

2021 Youth Employment Enforcement Annual Report

Citation of Law or Resolution	S.L. 2009-139
Section Number	Section 1
Due Date:	February 1, 2023
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Receiving Entities:

The Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources

The Joint Legislative Education Oversight Committee

The Fiscal Research Division

Submitting Entity:

The North Carolina Department of Labor

N.C. Department of Labor— Wage and Hour Bureau 2021 Youth Employment Enforcement Report Pursuant to NCGS 95-25.23C

Educational activities sponsored by NCDOL	56
Participants in educational activities sponsored by NCDOL	890
Total of all complaints received by NCDOL alleging any violation of the Wage and Hour Act	2210
Total number of complaints received by NCDOL alleging youth employment violations	147

Types of youth employment violations alleged in complaints received by NCDOL	G.S. 95-25.5(a) ¹ G.S. 95-25.5(a1) ² G.S. 95-25.5(b) ³ G.S. 95-25.5(c) ⁴ G.S. 95-25.5(d) ⁵ G.S. 95-25.5(e) ⁶ G.S. 95-25.5(j) ⁷
Ages of youths employed by employers cited for youth employment violations.	<14 years - 10 14-15 years - 463 16-17 years - 2653
Number of investigations conducted by NCDOL concerning alleged youth	200
Length of investigations (hours) conducted by NCDOL concerning alleged youth employment violations.	931
Number of Wage and Hour investigators assigned to investigate allegations of youth employment violations.	15 investigators 2 supervisors
Number of alleged record keeping violations pertaining to youth employment	2680
Number of administrative proceedings involving youth employment violations	0
Total number of employers cited for youth employment violations*	172
Total number of citations assessed pursuant to G.S. 95-25.23*	3650
Total dollar amount of civil penalties assessed pursuant to G.S. 95-25.23*	\$266,346
Total dollar amount of civil penalties collected pursuant to G.S. 95-25.23*	\$262,591
Total number of citations assessed pursuant to G.S. 95-25.23A*	373
Total dollar amount of civil penalties assessed pursuant to G.S. 95-25.23A*	\$82,295
Total dollar amount of civil penalties collected pursuant to G.S. 95-25.23A*	\$54,260

*The attached spreadsheets provide a detailed list of employers cited for youth employment and record keeping violations as well as an itemized list of civil penalties associated with each violation.

¹G.S. 95-25.5(a) - No youth under 18 years of age shall be employed by any employer in any occupation without a youth employment certificate unless specifically exempted.

²G.S. 95-25.5(al) - During the regular school term, no youth under 18 years of age who is enrolled in school grade 12 or lower may be employed between 11 pm and 5 am when there is school for the youth the next day.

³G.S. 95-25.5(b) - No youth under 18 years of age may be employed by an employer in any occupation which the U.S. Department of Labor shall find and by order declare to be hazardous and without

exemption under the Fair Labor Standards Act, or in any occupation which the Commissioner of Labor shall find and by order declare to be detrimental to the health and well-being of youths.

⁴G.S. 95-25.5(c) - No youth 14 or 15 years of age may be employed in any occupation except those determined by the U.S. Department of Labor to be permitted occupations; also defines acceptable work hours for 14 and 15 year olds.

⁵G.S. 95-25.5(d) - No youth 13 years of age or less shall be employed, except that youths 12 and 13 years of age may be employed outside of school hours in the distribution of newspapers to the consumer.

⁶G.S. 95-25.5(e) - No youth under 16 years of age shall be employed for more than five consecutive hours without an interval of at least 30 minutes for rest.

⁷G.S. 95-25.5(j) - No person who holds any ABC permit issued pursuant to the provisions of Chapter 18B of the General Statutes for the on-premises sale or consumption of alcoholic beverages shall employ a youth under 16 years of age on the premises for any purposes, or under 18 years of age to prepare, serve, dispense or sell any alcoholic beverages.

There are no investigators assigned only to investigate allegations of youth employment violations. Rather, all investigators verify youth employment records as a part of every investigation regardless of the nature of the initial complaint.