access explosives.

8.3.3 An employer shall not permit a minor to perform any job duties that involve the manufacture, transport, use, or storage of explosives.

8.3.4 "Explosives" means and includes ammunition, black powder, blasting caps, fireworks, high explosives, primers, smokeless powder, and explosives and explosive materials as defined in 18 U.S.C. 841(c)-(f) and the implementing regulations at 27 C.F.R. Part

555. The terms include any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion, as well as all goods identified in the most recent list of explosive materials published by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice.

**8.4 Mining, logging, oil drilling, or quarrying**

8.4.1 An employer engaged in mining, logging, oil drilling, or quarrying may not employ minors.

8.4.2 An employer shall not permit a minor to enter or work in close proximity to a mine or quarry, sawmill, logging operation, or oil rig.

8.4.3 An employer shall not permit a minor to perform any job duties related to mining or quarrying, logging, or oil drilling.

8.4.4 Mining or quarrying includes all work performed underground in mines and quarries; on the surface at underground mines and underground quarries; in or about open-cut mines, open quarries, clay pits, and sand and gravel operations; at or about placer mining operations; at or about dredging operations for clay, sand or gravel; at or about bore-hole mining operations; in or about all metal mills, washer plants, or grinding mills reducing the bulk of the extracted minerals; and at or about any other crushing, grinding, screening, sizing, washing or cleaning operations performed upon the extracted minerals except where such operations are performed as a part of a manufacturing process permitted by these rules.

8.4.5 Logging includes all work performed in forest fire fighting and forest fire prevention, in timber tracts, in forestry services, timber operations, transportation or processing of wood products, and the operation of any sawmill, lathe mill, shingle mill, or cooperage stock mill.

8.4.6 Oil drilling includes the physical drilling of a well, the operation of an oil drill, and the testing, completing, or equipping of an oil well for production.

**8.5 Any occupation involving exposure to radioactive substances or ionizing radiation**

8.5.1 An employer shall not permit a minor to perform any work in any area subject to exposure to radioactive substances or ionizing radiation. An area is not subject to exposure if an employer demonstrates that all areas where a minor is able to access are protected from exposure to radioactive substances or ionizing radiation.

8.5.2 An employer shall not permit a minor to be exposed to radioactive substances or ionizing radiation.

8.5.3 Ionizing radiation includes alpha and beta particles, electrons, protons, neutrons, gamma and x-rays, and all other radiations that produce ionizations directly or indirectly, excluding electromagnetic radiations other than gamma and x-rays.

8.5.4 Radioactive substances include

(A) Radium;

(B) Any mixture of phosphorescent material and radium, mesothorium, or other radioactive element compounds;

- (C) Incandescent mantles made from fabric and solutions containing thorium salts; and,
- (D) Other radioactive substances present in the air in average concentrations exceeding 10 percent of the maximum permissible concentrations pursuant to the standards set by the National Committee on Radiation Protection.

## 8.6 Operation of power-driven machinery

### 8.6.1 Definitions.

- (A) “Power-driven machinery” means all machines driven by power, without regard for the power source. The source of power can be electrical, gas, hydraulic, or air.
- (B) “Duties related to operation of power-driven machinery” means operating or assisting in the operation of power machinery, and any work that either (i) creates a foreseeable risk that a minor will operate the machinery due to proximity or nature of the work; or (ii) subjects a minor to the same safety risks as operation, e.g., within the area where one could be struck or injured by the prohibited machine. This definition applies even when machines are not operated, except if the machine has fully enclosed moving components that prevent access to any danger zones.

### 8.6.2 An employer shall not permit a minor to perform any duties related to operating power-driven woodworking machinery.

- (A) Power-driven woodworking machines include all fixed or portable machines or tools driven by power and used or designed for cutting, shaping, forming, surfacing, nailing, stapling, wire stitching, fastening or otherwise assembling, pressing or printing wood, veneer, trees, logs, or lumber.
- (B) Examples of machinery prohibited by this rule include power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, planers, drill presses, sanders, nailers, abrasive cutting discs, shapers, molders, heel turners, lathes, tenoners, mortisers, stickers, drills, boring machines, hole cutters, chuckers, wire stitchers, berry-basket machines, and bushel-tub machines.

### 8.6.3 An employer may not permit a minor to perform any duties related to operating power-driven metal forming, punching, or shearing machines.

