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DON'T LET SUMMER HIRING CREATE LIABILITY: A PRACTICAL GUIDE TO EMPLOYING MINORS IN WISCONSIN

Memorial Day marks the start of summer for many people, and in addition to boating and barbecues, many employers start to think about summer hires. While many companies hire younger workers for seasonal staffing needs, they need to be aware that the employment of minors is a heavily regulated area.

Work Permits
Wisconsin requires work permits for minors under 16 (with limited exceptions such as agricultural work or employment in a parent's business). The permit must be obtained before the minor begins work. Failure to secure a permit is a straightforward compliance violation, regardless of whether hours and duties are otherwise compliant.

Age & Hours
All companies that employ minors, other than those in domestic service or agricultural work, are required to display an informational poster entitled "Hours and Times of Day Minors May Work in Wisconsin" and must abide by those rules.

During the summer, which is defined under Wisconsin law as June 1 through Labor Day, 14- and 15-year-olds may work between 7:00 AM and 9:00 PM and may work up to 8 hours per day and 40 hours per week when school is not in session, although they may not be required to work more than 6 days in a workweek. However, it is important to know that any week that includes a school day is considered a school week, and during those weeks, 14- and 15-year-olds are limited to 3 hours per day and 18 hours per week. With the school year extending further into what has traditionally been considered "summer" (e.g., Milwaukee Public Schools' last day of school for students is Monday, June 15, 2026), employers need to be aware of these limitations. Minors age 16 and older may work during non-school hours and, subject to meal and rest break requirements, are not limited in the number of hours they may work per day or per week.

Limit on Occupations
A significant substantive restriction is the fairly broad prohibition on "hazardous occupations" for anyone under 18. These restrictions, which apply to all minors, include, but are not limited

to, prohibitions on using bakery machines, operating, setting up, or cleaning meat and food slicers, and operating power-driven equipment. For 14- and 15-year-olds, there are additional prohibitions against work in manufacturing, construction, public utilities, or jobs involving power-driven equipment. This is often where employers unintentionally cross the line, particularly in restaurants (equipment use) and landscaping (power tools).

Meal Periods and Rest Breaks

Although breaks are not required for employees 18 and over, Wisconsin law states that (1) minors under 18 may not work more than 6 consecutive hours without a 30-minute duty-free meal period scheduled near customary meal times (6 AM, 12 AM, 6 PM, and 12 PM) and (2) 16- and 17-year-olds working after 11:00 PM must receive at least 8 hours of rest before their next shift.

Hiring minors can be mutually beneficial for the employer and the employee, but it requires additional diligence on the part of the employer. Employers cannot simply treat minors like seasonal adult employees, particularly with respect to scheduling and job assignments. As always, **O'Neil Cannon** is here for you. We encourage you to reach out with any labor and employment questions, concerns, or legal issues you may have, including hiring of minors.