

Insights

What to Expect in 2025: Updates to Indiana Child Labor Laws

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Beginning January 1, 2025, Indiana has rolled back restrictions for older teens, allowing them to work longer and later hours, through amendments to Indiana's Child Labor Statute, Indiana Code § 22-2-18.1.

Key Updates

- Employees aged 14 to 16 may now work until 9 p.m. (two hours later) from June 1 through Labor Day, regardless of whether the day precedes a school day. Outside of summer months, minors must comply with current restrictions that prohibit work before 7 a.m. or after 7 p.m., with additional durational restrictions depending on the day of the week.
- All previous hour and time restrictions for employment of minors 16 years and older have been repealed. They may work up to 9 hours per day, 40 hours per week on school weeks, and 48 hours per week on non-school weeks. They may not work more than six consecutive days nor begin work before 6 a.m.
- Prohibitions against 16- to 18-year-old farm workers handling hazardous materials have been repealed. The Indiana law defers to the Fair Labor Standards Act ("FLSA") for specific prohibitions on work conditions for minors in agricultural employment.
- The maximum monetary penalty on employers remains the same at \$100 per instance for a fourth or subsequent violation of an hour violation and \$400 per fourth or subsequent violation for failure to register the correct number of minor employees.

Indiana lawmakers have revised these rules for teen workers, to mirror the federal child labor provisions of the FLSA and removed any heightened restrictions. The FLSA now determines the nature of employment and job activities that minors may perform.

This child labor law update follows Indiana's recent trend of reducing restrictions on employment of minors. In 2021, Indiana eliminated youth work permits completely and now requires employers with five or more minor employees to track and report minor-employee information through the Indiana Department of Labor's Youth Employment System (YES). More recently, Indiana Code § 7.1-5-7-13 was amended, lowering the minimum age (from 19 to 18 years old) to ring up or serve alcohol. That said, while the service age decreased, individuals under the age of 21 remain prohibited from bartending or consuming alcohol.

Although Indiana has significantly eased restrictions on employment of minors, employers must stay vigilant in ensuring appropriate protections for teen workers. Employers should stay mindful of child labor law requirements even when employees are recruited from staffing agencies, as liability may fall upon the employer for unlawful



actions of the agencies. Employers must also comply with Indiana's Teen Break Law, which requires specific break times for workers under the age of 18, and must post workplace notices and satisfy documentation requirements for minor employees. Both state and federal departments of labor may be permitted to inspect working premises for violations of child labor laws and each jurisdiction carries different penalties.

The labor and employment team at Krieg DeVault is dedicated to helping our clients navigate their business needs as Indiana's legal landscape continues to evolve. Please contact Nancy J. Townsend, Chloe N. Craft, or Marsha Jean-Baptiste for any additional information regarding guidance on compliance, policy updates, or resolving workplace challenges.

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