- (A) Power-driven metal forming, punching, or shearing machines include power-driven metalworking machines that change the shape of or cut metal by means of tools, such as dies, rolls, knives mounted on rams, plungers, and other moving parts.
- (B) Examples of machinery prohibited by this rule include rolling machines, pressing or punching machines, bending machines, hammering machines, and shearing machines.

### 8.6.4 An employer may not permit a minor to perform any duties related to operating power-driven bakery machines.

- (A) Bakery machines include all power-driven machines used in baking and the preparation of baked goods, but does not include (i) lightweight, small capacity, portable counter-top power-driven food mixers and (ii) pizza-dough rollers, as defined by 29 C.F.R. § 570.62.
  - (B) Examples of machinery prohibited by this rule include walk-in ovens, horizontal or vertical dough mixers; batter mixers; bread dividing, rounding, or molding machines; dough brakes; dough sheeters; combination bread slicing and wrapping machines; or cake cutting band saws.
- 8.6.5 An employer may not permit a minor to perform any duties related to operating power-driven paper products machines.
  - (A) Paper products machines include all power-driven machines used in the remanufacture or conversion of paper or pulp into finished product (including recycling) or the preparation of material for disposal.
  - (B) Examples of machinery prohibited by this rule include cardboard compactors.
- 8.6.6 An employer may not permit a minor to perform any duties related to operating power-driven shears.
  - (A) Shears include machines for cutting metal, paper, coal, or other things by the shearing of a movable blade or blades.
  - (B) Examples of machinery prohibited by this rule include guillotine shears, alligator shears, circular shears, rotary shears, and squaring shears.
- 8.6.7 An employer may not permit a minor to perform any duties related to operating power-driven automatic pin-setting machines.
  - (A) An employer may not permit a minor to go into the area where an automatic pin-setting machine operates.
  - (B) “Operating” an automatic pin-setting machine does not include operating it remotely through software or a control panel, nor does it include bowling down the aisle.
- 8.6.8 An employer may not permit a minor to perform any duties related to operating power-driven food processing equipment.
  - (A) Power-driven food processing equipment includes equipment used in processing food, food slicers, food grinders, food choppers, food processors, food cutters, and food mixers
  - (B) Examples of machinery prohibited by this rule include meat patty forming machines, meat and bone cutting saws, poultry scissors or shears; meat slicers, knives, headsplitters, and guillotine cutters; snoutpullers and jawpullers; skinning machines; horizontal rotary washing machines; casing-cleaning machines such as crushing, stripping, and finishing machines; grinding, mixing, chopping, and hashing machines; and presses.
- 8.6.9 An employer may not permit a minor to perform any duties related to operating power-driven balers and compactors.



- (A) Power-driven balers and compactors include any powered machine designed or used to compress, compact, or bind materials into bales for storage, handling or transportation, including scrap paper balers or any baler that is designed or used to process materials other than paper.
- (B) Examples of machinery prohibited by this rule include hay balers, metal balers, plastic balers, textile balers, mixed waste balers, and industrial balers.

8.6.10 An employer may not permit a minor to perform any duties related to operating power-driven construction and industrial machines.

- (A) Power-driven construction and industrial machines include all machines used in the alteration, repair, painting, demolition, and maintenance of buildings, bridges, and other structures.
- (B) Examples of machinery prohibited by this rule include bulldozers, excavators, loaders, compactors, pavers, cranes, derricks, hoists, high-lift trucks, graders, earth compactors, backhoes, and tractors.

8.6.11 An employer may not permit a minor to perform any duties related to operating power-driven grinding, abrasive, polishing, or buffing machines that use emery, tripoli, rouge, corundum, stone, silicon carbide, or any other abrasive.

8.6.12 An employer may not permit a minor to perform any duties related to operating power-driven welding machines, including stick, MIG, TIG, and Arc machines, as well as gas-only welding machines and blowtorches.

8.6.13 An employer may not permit a minor to perform any duties related to operating power-driven rolling and shaping machines, regardless of the substance rolled or shaped, including corrugating, crimping or embossing machines, milling machines, turning machines, and boring machines.

8.6.14 An employer may not permit a minor to perform any duties related to operating power-driven dry cleaning and commercial laundry machinery.

8.6.15 An employer may not permit a minor to perform any duties related to operating power-driven hoisting machines, including elevators, cranes, derricks, hoists, or high-lift trucks, except that a minor may be permitted to operate or ride inside an unattended automatic operation passenger elevator.

8.6.16 An employer may not permit a minor to perform any duties related to operating any power-driven machinery declared to be hazardous by the United States Department of Labor in 29 C.F.R. Part 570.

