

MINIMUM AGE FOR EMPLOYMENT IN CANADA

BACKGROUND

In Canada, labour laws dealing with the employment of children and young persons have been enacted over many decades.

Factory acts, which dealt in part with the employment of children, young girls and women in the manufacturing sector, became widespread in the early 1900s.¹ They were founded on similar English legislation that had been adopted around 1835 and was applied in Canada. Factory acts set minimum ages for the employment of children, imposed maximum limits on daily and weekly hours of work and stipulated that no child or woman could be employed where he or she was likely to be permanently injured. Mining laws in some jurisdictions, starting with statutes in Nova Scotia (1873) and British Columbia (1877), also restricted the employment of children in mines. The provisions of these laws, which were amended on several occasions, later became part of employment (or labour) standards acts and occupational health and safety legislation. Most restrictions on access to certain occupations for children are found in these laws today.

Many other laws prohibited or regulated occupations in which children and young persons could be employed. As an example, children's protection acts established a minimum age for employment in street trades and the hours during which they would be tolerated. Also, temperance acts, municipal acts, and shops regulation acts often restricted access to occupations.

THE PRESENT SITUATION

Restrictions on the employment of children and young persons can be found in a variety of statutes. The most common are employment standards laws, occupational health and safety legislation, and education acts. Restrictions are also found in an assortment of provisions regulating vocational training, in child welfare legislation, in laws governing establishments where liquor is sold, and other statutes.

It is possible to group the interventions of Canadian legislators, whether in federal, provincial or territorial jurisdiction, under the three categories described hereafter. There is some overlap between these categories, since a number of provisions may serve more than one purpose.

Primacy of Education

The employment of children and young persons subject to compulsory school attendance is severely limited during school hours. This ensures their presence in school during the crucial years when they acquire basic skills. In New Brunswick, a young person must attend school until graduation from high school or until he/she reaches the age of 18. In Newfoundland and Labrador, the Northwest Territories and Nunavut, a student who reaches the age of 16 after a specified date (September 1 in Newfoundland and Labrador; December 31 in the two territories) must complete the academic year. Similarly, in Quebec, a young person must attend school until the end of the school year in which he/she reaches the age of 16 or at the end of which he/she obtains a diploma awarded by the Minister of Education. In other provinces and Yukon, compulsory school attendance ends at the age of 16.

¹ Factories acts were enacted by Ontario in 1884, Quebec in 1886, Manitoba in 1900, Nova Scotia in 1901, New Brunswick in 1905, British Columbia in 1908, Saskatchewan in 1909 and Alberta in 1917. Although all of these laws contained restrictions on child labour, specific provisions varied from one jurisdiction to the other. See: Edith Lorentsen and Evelyn Woolner, *Fifty Years of Labour Legislation in Canada*, (Department of Labour, Canada, 1950).

There are limited exceptions. For example, Alberta allows absences from school for children under 16 to participate in an approved work experience program; and Quebec's law provides that a child may be excused from attending school if he/she attends a vocational training centre or receives instruction in an enterprise that meets the conditions set by the Minister of Education.

Work outside school hours is generally allowed. In Alberta, children aged 12 to 14 may work up to two hours outside normal school hours on a school day or eight hours on other days. Children in the same age group in British Columbia may work a maximum of four hours on a school day, seven hours on a non-school day (or more than seven if written approval of the Employment Standards Branch is first obtained), 20 hours in a week that has five school days or 35 hours in a week in any other case. In New Brunswick, Newfoundland and Labrador, and Prince Edward Island, children under 16 may work no more than three hours on a school day and eight hours (six hours in New Brunswick) on a non school day. Restrictions in Nova Scotia are the same as in Newfoundland and Labrador, except that they apply to children under 14.² In New Brunswick, Newfoundland and Labrador, and Nova Scotia, school and work combined may not exceed eight hours in a day for children covered by these provisions. A maximum workweek of 40 hours for children under 16 has also been set in Prince Edward Island.³ Moreover, night work for children under a specified age (ranging from 14 to 17, depending on the jurisdiction) is prohibited in federally-regulated industries, the four Atlantic provinces, Alberta (except for some occupations when certain conditions are met), Quebec (except for specified occupations) and in the Northwest Territories and Nunavut (unless with the written approval of a labour standards officer). Conditions of employment may also be imposed by employment standards authorities in provinces (e.g. Manitoba) where a permit is required to employ children.

