

Legal Update Article

# **Indiana's New Procedure Regulating the Employment of Minors Now Fully Operational**

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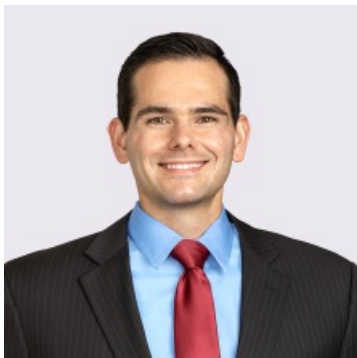
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Indiana companies employing minors should review Indiana's updated statutory procedure making them responsible for registering the employee with the state, among other obligations. The legislature designed the new procedure to modernize and simplify the hiring process for employers and minors.

### Background

In 2020, the Indiana General Assembly enacted changes in the law concerning the employment of minors. Most changes went into effect in 2020, but the elimination of work permits and the implementation of a new registration system did not go into effect until July 1, 2021. The delayed implementation of those changes provided employers, school administrations, and the Bureau of Youth Employment additional time to prepare.

### Employer YES Obligations

Indiana schools no longer issue work permits to minors seeking employment beginning July 1, 2021. As a result, responsibilities previously held by Indiana school administrations have shifted to employers.

Under the new statute, employers that hire, employ, or permit at least five minors between the ages of 14 and 18 to work in a gainful occupation are responsible for registering and tracking minor employees in Indiana's new Youth Employment System (YES).

Although schools are no longer responsible for tracking and registering minor employees, schools may continue collaborating with employers in balancing students' employment and academic performance. Through YES, schools can continue monitoring which employers are hiring minor employees and can request public information pertaining to specific students.

Employers can access YES by visiting the Indiana Department of Labor's [website](#). To begin using YES, employers must register and create a profile. Indiana employers must use YES to register minors, remove minors from the system once employment ends, and maintain accurate counts of minors employed.

The most recent changes to the process for employing minors in Indiana did not affect the provisions of the new law that went into effect April 1, 2020. These include, for example, regulations on notice postings related to minor employees, regulations on the earliest and latest times minor employees may work, and the relaxation of additional break requirements for minor employees.

Failure to comply with the new law can lead to penalties ranging from \$100 to \$400 per occurrence, depending on the infraction. As a result, Indiana companies employing minors should carefully review this new statutory procedure. For additional guidance on these issues, please contact the Jackson Lewis attorney with whom you regularly work.

(Law Clerk Maria Sanchez contributed significantly to this article.)

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