## 8.7 Slaughter of livestock and rendering and packaging of meat

8.7.1 An employer engaged in the slaughter of livestock or poultry, or rendering and packaging of meat may not employ a minor.

8.7.2 An employer may not permit a minor to enter any areas where the slaughter of livestock or poultry is performed, including the killing rooms, curing rooms, or hide rooms.

8.7.3 An employer may not permit a minor to perform duties related to:

- (A) Slaughtering of livestock or poultry, including immobilizing, shackling, or killing of livestock or poultry; grading; trimming, salting, or curing of hides, and preserving and flavoring of meat by curing materials.
- (B) Packaging and rendering of meat, including: (i) cutting or slicing, whether using power-driven machines related to meat, (ii) recovery of lard or oils and the operation of lard-roll machines, and (iii) tankage or rendering of dead animals, animal offal, animal fats, scrap meats, blood, and bones into stock feeds, tallow, inedible greases, fertilizer ingredients, and similar products;
- (C) Boning operations;
- (D) Handling of any carcass or partial carcass; and,
- (E) Cleaning or maintenance of any areas where duties prohibited by this rule are performed.

**8.8 Occupations directly involved in the manufacture of brick or other clay construction products or of silica refractory products**

- 8.8.1 An employer engaged in manufacturing clay construction products or silica refractory products shall not employ minors.
- 8.8.2 An employer shall not permit a minor to work in or about areas where clay construction products or silica refractory products are manufactured or packaged.
- 8.8.3 Clay construction products include brick, hollow structural tile, sewer pipe and kindred products, refractories, and other clay products such as architectural terra cotta, glazed structural tile, roofing tile, stove lining, chimney pipes and tops, wall coping, and drain tile.
- 8.8.4 Silica refractory products include refractory products produced from raw materials containing free silica as their main constituent.

**8.9 Wrecking or demolition, but not including manual auto wrecking**

- 8.91. An employer engaged in wrecking or demolition may not employ a minor, except an employer engaged in only manual dismantling of automobiles without the use of power-driven equipment may employ a minor.
- 8.9.2 "Wrecking or demolition" includes all work, including clean-up and salvage work, performed at the site of the total or partial razing, demolishing, or dismantling of a building, bridge, steeple, tower, chimney, other structure, ship, or other vessel.

**8.10 Roofing**

- 8.10.1 An employer engaged in roofing may not employ a minor.
- 8.10.2 An employer may not permit a minor to work on or about a roof or area where roofing is occurring.
- 8.10.3 An employer may not permit a minor to perform any roofing.
- 8.10.4 Roofing includes all work performed in connection with the installation of roofs, including related metal work such as flashing, and applying weatherproofing materials

and substances (such as waterproof membranes, tar, slag or pitch, asphalt prepared paper, tile, composite roofing materials, slate, metal, translucent materials, and shingles of asbestos, asphalt, wood or other materials) to roofs of buildings or other structures. The term also includes all jobs on the ground related to roofing operations such as roofing laborer, roofing helper, materials handler and tending a tar heater.

**8.11 Occupations in excavation operations**

8.11.1 An employer engaged in excavation operations may not employ a minor.

8.11.2 Excavation operations include all excavating, working in, or backfilling trenches; excavating for buildings or other structures or working in excavations; and working within tunnels or shafts. Excavation operations do not include manual excavation that is less than four feet in depth.

**8.12 Office and retail exception**

8.12.1 If an employer is prohibited from employing a minor under Rules 8.3.1, 8.4.1, 8.7.1, 8.8.1, 8.9.1, 8.10.1, or 8.11.1, it may employ a minor sixteen years or older to perform office, clerical, or retail work if it demonstrates that the minor is not exposed to any hazards.

8.12.2 The minor may not be employed on the same property or location where the hazardous activities are conducted. A minor may not perform any work on the same property or location where the following have occurred and the hazards have not been mitigated, occur on an ongoing basis, or are occurring:

- (A) Use of explosives or firearms;
- (B) Mining, logging, oil drilling, or quarrying;
- (C) Slaughter of livestock or poultry;
- (D) Manufacture of clay construction products or silica refractory products;
- (E) Wrecking or demolition, but not including manual auto wrecking;
- (F) Roofing; or,
- (G) Excavation operations.

8.12.3 An employer must demonstrate that it prevents minors from physically accessing any areas prohibited by the CYEOA, areas where duties prohibited by the CYEOA are performed, or areas exposed to the risks of prohibited areas or duties.