Protection of the development of young persons

Several provisions are aimed at preventing the exposure of young persons to occupations or situations which may be harmful to their growth or character.

For instance, under Quebec's labour standards legislation, no employer may have work performed by a person under the age of 18 that is disproportionate to that person's capacity or that is likely to be detrimental to his/her education, health or physical or moral development. In addition, Quebec's *Youth Protection Act* stipulates that "the security or development of a child is considered to be in danger where he is forced or induced to ... perform for the public in a manner that is unacceptable for his age". Likewise, New Brunswick legislation forbids employers to employ a person under the age of 16 in employment that is or is likely to be "unwholesome or harmful to the person's health, welfare or moral or physical development". Also, regulations under the labour standards legislation in the Northwest Territories and Nunavut stipulate that employers must be able to show that the employment of a person under 17 "is not liable to be detrimental to the health, education or moral character of the young person".

Other provisions directly prohibit employment of minors in occupations which are perceived as producing undesirable influences with respect to the character and moral development of young persons. For example, in Nova Scotia, it is prohibited to employ "a child under 16 years of age in work of any kind in... dance halls, shooting galleries... and pool rooms". Also, in all provinces and territories, minors are not permitted to sell or serve alcoholic beverages in bars or taverns or to be involved in any form of sexually explicit entertainment.

² It should be noted that, in Nova Scotia, children under 16 cannot be employed in numerous industries and occupations.

³ However, with the written consent of a parent or guardian, a labour standards inspector may exempt a young person from daily and/or weekly limits on hours of work, as long as the person's school attendance or education are not prejudiced.

Physical safety of children, adolescents and other workers

This category covers provisions that are normally found in occupational health and safety laws. Some can also be found in other statutes, such as employment standards legislation. These provisions, particularly those found in occupational health and safety legislation, seek to accomplish two goals: a) to protect young workers from hazardous environments, substances or occupations, and b) to protect other workers in the workplace.

Young workers are protected by federal, provincial and territorial occupational health and safety laws in the same way as other workers. These laws provide different rights for workers, such as the right to be informed about known or foreseeable health or safety hazards in the workplace and to receive appropriate safety training, the right to participate in the prevention of occupational accidents and diseases as members of joint health and safety committees (or, in most jurisdictions, as health and safety representatives); and the right to refuse dangerous work and be protected against dismissal or disciplinary action following a legitimate refusal. In addition, occupational health and safety regulations adopted under these laws specify technical requirements, standards and procedures that must be complied with to reduce the risk of occupational accidents and diseases.

Legislators in Canada have also recognized the fact that due to various factors, such as lack of experience, young workers are at greater risk in the workplace than other workers, and for this reason have set a minimum age for working in certain more hazardous occupations or environments. Provisions prohibiting the employment of persons under 18 years of age in an underground mine are a notable example. In some jurisdictions persons who are less than 16 years old face further restrictions which prohibit their employment in a mining plant or surface mine. Other provisions appearing in several jurisdictions specify a minimum age for working with dangerous materials, such as explosives, or for working in an environment where there may be exposure to radiation (training is generally allowed even if the young person has not reached the minimum age for working in that field). Many jurisdictions also prohibit the employment of young persons in the construction industry. The minimum age varies: for example, a child under 16 cannot be employed at a construction project in Ontario. Moreover, in a majority of provinces and territories, persons under 16 years of age cannot become apprentices in designated trades.

Other types of employment that are prohibited or restricted in a number of statutes and regulations include industrial undertakings, forestry and logging operations, work on drilling rigs, meat processing and employment in the production process at a sawmill. Moreover, the *Canada Shipping Act* forbids the employment of young persons under 15 on any vessel, except on designated special purpose ships and vessels on which only members of the same family are employed.

In addition, age restrictions on drivers' licences for various types of vehicles are another means of imposing limitations on the employment of young persons in certain potentially dangerous occupations.

Conclusion

In Canada, the approach adopted by the various jurisdictions has been to permit young persons to have relatively broad access to jobs and work experience, while putting in place measures to protect their health and safety as well as their normal development, and ensuring that work does not interfere with the education of children and youth who are subject to compulsory school attendance. The following tables describe the most significant legislative provisions dealing specifically with these issues at the federal, provincial and territorial levels.

