SELECTED

VIRGINIA

CHILD

LABOR

LAWS

Code of Virginia

Title 40.1. Labor and Employment

Chapter 5. Child Labor

§ 40.1-100. Certain employment prohibited or limited

A. No child under 18 years of age shall be employed, permitted or suffered to work:

1. In any mine, quarry, tunnel, underground scaffolding work; in or about any plant or establishment manufacturing or storing explosives or articles containing explosive components; in any occupation involving exposure to radioactive substances or to ionizing radiations including X-ray equipment;

2. At operating or assisting to operate any grinding, abrasive, polishing or buffing machine, any power-driven metal forming, punching or shearing machine, power-driven bakery machine, power-driven paper products machine, any circular saw, band saw or guillotine shear, or any power-driven woodworking machine;

3. In oiling or assisting in oiling, wiping and cleaning any such machinery;

4. In any capacity in preparing any composition in which dangerous or poisonous chemicals are used;

5. In any capacity in the manufacturing of paints, colors, white lead, or brick tile or kindred products, or in any place where goods of alcoholic content are manufactured, bottled, or sold for consumption on the premises except in places (i) licensed pursuant to subdivision 5 of § 4.1-207, provided that a child employed at the premises shall not serve or dispense in any manner alcoholic beverages or (ii) where the sale of alcoholic beverages is merely incidental to the main business actually conducted, or to deliver alcoholic goods;

6. In any capacity in or about excavation, demolition, roofing, wrecking or shipbreaking operations;

7. As a driver or a helper on an automobile, truck, or commercial vehicle; however, children who are at least 17 years of age may drive automobiles or trucks on public roadways if:

a. The automobile or truck does not exceed 6,000 pounds gross vehicle weight, the vehicle is equipped with seat belts for the driver and any passengers, and the employer requires the employee to use the seatbelts when driving the automobile or truck;

b. Driving is restricted to daylight hours;

c. The employee has a valid State license for the type of driving involved and has no record of any moving violations at the time of hire;

d. The employee has successfully completed a State-approved driver education course;

e. The driving does not involve: (i) the towing of vehicles; (ii) route deliveries or route sales; (iii) the transportation for hire of property, goods, or passengers; (iv) urgent, time-sensitive deliveries; or (v) the transporting at any time of more than three passengers, including the employees of the employer;

f. The driving performed by the employee does not involve more than two trips away from the primary place of employment in any single day for the purpose of delivering goods of the employee's employer to a customer;

g. The driving performed by the employee does not involve more than two trips away from the primary place of employment in any single day for the purpose of transporting passengers, other than employees of the employer;

h. The driving takes place within a 30-mile radius of the employee's place of employment; and

i. The driving is only occasional and incidental to the employee's employment and involves no more than one third of the employee's work time in any workday and no more than 20 percent work time in any work week;

8. In logging or sawmilling, or in any lath mill, shingle mill or cooperage-stock mill, or in any occupation involving slaughtering, meatpacking, processing or rendering;

9. In any occupation determined and declared hazardous by rules and regulations promulgated by the Commissioner of Labor and Industry, except as otherwise provided in subsection D.

Notwithstanding the provisions of this section, children 16 years of age or older who are serving a voluntary apprenticeship as provided in Chapter 6 (§ 40.1-117 et seq.) of this title may be employed in any occupation in accordance with rules and regulations promulgated by the Commissioner.

B. Except as part of a regular work-training program in accordance with §§ 40.1-88 and 40.1-89, no child under 16 years of age shall be employed, permitted or suffered to work:

1. In any manufacturing or mechanical establishment, in any commercial cannery; in the operation of any automatic passenger or freight elevator; in any dance studio; or in any hospital, nursing home, clinic, or other establishment providing care for resident patients as a laboratory helper, therapist, orderly, or nurse's aide; in the service of any veterinarian while treating farm animals or horses; in any warehouse; in processing work in any laundry or dry cleaning establishment; in any undertaking establishment or funeral home; in any curb service restaurant, in hotel and motel room service; in any brick, coal or lumber yard or ice plant or in ushering in theaters. Children 14 years of age or more may be engaged in office work of a clerical nature in bona fide office rooms in the above types of establishments.

2. In any scaffolding work or construction trade; or in any outdoor theater, cabaret, carnival, fair, floor show, pool hall, club, or roadhouse; or as a lifeguard at a beach.