8.12.4 This exception must be narrowly construed. There is a presumption that it is hazardous for employers engaged in prohibited work to employ minors. Nothing in this exception shall be construed to permit a minor to perform duties or access an area prohibited by the CYEOA or these Rules.

8.12.5 This exception does not require an exemption from the Division under C.R.S. § 8-12-104, but an employer may request an exemption.

**Rule 9. Prohibited Duties and Occupations**

- 9.1 Minors may only be employed as permitted by C.R.S. § 8-12-106 to -109 and these Rules. An employer has the burden to demonstrate that employment of a minor is permissible under the CYEOA and these Rules. For occupations not specifically permitted by the CYEOA or identified in Division rules or guidance as “similar to those enumerated in” C.R.S. § 8-12-106 to -109, employers may submit an exemption request in accordance with Rule 10 and Division procedures established for such requests. Employers may be notified through the exemption request process if the work is an allowed “similar” occupation under C.R.S. § 8-12-106 to -109.
- 9.2 An employer shall not permit any minor:
- 9.2.1 To perform any occupation prohibited by the United States Department of Labor as hazardous in 29 C.F.R. §§ 570.50 to 570.72 (2025);
- 9.2.2 To perform job duties or employment in an establishment that Colorado or federal law prohibits minors from entering or patronizing without a qualifying adult;
- 9.2.3 To be exposed to toxic or hazardous substances. Toxic or hazardous substances include substances regulated by 29 C.F.R. Part 1910 Subparts H and Z, as well as carcinogens, pesticides, and chemicals or fumes that are known to be dangerous to humans;
- 9.2.4 To lift excessive weights;
- 9.2.5 To work in enclosed spaces that by design or construction have limited openings for entry and egress, have unfavorable natural ventilation, could reasonably be known by the employer to have dangerous air contaminants or contain materials that may produce dangerous air contaminants, and are not intended for human occupancy;
- 9.2.6 To use power-driven lawn equipment (except those permitted by 9.4.1), unless
- (A) The minor is adequately trained to operate the equipment safely, including review of the operator’s manual and all warnings and precautions, review and demonstration of all controls of the equipment, and review of hazards associated with mowing up and down steep slopes;
- (B) The power-driven equipment and its use comply with applicable Occupational Safety and Health Administration (OSHA) standards, including 29 C.F.R. §§ 1910.242-243.
- (C) The power-driven equipment is not prohibited by Rule 8.6 (e.g., chainsaws).
- (D) The minor does not perform any maintenance or repair of the power-driven equipment; and,
- 9.2.7 To violate, be injured by, or be at risk of injury by a violation of any occupational safety and health standards, 29 C.F.R. Parts 1910, 1926, and 1928 (2025); or,
- 9.2.8 To perform occupations other than those authorized by the CYEOA.
- 9.3 An employer shall not permit a minor under sixteen:
- 9.3.1 To be employed in any occupation prohibited by the United States Department of Labor as oppressive child labor in 29 C.F.R. § 530.33 (2025).

9.3.2 In restaurants, retail food service, and related occupations, to

- (A) Cook or bake, including using an open-flame, electric or conductive cooktop, grill, pressure cooker, rotisserie cooker, or fryer, except that cooking is permitted with deep fryers that are equipped with and utilize a device that automatically lowers the baskets into the hot oil or grease and automatically raises the baskets from the hot oil or grease;
- (B) Handle liquids or oils over 100°F;
- (C) Heat foods over 140°F;
- (D) Use power-driven kitchen equipment, including pizza dough rollers and lightweight, small-capacity, portable counter-top power-driven food mixers; or,
- (E) Use knives or other sharp blades unless the minor uses cut-proof gloves rated at least ANSI A7 or higher, and shall never permit a minor employee to sharpen any blades or use a mandoline.

9.3.3 To perform job duties other than those authorized by C.R.S. § 8-12-106 to -108.

9.4 An employer shall not permit a minor under fourteen:

9.4.1 To use power-driven lawn equipment, unless the requirements of Rule 9.2.6 are satisfied and the power-driven lawn equipment is of the type approved by the Division. The Division approves:

- (A) Hand-held leaf blowers, if electric-powered, and the minor wears face and ear protection;
- (B) Weed trimmers, if electric-powered and a string-type trimmer, and the minor wears eye protection;
- (C) Snowblowers and throwers with “deadman” mechanism as required by OSHA, 29 C.F.R. § 1910.243(e)(4)(vi); and,
- (D) Any other equipment the Division may approve through informal guidance.