MINIMUM AGE FOR EMPLOYMENT

Jurisdiction	Legislation	Age Group	Employment Restrictions
Federal	<i>Canada Labour Code and Regulations</i>	under 17	May be employed only if not required to be at school under provincial legislation and the work involved falls outside excluded categories (e.g. underground work in a mine) and is unlikely to endanger health or safety. Never between 11 p.m. and 6 a.m. s. 179 (Act); s. 10 (Reg.)
		under 15	Cannot be employed on any vessel, except on a vessel on which only members of one family are employed or as special purpose personnel on board a special purpose ship, as designated by the Minister of Transport. ss. 273(1) to (2.1), 379.1(1)
	under 18	Cannot be employed as trimmers or stokers, except on a school or training ship when the work and the type of supervision is approved by the Minister, or on a vessel mainly propelled otherwise than by steam, and in some special circumstances. Cannot be employed in any capacity on any vessel, unless the master of the vessel has obtained a medical certificate certifying that the person is fit to be employed in that capacity (a temporary exception to this rule may be made in case of urgency). s. 273 (3) to (7)	
	<i>Explosives Act and Regulations</i>	under 16	Cannot be employed in or enter an explosives factory or magazine, or in a magazine for fireworks, except in the presence and under the supervision of a responsible person over 21. ss. 80, 101, 114 (Reg.)
		under 18	Cannot be in charge of and drive a land vehicle transporting explosives, or look after a vehicle containing explosives that is parked overnight if this is required by the Regulations. If a land vehicle transports more than 2 000 kg of explosives, cannot be a helper or drive a following vehicle. ss. 63(r), (s), (s.1), 65 (Reg.)
		under 21	Cannot be employed to drive a land vehicle transporting more than 2 000 kg of explosives. s. 65 (Reg.)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Alberta	<i>Employment Standards Code and Regulations</i>	12 to 14 (i.e., adolescents)	<ul style="list-style-type: none"> • Cannot be employed during normal school hours or without the written consent of the parent or guardian and the approval of the Director of Employment Standards, unless the provisions mentioned below are complied with and the adolescent is enrolled in an off-campus education program provided under the <i>School Act</i>. • Cannot be employed, unless as a clerk or delivery person of small wares for a retail store, as a clerk or messenger in an office, as a person delivering newspapers, flyers or handbills, or in an occupation approved by the Director. • Cannot be employed in employment that is or is likely to be injurious to the life, health, education or welfare of the adolescent. • Cannot be employed outside normal school hours on a school day for more than 2 hours, or more than 8 hours on other days. • Cannot be employed between 9 p.m. and 6 a.m. • The Director may impose conditions on the employment of an adolescent. ss. 65, 66 (Code); ss. 51, 52, 54 (Reg.)
		15 to 17 (i.e., young persons)	<ul style="list-style-type: none"> • Cannot be employed during normal school hours if the child is required to attend school, unless he/she is enrolled in an off-campus education program provided under the <i>School Act</i>. • Cannot be employed from 9 p.m. to the following 12:01 a.m., unless in the continuous presence of, and working with, an individual who is at least 18 years old, in any retail business selling food or beverages or any other commodities, goods, wares or merchandise, or gasoline, diesel fuel, propane or any other product of petroleum or natural gas, or in a hotel, motel, or other place that provides overnight accommodation to the public. Cannot be employed on these premises between 12:01 a.m. and 6 a.m. • In other businesses, young persons cannot be employed between the hours of 12:01 a.m. and 6 a.m. unless with the written consent of a parent or guardian and in the continuous presence of, and working with, an individual who is at least 18 years old. • The Director may impose conditions on the employment of a young person. ss. 65, 66 (Code); 51, 53, 54 (Reg.)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Alberta (continued)	<i>Employment Standards Code School Act</i>	under 16	<ul style="list-style-type: none"> • A child under 16 is required to attend school⁴ and cannot be employed during normal school hours, unless he/she is enrolled in an off-campus education program provided under the School Act. • A student is excused from attending school for a prescribed period of time if the board of school trustees, or in certain cases the Minister responsible for the <i>School Act</i>, determines that sufficient reasons have been provided by the parents. ss. 65, 66 (Code); s. 13 (1), (5)(e) (Act)
	<i>Explosives Safety Regulations under the Occupational Health and Safety Act</i>	under 18	<ul style="list-style-type: none"> • Cannot be the driver of a vehicle transporting explosives. • Cannot be issued a permit to handle, prepare and fire explosives. ss. 12(2)(c), 43
	<i>Radiation Protection Regulation under the Radiation Protection Act</i>	under 18	Cannot use ionizing designated radiation equipment or an ionizing radiation source, except for students undergoing a course of instruction involving the use of such equipment or source, when they are under the direct supervision of a competent worker. (The maximum dose limits for ionizing radiation prescribed for students are the lower limits applying to persons other than radiation workers.) ss. 3(1), 6
	<i>Gaming and Liquor Act and Gaming and Liquor Regulation</i>	under 18 (i.e. minors)	No minor may enter or be in any licensed premises if the licence prohibits minors from doing so. Some exceptions are specified in the Regulation (e.g. a minor may enter and remain in licensed premises for the purpose of entertaining patrons provided this is approved by the board of the Alberta Gaming and Liquor Commission and the entertainment is in accordance with any conditions it may establish). ss. 37.1 (2), 74 (2), (3); s. 94(2) (Reg.) No person may employ a minor for the sale or serving of liquor in licensed premises. s. 94(1) (Reg.)