C. Children 14 years of age or more may be employed by dry cleaning or laundry establishments

in branch stores where no processing is done on the premises, and in hospitals, nursing homes, and clinics where they may be engaged in kitchen work, tray service or room and hall cleaning. Children 14 years of age or more may be employed in bowling alleys completely equipped with automatic pin setters, but not in or about such machines, and in soda fountains, restaurants and hotel and motel food service departments. Children 14 years of age or more may work as gatekeepers and in concessions at swimming pools and may be employed by concessionaires operating on beaches where their duties and work pertain to the handling and distribution of beach chairs, umbrellas, floats and other similar or related beach equipment.

D. Notwithstanding any other provision of this chapter:

1. Children aged 16 years or older employed on farms, in gardens or in orchards may operate, assist in operating, or otherwise perform work involving a truck, excluding a tractor trailer, or farm vehicle as defined in § 46.2-1099, in their employment;

2. Children aged 14 years or older employed on farms, in gardens or in orchards may perform work as a helper on a truck or commercial vehicle in their employment, while engaged in such work exclusively on a farm, in a garden or in an orchard;

3. Children aged 16 years or older may participate in all activities of a volunteer fire company; however, any such child shall not enter a burning structure or a structure which contains burning materials prior to obtaining certification under National Fire Protection Association 1001, level one, fire fighter standards, pursuant to the provisions of clause (i) of subsection A of § 40.1-79.1, except where entry into a structure that contains burning materials is during training necessary to attain certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs.

Code 1950, § 40-109; 1956, cc. 443, 463; 1958, c. 321; 1960, c. 434; 1964, c. 503; 1968, c. 278; 1970, c. 321; 1972, c. 824; 1973, c. 13; 1979, cc. 219, 348; 1991, c. 511; 1994, c. 156;2005, c. 51; 2007, c. 645;2008, c. 552;2009, c. 218.

Code of Virginia

Title 40.1. Labor and Employment

Chapter 5. Child Labor

§ 40.1-88. Work-training certificate

A work-training certificate shall permit the employment of a child between fourteen and sixteen years of age during school hours when enrolled in a regular school work-training program pursuant to a written agreement containing the same provisions as specified in § 40.1-89.

Code 1950, § 40-100.4; 1970, c. 321; 1979, c. 219; 1982, c. 670.

Code of Virginia

Title 40.1. Labor and Employment

Chapter 5. Child Labor

§ 40.1-89. Same; employment not allowed; revocation of certificate

No child shall be employed pursuant to a work-training certificate as provided in § 40.1-88 where such employment requires such child to work in any occupation which is deemed hazardous under § 40.1-100 A or regulations promulgated thereunder. However, a child sixteen or seventeen years of age may be employed in certain such occupations as part of a work-training program in accordance with rules and regulations promulgated by the Commissioner. No child shall work in a work-training program except pursuant to a written agreement which shall provide: (1) that the work of such child shall be incidental to his training, shall be intermittent and for short periods of time and shall be under the direct and close supervision of a competent and experienced person; (2) that safety instruction shall be given by the school and correlated with on-the-job training given by the employer; and (3) that a schedule of organized and progressive work processes to be performed shall have been prepared. Such written agreement shall set forth the name of the child so employed and shall be signed by the employer and the coordinator of schools having jurisdiction. Copies of such agreement shall be retained by the school and the employer, and a copy thereof shall be filed with the Department.

Any such work-training certificate or written agreement may be revoked at any time that it shall appear that reasonable precautions for the safety of such child have not been observed.

Code 1950, § 40-100.4:1; 1960, c. 434; 1968, c. 277; 1970, c. 321; 1982, c. 252; 1991, c. 511 .

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-20. Index of Hazardous Occupations.

The following occupations have been determined to be hazardous or detrimental to the health of minors under 18 years of age. Additional information on each group of occupations is provided in the referenced section.

1. Manufacturing or Storage Occupations Involving Explosives. (16VAC25-30-30)

2. ~~Motor Vehicle Occupations. (16VAC15-30-40)~~ Repealed

3. Logging and Sawmilling Occupations. (16VAC15-30-50)

4. Power-Driven Woodworking Machine Occupations. (16VAC15-30-60)

5. Occupations Involving Exposure to Radioactive Substances and to Ionizing Radiations. (16VAC15-30-70)

6. Power-Driven Hoisting Apparatus Occupations. (16VAC15-30-80)

7. Power-Driven Metal Forming, Punching, and Shearing Machine Occupations. (16VAC15-30-90)

8. Occupations in Connection with Any Mining Operation. (16VAC15-30-100)

9. Occupations Involving Slaughtering, Meat-Packing or Processing or Rendering. (16VAC15-30-110)

10. Power-Driven Bakery Machine Occupations. (16VAC15-30-120)

11. Power-Driven Paper Products Machine Occupations. (16VAC15-30-130)

12. Occupations Involved in the Manufacture of Brick, Tile, and Kindred Products. (16VAC15-30-140)

13. Occupations Involved in the Operation of Power-Driven Circular Saws, Band Saws, and Guillotine Shears. (16VAC15-30-150)

