

## Employing Children and Young Persons

### Introduction

[The Protection of Young Persons \(Employment\) Act](#) defines a child as "a person who is under 16 years of age or the school-leaving age, whichever is the higher"; and defines a young person as "a person who has reached 16 years of age or the school-leaving age (whichever is higher) but is less than 18 years of age".

In general, the Act prohibits the employment of children under 16 years. Employers may, however, take on 14- and 15-year-olds, on light work -

- during the school holidays, provided there is a minimum three-week break from work during the summer,
- part-time during the school term (over 15 years old only, and for a maximum of 8 hours in the week),
- as part of an approved work experience or education programme where the work is not harmful to their safety, health or development.

Children (i.e. under 16 years of age) can also be employed in cultural, artistic, sports or advertising work which does not interfere with their attendance at school, vocational guidance or training programmes or capacity to benefit from the instruction received.

### Hours of work

Children under 16 years of age are not permitted to start work before 8.00 a.m. They are not allowed to work beyond 8.00 p.m. on any day.

Young persons aged 16 and 17 years are not permitted to start work before 6.00 a.m. They must finish work at 10.00 p.m. on days preceding a school day. They may work up to 11.00 p.m. on days where they have no school the next day: in such instances they must not start work before 7.00 a.m. the next day. However, it should be noted that work past 10.00 p.m. is subject to Ministerial approval by regulation.

A special Code of Practice Concerning the Employment of Young Persons in Licensed Premises is in place governing employment of 16 and 17 years olds in the Licensed trade. This must be signed by the employer, the employee and his/her parent or guardian.

Children of 14 years of age cannot work during term-time. They may be permitted to work a maximum of 35 hours a week during school holidays, and a maximum of 40 hours a week on work experience.

Children aged 15 years can work a maximum of 8 hours a week during term-time, a maximum of 35 hours during school holidays, and up to 40 hours on work experience.

Age	14	15
Term time	Nil	8 hours
Holidays	35 hours	35 hours
Work Experience	40 Hours	40 Hours

### Licensed Premises

The [Protection of Young Persons Act 1996 \(Employment in Licensed Premises\) Regulations 2001 \(SI 350/2001\)](#) permits young people employed on *general duties* in a licensed premise to be required to work up to 11 pm on a day that does not immediately precede a school day during a school term where the young person is attending school. The Regulations state that the definition of general duties “does not include supplying intoxicating liquor from behind the bar counter in licensed premises or supplying it for consumption off those premises”.

### Work breaks

Under 16s must be given a 30-minute break after working 4 hours. They must be given a break of 14 hours in every 24 hours, and 2 days off in every 7.

Young persons aged 16 and 17 years must be given a 30-minute break after working 4½ hours. They are entitled to 12 hours off in every 24 hours and 2 days off in every 7 days.

### Statutory Record Keeping

In addition to the normal Statutory Records, you must keep the following records for children and young persons employed by you -

- full name
- date of birth
- time work begins each day
- time work finishes each day
- rate of wages or salary paid per day, week, month or year, as appropriate
- total amount of wages or salary paid to each person

In addition, before employing someone under 16 years of age, you must see a copy of the child's birth certificate and obtain the written permission of a parent or guardian.

You must also post up, in a suitable location accessible to staff, a copy of a [Poster issued by the Workplace Relations Commission](#) which outlines the child's or young person's rights and entitlements.

In order for a child to take part in work of a cultural, sporting, artistic or advertising nature, special permission must be obtained by way of a licence issued on behalf of the Minister for Enterprise, Trade and Employment.