⁴ Once proclaimed into force, Alberta's *School (Compulsory Attendance) Amendment Act, 2003* will raise the age of compulsory school attendance from 16 years to 17 years. It will also restrict the grounds on which a student may be excused from attending school. School boards and the Minister responsible for the *School Act* will no longer have the authority to excuse a student, at the request of his/her parent(s), from attending school for a period of time.

Jurisdiction	Legislation	Age Group	Employment Restrictions
British Columbia	<i>Employment Standards Act (ESA) and Regulation</i>	under 12 12 to 14	<p>Cannot be employed without the permission of the Director of Employment Standards. If permission is granted, the Director may set conditions of employment. s. 9 (Act)</p> <p>Cannot be employed without the written consent of the parent or guardian. s. 9 (Act)</p> <p>Cannot be required or allowed to work:</p> <ul style="list-style-type: none"> • during school hours; • for more than 4 hours on a school day; • for more than 7 hours on a non-school day, unless written approval of the Director of Employment Standards is first obtained; • for more than 20 hours in a week that has 5 school days; • for more than 35 hours in a week in any other case. s. 45.3 (Reg.) <p>Hours of work may not be averaged over a specified period for overtime calculation purposes (as provided for under section 37 of the Act for employees not covered by a collective agreement). s. 45.2 (Reg.)</p> <p>Must work under the direct and immediate supervision of a person who is at least 19 years old. s. 45.4 (Reg.)</p> <p>However, the Act (and, hence, child labour provisions) does not apply to:</p> <ul style="list-style-type: none"> • students employed by a school authority at the secondary school where they are enrolled; • students enrolled at a secondary school involved in a work study, work experience or occupational study class; • sitters; • young persons participating in certain time-limited government programs providing on-site training or work experience. s. 9 (Act); s. 32 (Reg.)

Jurisdiction	Legislation	Age Group	Employment Restrictions
<p>British Columbia (continued)</p>	<p><i>Employment Standards Regulation</i></p>	<p>under 15 (children in entertainment industry)</p>	<p>Children working as actors, including background performers and extras, in the film, radio, video, television, or television and radio commercials industry are covered by different rules than other child employees. No permit from the Director of Employment Standards is required to employ a child actor of any age, as long as written consent is obtained from the child's parent or guardian. However, in no case may a person employ a baby who is less than 15 days old. ss. 45.5, 45.7</p> <p>Child actors are not covered by the Act's provisions regarding split shifts, daily and weekly rest periods and averaging agreements. The following restrictions apply instead:</p> <ul style="list-style-type: none"> • A workday must end 8 hours after reporting to work (if the child is under 12 years of age) or 10 hours after reporting to work (if the child is at least 12 but less than 15 years old). • Unless prior written approval is received from the Director, a child's shift may not start earlier than 5:00 a.m. and may not end later than 10:00 p.m. if the next day is a school day, 12:30 a.m. if the next day is not a school day or 2:00 a.m. if the child's school is not in session. • 48 consecutive hours free from work must be provided each week. However, the employer may instead pay the employee 1 ½ times his/her regular wage for any time worked during that period. • At least 12 consecutive hours free from work must be provided between each shift and/or before the start of a school day. • The workweek must be limited to 5 days in a week or, with the written approval of the Director, to 6 days in a week. • Split shifts are forbidden. • Meal breaks are limited to 1 hour each. ss. 45.6, 45.8, 45.9, 45.11, 45.12 <p>A minimum break period, ranging from 10 to 20 minutes (depending on the age of the child actor), must be provided after a specified amount of time—ranging from 15 to 60 consecutive minutes, based on age—is spent before a recording device (e.g., a camera or sound recorder). s. 45.10</p> <p>Child actors must be chaperoned while on a production set (the Regulation specifies who may and who may not act as a chaperone and the maximum number of children who may be chaperoned by the same person). s. 45.13</p> <p>25% of the child's earnings exceeding \$2,000 on a production must be remitted to the Public Guardian and Trustee to be held in trust for the child. s. 45.14</p>