14. Occupations Involved in Wrecking, Demolition, and Shipbreaking Operations.

(16VAC15-30-160)

15. Occupations in Roofing Operations. (16VAC15-30-170)

16. Occupations in Excavation Operations. (16VAC15-30-180)

17. Fire Fighting. (16VAC15-30-190)

18. Other Prohibited Occupations. (16VAC15-30-200)

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume 17,

Issue 1, eff. October 25, 2000.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-30. Manufacturing or Storage Occupations Involving Explosives.

The following occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components are prohibited:

1. All occupations in or about any plant or establishment manufacturing or storing explosives or articles containing explosive components except where the occupation is performed in a "nonexplosives area" as defined in subparagraph (3) of this section.

2. The following occupations in or about any plant or establishment manufacturing or storing small arms ammunition not exceeding .60 caliber in size, shotgun shells, or blasting caps when manufactured or stored in conjunction with the manufacture of small-arms ammunition:

(a) All occupations involved in the manufacturing, mixing, transporting, or handling of explosive compounds in the manufacture of small-arms ammunition and all other occupations requiring the performance of any duties in the explosives area in which explosive compounds are manufactured or mixed.

(b) All occupations involved in the manufacturing, transporting, or handling of primers and all other occupations requiring the performance of any duties in the same building in which primers are manufactured.

(c) All occupations involved in the priming of cartridges and all other occupations requiring the performance of any duties in the same workroom in which rim-fire cartridges are primed.

(d) All occupations involved in the plate loading of cartridges and in the operation of automatic loading machines.

(e) All occupations involved in the loading, inspecting, packing, shipping, and storage of blasting caps.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 1, eff. October 15, 1979; rev. June 30, 1981.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-50. Logging and Sawmilling Occupations.

All occupations in logging and all occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill are prohibited for minors under the age of 18.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 3, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume 26, Issue 15, eff. April 29, 2010.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-60. Power-Driven Woodworking Machine Occupations.

The following occupations involved in the operation of power-driven woodworking machines are prohibited:

1. The occupation of operating power-driven woodworking machines including supervising or controlling the operation of such machines, feeding material into such machines, and helping the operator to feed material into such machines, but not including the placing of material on a moving chain or in a hopper or slide for automatic feeding.

2. The occupations of setting up, adjusting, repairing, oiling, or cleaning power-driven woodworking machines.

3. The operations of off-bearing from circular saws and from guillotine-action veneer clippers.

Exemptions:

The exemptions for properly certified apprentices and student-learners apply to this restriction.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 4, eff. October 15, 1979; rev. June 30, 1981.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-70. Occupation Involving Exposure to Radioactive Substances and to Ionizing Radiations.

Any activity is prohibited in any workroom in which (a) radium is stored or used in the manufacture of self-luminous compound; (b) self-luminous compound is made, processed, or packaged; (c) self-luminous compound is stored, used, or worked upon; (d) incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged; (e) any activities that involve exposure to ionizing radiations including X-ray equipment; and (f) any other activities that involve exposure to radioactive substances or ionizing radiations in any capacity.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 5, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume 26, Issue 15, eff. April 29, 2010.

16VAC15-30-80. Power-Driven Hoisting Apparatus Occupations.

The following occupations involved in the operation of power-driven hoisting apparatus are prohibited:

1. Work of operating an elevator, crane, derrick, hoist, or high-lift truck, except operating an unattended automatic operation passenger elevator or an electric or air-operated hoist not exceeding one (1) ton capacity.

2. Work which involves riding on a manlift or on a freight elevator, except a freight elevator operated by an assigned operator.

3. Work which involves assisting in the operation of a crane, derrick, or hoist performed by crane hookers, crane chasers, hookers-on, riggers, rigger helpers, and like occupations.