9.4.2 To perform the job duties permitted by C.R.S. § 8-12-106 and -107 unless

- (A) The minor is able to reach a qualifying adult immediately by phone and the adult is within ten minutes physically; and,
- (B) The minor does not carry more than \$100 in cash at any time, unless within voice and visual range of a qualifying adult.

9.4.3 To perform job duties other than those authorized by C.R.S. § 8-12-106 and -107.

9.5 An employer shall not permit a minor under twelve:

9.5.1 To perform the job duties permitted by C.R.S. § 8-12-106, unless

- (A) A qualifying adult is within voice and visual range of the minor at all times;
- (B) The minor does not handle more than \$50 at any time; and,

(C) The minor has received first aid and safety training.

9.5.2 To perform any job duties other than those authorized by C.R.S. § 8-12-106.

9.6 An employer shall provide the heat protections contained in AGLABOCO Rule 3 to all minors when the Rule 3.1 and 3.4 thresholds are triggered.

## **Rule 10. Exemptions, Exceptions, and Criteria**

10.1 The Division may grant exemptions from any provision of the CYEOA concerning restrictions on work hours and occupations “for an individual minor if ... such an exemption would be in the best interests of the minor involved.” C.R.S. § 8-12-104(3).

10.1.1 Requests for exemptions must be submitted on forms provided by the Division, in accordance with procedures set by the Division. These forms and procedures may require information and documentation to demonstrate that the request is in the “best interest of the minor involved.”

10.1.2 The request may be submitted by any employer, minor, minor’s parent or guardian, school official, or youth employment specialist. A request from an employer, school official, or youth employment specialist will not be approved without agreement by the minor and, if appropriate, the minor’s parent or guardian.

10.1.3 When considering whether an exemption is in the best interest of the minor, the Division shall consider the totality of the circumstances. The relevant factors and weight of each factor are determined by the Division on a case-by-case basis. The Division will always consider the following, but may also consider other factors:

(A) the minor’s training and knowledge of safety practices related to the work;

(B) relative degree of safety, and any safety measures proposed by the employer;

(C) educational impact, including impact of the work on the minor’s ability to attend school and educational benefits of the work itself;

(D) overall impact on the health and well-being of the minor; and,

(E) benefits to the minor, including career growth potential and whether the minor is fairly compensated for the work performed.

10.1.4 When evaluating the exemption, the Division may use all information-gathering authority it is granted by law and may visit the proposed workplace or require the minor to complete a test of proficiency.

10.2 Pursuant to C.R.S. § 8-12-110(1), a minor fourteen or older may perform hazardous duties as listed in Rule 8, without an exemption:

10.2.1 Upon completion of a program of apprentice training or if the duties are incidental to such a program;

10.2.2 Upon completion of a student-learner program of occupational education under the auspices of 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, or if the duties are incidental to such a program;

- 10.2.3 Upon completion of any other program of training approved by the state board for community colleges and occupational education; or,
- 10.2.4 Upon completion of a program of occupational education conducted outside this state that the director determines offers instructional quality and content comparable to that offered in programs certified by the state board for community colleges and occupational education.

### **Rule 11. Minimum Wage for Minors**

- 11.1 Definitions. For the purposes of this Rule 11 and only this Rule 11
  - 11.1.1 “Minor” means any individual who is under eighteen years of age and is unemancipated.
  - 11.1.2 “Emancipated minor” means any individual who is less than eighteen years of age who (A) has the sole or primary responsibility for their own support; (B) is married and living away from parents or guardian; or (C) is able to show that their well-being is substantially dependent upon being gainfully employed.
  - 11.1.3 “Employee” has the same meaning as C.R.S. § 8-4-101(5).
  - 11.1.4 “Employer” has the same meaning as C.R.S. § 8-4-101(6).
- 11.2 Pursuant to C.R.S. § 8-6-108.5, “the minimum wage for minors may be fifteen percent below the minimum wage for other workers; except that the full minimum wage shall be paid to any emancipated minor.”
  - 11.2.1 The reduced minimum wage may only be paid if, after diligent inquiry, the employer determines that a minor is not emancipated. The employer must keep records of this inquiry, including the information considered and the final determination.
  - 11.2.2 The reduced minimum wage may only be paid to individuals employed as minors in compliance with Colorado law. Minors who are employed in violation of the CYEOA or these Rules are entitled to the full minimum wage.

### **Rule 12. Effective Date. The effective date of these Rules is January 1, 2026.**