Jurisdiction	Legislation	Age Group	Employment Restrictions
British Columbia (continued)	<i>Occupational Health and Safety Regulation under the Workers Compensation Act</i>	under 16	Cannot be employed to mix, load or apply a moderately or very toxic pesticide for use in a workplace, or clean or maintain equipment used in the operations. s. 6.77 (Reg.)
		under 18	Cannot work as a blaster. s. 21.8 (Reg.)
	<i>Health, Safety and Reclamation Code for Mines under the Mines Act</i>	under 18	No young person under 18 may be employed at a mine, except for the purpose of training. s. 3.2.1
	<i>School Act</i>	under 16	Must attend school until the age of 16. s. 3(b)
	<i>Liquor Control and Licensing Act and Liquor Control Licensing Regulations</i>	under 19 (i.e. minors)	<p>Minors may not be employed as servers or disc jockeys in liquor primary establishments, as minors are not permitted to enter on or to be on premises where liquor is sold or kept for sale. Some exceptions are provided when the minor has a lawful excuse or in circumstances prescribed by regulation (e.g. minors working as entertainers). ss.1, 35(Act); s.9 (Reg.)</p> <p>Minors may be employed as entertainers in liquor-primary establishments, provided that they are supervised at all time and leave the licensed areas whenever they are not entertaining. However, minors cannot perform as, or in conjunction with, any form of adult oriented or sexually explicit entertainment. (Policy of the Liquor Control and Licensing Branch; Ministry of Public Safety and Solicitor General)</p>

Jurisdiction	Legislation	Age Group	Employment Restrictions
Manitoba	<i>Employment Standards Code and Minimum Wages and Working Conditions Regulation</i>	under 16 (children)	<ul style="list-style-type: none"> • Cannot be employed without a permit obtained from the Director of Employment Standards and only in accordance with that permit. • Cannot be employed in a business if, in the opinion of the Director, the safety, health or well-being of the child is likely to be adversely affected. • Cannot be employed in any operation in which a substantive part of the producing, cleaning, altering, repairing or servicing of any material, substance, article, machinery or thing is done with machinery. <p>This does not apply to certain occupations, such as work in agriculture, fishing or horticulture or in a training or work experience program implemented or approved by the provincial or federal government, or a school board, for a limited period of time. ss.83(1),(2),(3),(4) (Act), ss. 2, 3 (Reg.)</p>
		16 and 17 (adolescents)	<p>The Lieutenant Governor in Council may make regulations prohibiting or regulating employment on any basis he/she considers reasonable or necessary, including the nature of the employment and the safety, health and well-being of adolescents. The Director of Employment Standards may be authorized to approve exceptions to a regulation and impose terms and conditions on the employment of adolescents. s.84(1), (3)</p>
	<i>Operation of Mines Regulations under the Workplace Safety and Health Act</i>	under 18	<ul style="list-style-type: none"> • Cannot be employed underground or at the face of an open pit or quarry. • Cannot work as a mine hoist or crane operator. ss. 5, 169 (1), 244 (Reg.)
	<i>X-Ray Safety Regulation under the Public Health Act</i>	under 18	Cannot operate X-ray equipment, unless as a student undergoing a bona fide course under satisfactory safety supervision. s. 7
	<i>Apprenticeship and Trades Qualifications Regulation</i>	under 16	Cannot work in a designated trade. Apprentices must be at least 16 years of age. s. 1 (Reg.)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Manitoba (continued)	<i>Public Schools Act</i>	under 16	Cannot work during the hours in which the child is required to be in attendance at school. However, a child of 15 may obtain a certificate excusing his/her attendance at school signed by a parent or other person having legal charge, the school attendance officer and the superintendent of schools or other designated school official. ss. 258(1), 262(e), 263(1)
	<i>Liquor Control Act and Liquor Licensing Regulation</i>	under 18	<ul style="list-style-type: none"> • Cannot be in a licensed beverage room when liquor may be sold or consumed therein. Cannot sell, handle or serve liquor in licensed premises. ss. 72(6), (6.1), 91(1) • Cannot work as an entertainer in a beverage room, or in a cocktail lounge or cabaret unless accompanied by a parent, spouse or guardian. s. 13 (Reg.) • Cannot be involved in adult entertainment in a private club. s. 15.1 (2) (Reg.)