Exception:

This section shall not prohibit the operation of an automatic elevator and an automatic signal operation elevator provided that the exposed portion of the car interior (exclusive of vents and other necessary small openings), the car door, and the hoistway doors are constructed of solid surfaces without any opening through which a part of the body may extend; all hoistway openings at floor level have doors which are interlocked with the car door so as to prevent the car from starting until all such doors are closed and locked; the elevator (other than hydraulic elevators) is equipped with a device which will stop and hold the car in case of overspeed or if the cable slackens or breaks; and, the elevator is equipped with upper and lower travel limit devices which will normally bring the car to rest at either terminal and a final limit switch which will prevent the movement in either direction and will open in case of excessive over travel by the car.

For the purpose of this exception, the term "automatic elevator" shall mean a passenger elevator, a freight elevator, or a combination passenger-freight elevator, the operation of which is controlled by pushbuttons in such a manner that the starting, going to the landing selected, leveling and holding, and the opening and closing of the car and hoistway doors are entirely automatic.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 6, eff. October 15, 1979; rev. June 30, 1981.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-90. Power-Driven Metal Forming, Punching, and Shearing Machine Occupations.

The occupations of operator of or helper on the following power-driven metal forming, punching, and shearing machines are prohibited activities for minors under 18 years of age:

1. All rolling machines, such as beading, straightening, corrugating, flanging, or bending rolls; and hot or cold rolling mills.

2. All pressing or punching machines, such as punch presses, except those provided with full automatic feed and ejection and with a fixed barrier guard to prevent the hands or fingers of the operator from entering the area between the dies; power presses; and plate punches.

3. All bending machines, such as apron brakes and press brakes.

4. All hammering machines, such as drop hammers and power hammers; and powder actuated tools.

5. All shearing machines, such as guillotine or squaring shears; alligator shears; and rotary shears.

The occupations of setting up, adjusting, repairing, oiling, or cleaning these machines including those with automatic feed and ejection are prohibited.

Exemptions:

The exemptions for properly certified apprentices and student-learners apply to this restriction.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 7, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume 26, Issue 15, eff. April 29, 2010.

16VAC15-30-100. Occupations in Connection with Any Mining Operation.

All occupations in or about any coal mine are prohibited except the occupation of slate or other refuse picking at a picking table or picking chute in a tipple or breaker and occupations requiring the performance of duties solely in offices or in repair or maintenance shops located in the surface part of any coal-mining plant.

Definitions:

The term "coal" shall mean any rank of coal, including lignite, bituminous, and anthracite coals.

The term "all occupations in or about any coal mine" shall mean all types of work performed in any underground working, open pit, or surface part of any coal-mining plant that contributes to the extraction, grading, cleaning, or other handling of coal.

All occupations in connection with any mining operation are prohibited, except the following:

1. Work in offices, in the warehouse or supply house, in the change house, in the laboratory, and in repair or maintenance shops not located underground.

2. Work in the operation and maintenance of living quarters.

3. Work outside the mine in surveying, in the repair and maintenance of roads, and in general clean-up about the mine property such as clearing brush and digging drainage ditches.

4. Work of track crews in the building and maintaining of sections of railroad tracks located in those areas of open-cut metal mines where mining and haulage activities are not being conducted at the time and place that such building and maintenance work is being done.

5. Work in or about surface placer mining operations other than placer dredging operations and hydraulic placer mining operations.

6. The following work in metal mills other than in mercury-recovery mills or mills using the cyanide process:

(a) Work involving the operation of jigs, sludge tables, flotation cells, or drier-filters.
(b) Work of hand sorting at picking table or picking belt.
(c) General clean-up work.

Statutory Authority § 40.1-100 of the Code of Virginia.

Historical Notes Derived from VR425-01-77 § 8, eff. October 15, 1979; rev. June 30, 1981.

16VAC15-30-110. Occupations Involving Slaughtering, Meat-Packing, or Processing, or Rendering.

The following occupations in or about slaughtering and meat-packing establishments, rendering plants, or wholesale, retail, or service establishments are prohibited:

1. All occupations on the killing floor, in curing cellars, and in hide cellars, except work of messengers, runners, hand-truckers, and similar occupations which require entering such workrooms or workplaces infrequently and for short periods of time.

2. All occupations involved in the recovery of lard and oils, except packaging and shipping of such products and the operations of lard-roll machines.

3. All occupations involved in tankage or rendering of dead animals, animal offal, animal fats, scrap meats, blood, and bones into stock feeds, tallow, inedible greases, fertilizer ingredients, and similar products.