Jurisdiction	Legislation	Age Group	Employment Restrictions
New Brunswick	<i>Employment Standards Act</i>	under 14	<ul style="list-style-type: none"> • Cannot be employed in certain types of employment (see text for children under 16). • Cannot be employed in any industrial undertaking, in the forest industry, the construction industry, a garage or automotive service station, a hotel or restaurant, a theatre, dance hall or shooting gallery, or as an elevator operator or in any location or occupation prescribed by regulation. <p>Except for employment that is or is likely to be unwholesome or harmful to the person's health, welfare or moral or physical development, the Director responsible for employment standards may, on application, issue a permit allowing a child to be employed in any of the types of employment mentioned above, provided that he/she is satisfied that such employment will not contravene the <i>Occupational Health and Safety Act</i>, prejudice attendance at school or capacity to benefit from instruction at school and has been assented to by the guardian. ss. 39, 40, 41</p>
		under 16	<ul style="list-style-type: none"> • Cannot be employed in employment that is or is likely to be unwholesome or harmful to the person's health, welfare or moral or physical development. • Cannot be employed for more than 6 hours in any day, or more than 3 hours on any school day, or for a total of more than 8 hours in a day combining school and work. • Cannot be employed between 10 p.m. and 6 a.m. the following day. <p>Except for employment that is or is likely to be unwholesome or harmful to the person's health, welfare or moral or physical development, the Director may, on application, issue a permit allowing a child to be employed in any of the types of employment mentioned above, provided that he/she is satisfied that such employment will not contravene the <i>Occupational Health and Safety Act</i>, prejudice attendance at school or capacity to benefit from instruction at school and has been assented to by the guardian. ss. 39, 41</p>
	<i>Underground Mine Regulation under the Occupational Health and Safety Act</i>	under 19	Cannot operate a hoist. s. 239

Jurisdiction	Legislation	Age Group	Employment Restrictions
New Brunswick (continued)	<i>Regulation under the Apprenticeship and Occupational Certification Act</i>	under 18	Cannot be a candidate for a certificate of qualification in any blaster occupation. s. 10(3)
	<i>X-Ray Equipment Regulation under the Radiological Health Protection Act</i>	under 18 over 16 and under 18	Cannot be employed as an X-ray radiation worker, unless as a student in a course relating to the operation of x-ray equipment. s. 4(1) (Reg.) May operate x-ray equipment other than for the irradiation of human beings provided the young person is working under the direct and close supervision of a qualified person or the x-ray source, the material being exposed to x-rays and any detection device are enclosed within a cabinet preventing access to the x-ray beam and protecting from exposure to it. ss.3(2), 3(3), 4(2) (Reg.)
	<i>Education Act</i>	under 18	A child must attend school until graduation from high school or until he/she reaches the age of 18. A child may be exempted from attendance in circumstances considered exceptional by the Minister responsible for the Act, or on application of the parent, if the Minister is satisfied that the child is under effective instruction elsewhere. A child required to attend school cannot be employed during school hours. ss.15(1)(b), 16, 17(1)
	<i>Liquor Control Act</i>	under 19	No person under the age of 19 may give, serve, sell or supply liquor to any person in licensed premises; and no holder of a license or permit may employ or permit any person under the age of 19 to do so. s. 137.1 Cannot be employed as a dancer in licensed premises to provide adult entertainment. (Condition of Entertainment Licence)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Newfoundland and Labrador	<i>Labour Standards Act</i>	under 14	Cannot be employed, unless in work and undertakings prescribed by regulation. s. 46(c)
		under 16	<ul style="list-style-type: none"> • Cannot be employed in work that is or is likely to be unwholesome or harmful to the child's health or normal development or prejudicial to school attendance or to the capacity to benefit from instruction at school. • Cannot be employed for more than 8 hours a day, or for more than 3 hours on a school day, unless excused from attendance under the <i>Schools Act, 1997</i>. • Cannot be employed for a period that, when added to required school attendance, exceeds 8 hours in a day. • Cannot be employed between the hours of 10 p.m. to 7 a.m. or in circumstances that would prevent the child from obtaining a rest period of at least 12 consecutive hours a day. • Cannot be employed in occupations or undertakings that are prescribed as hazardous by regulation. • Cannot be employed while a strike or lock-out is in progress. • Cannot be employed without the written consent of the child's parent or guardian, which must be kept as part of the record of employment of the child and the age must be specified in the consent. ss. 45, 46(a), (b), (d), 48(1)
	<i>Occupational Health and Safety Act and Occupational Health and Safety Regulations</i>	under 18	Cannot be employed in a silica process nor in cleaning or maintenance work likely to involve exposure to silica dust, except work that is a recognized part of apprenticeship or comparable course of training. 26(11) (Reg.)
<i>Mines Safety of Workers Regulations under the Mines Act</i>	under 18	Cannot be employed underground in a mine. s. 5(1)	

Jurisdiction	Legislation	Age Group	Employment Restrictions
Newfoundland and Labrador (continued)	<i>Mines Safety of Workers Regulations under the Mines Act (continued)</i>	under 20	<ul style="list-style-type: none"> • Cannot be put in charge of machinery for hoisting, lifting or haulage. • Cannot be put in charge of or made responsible for the charging of blasting holes with explosives or for the firing of explosives in blasting holes. • Cannot be responsible for the transmission of signals and orders for putting machines in motion. s. 5(2),(4),(5)
		under 21	Cannot be employed to have charge of hoists used for hoisting or lowering workers in a mine or in workings connected with the mine. s. 5(3)
	<i>Radiation Health and Safety Regulations under the Radiation Health and Safety Act</i>	under 18	Cannot be employed as a radiation worker, except as a medical radiation technologist in training. A lower radiation dose for certain parts of the body is prescribed for workers under 16 receiving training. ss. 12, 13 (3) (Reg.)
	<i>Schools Act, 1997</i>	under 17	A child, who is under 16 on September 1 in a year, must attend a school for the entire school year. May be excused from attending school for a reason that in the opinion of the principal does not constitute neglect or refusal to do so. ss. 4(1)(c), 5(e)
	<i>Liquor Control Act and Regulations</i>	under 19	The holder of a license may not allow a person who has not reached the age of 19 years to enter, remain or work in licensed premises, except as permitted by the regulations (e.g. work other than handling or dispensing alcoholic beverages is permitted, including entertainment, in some licensed premises such as a hotel or restaurant, or in a restaurant/lounge between 9:00 a.m. and 9:00 p.m. or until 2:00 a.m. with the approval of the board of the Newfoundland and Labrador Liquor Commission). s.58 (Act), ss.47, 48 (Reg.)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Northwest Territories and Nunavut	<i>Labour Standards Act</i>	under 17	May be employed in any occupation, except in such occupations and subject to such conditions as may be prescribed by regulation. s. 13
	<i>Employment of Young Persons Regulations</i> under the <i>Labour Standards Act</i>	under 17	<ul style="list-style-type: none"> • Cannot work if the employment is liable to be detrimental to the health, education or moral character of the young person. Never between the hours of 11 p.m. and 6 a.m. without the written approval of a labour standards officer. • Cannot be employed in the construction industry without the written approval of a labour standards officer. ss. 1, 2, 3, 4
	<i>Apprenticeship, Trade and Occupations Certification Act</i>	Under 16	Cannot be employed in designated trades. Apprentices must be at least 16 years of age. s. 11(2)
	<i>Mine Health and Safety Regulations</i> under the <i>Mine Health and Safety Act.</i>	under 16	Cannot be employed in or about a mine. s. 8.01 (Reg.)
		under 18	Cannot be employed underground or at the working face of any open cut workings, pit or quarry. s. 8.01 (Reg.)
	<i>Silica Sandblasting Safety Regulations</i> under the <i>Safety Act</i>	under 20	Cannot be issued a hoist operator's certificate. s. 7.30(b) (Reg.)
	under 19	Cannot be employed where a silica process is being conducted, unless under constant supervision and the process has been approved by a safety officer. s. 9	