4. All occupations involved in the operation or feeding of the following power-driven meatprocessing machines, including the occupation of setting up, adjusting, repairing, oiling, or cleaning such machines: meat patty forming machines, meat and bone cutting saws, knives, power-driven slicing machines (*except bacon-slicing machines), head splitters, and guillotine cutters; snout pullers and jaw pullers; skinning machines; horizontal rotary washing machines; casing-cleaning machines such as crushing, stripping, and finishing machines; and, grinding, mixing, chopping, and hashing machines, and presses.

5. All boning occupations.

6. All occupations that involve the pushing or dropping of any suspended carcass, half carcass, or quarter carcass.

7. All occupations involving hand- lifting or hand-carrying any carcass or half carcass of beef, pork, or horse, or any quarter carcass of beef or horse.

*Note: The term "bacon-slicing machine" as used in this restriction refers to those machines which are designed solely for the purpose of slicing bacon and are equipped with enclosure or barrier guards that prevent the operator from coming in contact with the blade or blades, and with devices for automatic feeding, slicing, shingling, stacking, and conveying the sliced bacon away from the point of operation.

Exemptions:

The exemptions for properly certified apprentices and student-learners apply to this restriction.

Note: This restriction shall not apply to the killing and processing of poultry, rabbits, or small game in areas physically separated from the "killing floor."
Statutory Authority § 40.1-100 of the Code of Virginia.
Historical Notes Derived from VR425-01-77 § 9, eff. October 15, 1979; rev. June 30, 1981.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-120. Power-Driven Bakery Machine Occupations.

Occupations involving the operation of or assisting in the operation of power-driven bakery machines are prohibited activities for minors under 18 years of age.

Note: This restriction does not apply to the operation of noncommercial grade bakery appliances not specifically designed for commercial use including, but not limited to, hand held mixers, blenders, and food processors.

Exemptions:

The exemptions for properly certified apprentices and student-learners apply to this restriction.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 10, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume

26, Issue 15, eff. April 29, 2010.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-130. Power-Driven Paper-Products Machine Occupations.

The occupations of operating or assisting to operate power-driven paper-products machines, including, but not limited to, the following, are prohibited activities for minors under 18:

1. Arm-type wire stitcher or stapler, circular or band saw, corner cutter or mitering machines, corrugating single-facing or double-facing machine, envelope die-cutting press, guillotine paper cutter or shear, horizontal bar scorer, laminating or combining machine, sheeting machine, scrap-paper baler, or vertical slotter.

2. Platen die-cutting press, platen printing press, or punch press that involves hand feeding of the machine.

The occupations of setting up, adjusting, repairing, oiling, or cleaning these machines, including those that do not involve hand feeding, are prohibited for minors under 18.

Exemptions:

The exemptions for properly certified apprentices and student-learners apply to this restriction.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 11, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume

26, Issue 15, eff. April 29, 2010.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-140. Occupations Involved in the Manufacture of Brick, Tile, and Kindred Products.

Occupations involved in the manufacture of brick, tile, and kindred products, including but not limited to the following, are prohibited activities for minors under 18 years of age:

1. All work in or about establishments in which clay construction products are manufactured.

2. All work in or about establishments in which silica brick or other silica refractories are manufactured.

Note: Minors at least 14 years of age may perform office work of a clerical nature in a bona fide office at a brick yard.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 12, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume

26, Issue 15, eff. April 29, 2010.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-150. Occupations Involved in the Operation of Power-Driven Circular Saws, Band Saws, and Guillotine Shear.

The occupations of operator of or helper on the following power driven fixed or portable machines are prohibited except for machines equipped with full automatic feed and ejection:

Circular saws

Band saws

Guillotine shears

The occupations of setting up, adjusting, repairing, oiling, or cleaning circular saws, band saws, and guillotine shears are prohibited.

Exemptions:

The exemptions for properly certified apprentices and student-learners apply to this restriction.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 13, eff. October 15, 1979; rev. June 30, 1981.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-160. Occupations Involved in Wrecking, Demolition, and Ship-Breaking Operations.

All occupations in wrecking, demolition, and shipbreaking operations are prohibited: the term "wrecking, demolition, and shipbreaking operations" shall mean all work, including clean-up and salvage work, performed at the site of the total or partial razing, demolishing, or dismantling of a building, bridge, steeple, tower, chimney, other structure, ship, or other vessel.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 14, eff. October 15, 1979; rev. June 30, 1981.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-170. Occupations in Roofing Operations.

All activities in roofing operations are prohibited. The term "roofing operations" shall mean all work performed in connection with the application of weather-proofing materials and substances such as tar or pitch, asphalt, prepared paper, tile, slate, metal, translucent materials, and shingles of asbestos, asphalt or wood to roofs of buildings or other structures. The term shall also include all work performed in connection with: (1) the installation of roofs, including related metal work such as flashing and (2) alterations, additions, maintenance, and repair, including painting and coating of existing roofs. In addition, the term shall include gutter and downspout work; the construction of the sheathing or base of roofs; the installation of television antennas, communications satellites, air conditioners, exhaust and ventilating equipment, or any similar appliances attached to roofs; and any similar work required to be performed on or about roofs including work performed on the ground.

Exemptions:

The exemptions for properly certified apprentices and student-learners apply to this restriction.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 15, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume

26, Issue 15, eff. April 29, 2010.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-180. Occupations in Excavation Operations.

The following occupations in excavation operations are prohibited:

1. Excavating, working in, or backfilling (refilling) trenches, except (a) manually excavating or manually backfilling trenches that do not exceed four feet in depth at any point, or (b) working in trenches that do not exceed four feet in depth at any point.

2. Excavating for buildings or other structures or working in such excavations, except (a) manually excavating to a depth not exceeding four feet below any ground surface adjoining the excavation, or (b) working in an excavation not exceeding such depth, or (c) working in an excavation where the side walls are shored or sloped to the angle of repose.

3. Working within tunnels prior to the completion of all driving and shoring operations.

4. Working within shafts prior to the completion of all sinking and shoring operations.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 16, eff. October 15, 1979; rev. June 30, 1981.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-190. Fire Fighting.

The following activities involving fire fighting are prohibited:

1. Minors 16 years and 17 years of age shall not enter a burning structure. The term "burning structure" as used in this restriction shall not include a structure which contains burning materials.

2. Minors 14 years and 15 years of age shall not participate in fire fighting or support activities at the fire scene, enter a burning structure, enter a structure which contains burning materials, or engage in any other activity prohibited in this chapter.

3. Minors under 14 years of age shall not participate in any activity related to fire fighting.

4. Exemptions. A county, city or town may authorize by ordinance that a 16 or 17 year old minor who resides in the Commonwealth, who is a member of a volunteer fire company, within that locality, with the approval of a parent or guardian, may seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs, and, after attaining such certification, may work with or participate fully in all activities of the volunteer fire company. A local ordinance may not require minors who achieved certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs, on or before January 1, 2006, between age 15 and 16, to repeat the certification after the sixteenth birthday.

A trainer or instructor of the aforesaid minors and any member of a paid or volunteer fire company who supervises any such minors shall be exempt from child labor law provisions in the Code of Virginia concerning cruelty and injuries to children, provided that the provisions of § 40.1-100 of the Code of Virginia have not been violated when the minor has been engaged in the activities of a volunteer fire company, and provided that either the volunteer fire company or the governing body of the county, city or town has purchased insurance that provides coverage for injuries to, or the death of, a minor in performing such firefighting activities.

Statutory Authority

§§ 40.1-6 and 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 17, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia Register Volume 24, Issue 23, eff. August 21, 2008.

Virginia Administrative Code

Title 16. Labor and Employment

Agency 15. Department of Labor and Industry

Chapter 30. Virginia Rules and Regulations Declaring Hazardous Occupations

16VAC15-30-200. Other Prohibited Occupations.

In addition to the prohibited occupations listed in this chapter, the following occupations are prohibited:

1. In any capacity in the manufacturing of paints, colors, white lead.

2. In any place where goods of alcoholic content are manufactured, bottled, or sold for consumption on the premises except in places where the sale of alcoholic beverages is merely incidental to the main business actually conducted, or to deliver alcoholic goods.

3. Shall not perform in or be a subject of sexually explicit visual material which depicts nudity, sexual excitement, sexual conduct, sexual intercourse, or sadomasochistic abuse, or a book, magazine, or pamphlet which contains such a visual representation. An undeveloped photograph or similar visual material may be sexually explicit material notwithstanding that processing or other action is necessary to make its sexually explicit content apparent.

4. In a capacity in preparing any composition in which dangerous poisonous chemicals are used.

Statutory Authority

§ 40.1-100 of the Code of Virginia.

Historical Notes

Derived from VR425-01-77 § 18 and Appendix, eff. October 15, 1979; rev. June 30, 1981; amended, Virginia

Register Volume 17, Issue 1, eff. October 25, 2000.