Jurisdiction	Legislation	Age Group	Employment Restrictions
Northwest Territories and Nunavut (continued)	<i>Asbestos Safety Regulations under the Safety Act</i>	under 19	Cannot be employed where an asbestos process is being conducted, unless under constant supervision and the process has been approved by a safety officer. s. 8
	<i>Education Act</i>	under 17	Must attend school during the academic year if the 16 th birthday is after December 31. With the agreement of the parent, the principal may excuse the student from a senior secondary education program for a school term to work. s.27(1), (3)(c)
	<i>Liquor Act</i>	under 19	<p>Except as authorized by the Act or the regulations, no licence holder may allow any person under the age of 19 years to remain in that part of a licensed establishment where liquor is sold or kept for sale. This does not prohibit a person under the age of 19 years from entering and remaining in licensed premises for the purpose of providing entertainment, provided no liquor is sold or supplied to that person. ss. 85(2), 98 (3), (4), 25(4) (Reg. Nunavut)</p> <p>Young persons who are 16, 17 or 18 years of age can only work in the kitchen area of a licensed establishment and cannot sell or serve liquor. However, in Nunavut, they can work as bus persons or servers in licensed dining rooms, but cannot serve liquor. ss. 25(4), 34 (Reg.)</p>

Jurisdiction	Legislation	Age Group	Employment Restrictions
Nova Scotia	<i>Labour Standards Code</i>	under 14	<ul style="list-style-type: none"> • Cannot do work that is or is likely to be unwholesome or harmful to the child's health or normal development, or prejudicial to school attendance or the capacity to benefit from instruction given at school. • Cannot be employed for more than 8 hours a day, or for more than 3 hours on a school day, unless authorized by an employment certificate under the <i>Education Act</i>, or for a period that when added to school attendance exceeds 8 hours in a day. • Cannot be employed between the hours of 10 p.m. and 6 a.m. • Cannot be employed in any employment prohibited by regulation. s. 68(1), (3)
		under 16	Cannot be employed in an industrial undertaking, the forest industry, garages and automobile service stations, hotels and restaurants, the operation of elevators, in theatres, dance halls, shooting-galleries, bowling-alleys, billiard and pool rooms and other work prohibited by regulation. These restrictions do not apply to an employer who employs members of his/her family. ss. 68(2), (4)
	<i>Regulations under the Apprenticeship and Trades Qualifications Act</i>	under 16	Cannot enter into a contract of apprenticeship for the following trades: <ul style="list-style-type: none"> • engine operators; (s.3) • floor covering installer; (s.2) • gas fitters; (s.3) • insulators (heat and frost); (s.3) • lathers (interior systems mechanics). (s.3)
	<i>General Blasting Regulations under the Occupational Health and Safety Act</i>	under 19	Does not qualify as a blasting trainee or a candidate for a restricted blaster certificate. An applicant for a trainee certificate who is 19 years of age or over must submit proof that he/she has completed an approved safety training course in order to perform restricted work under the close visual supervision of a certified blaster. Similar safety training requirements apply to an applicant for a blaster certificate permitting restricted work. s. 19(2)(a), (e)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Nova Scotia (continued)	<i>Education Act and Governor in Council Education Act Regulations</i>	under 16	<p>A child is required to attend school and cannot be employed during school hours, unless a certificate authorizing the employment has been issued by the school board or its representative in accordance with the regulations. ss. 111, 114, 115 (Act); s. 34 (Reg.)</p> <p>If 15, a certificate of exemption signed by the superintendent of the school board may be issued at the request of a parent. If the certificate is to authorize the student to work during school hours, the employer must be named in the certificate. If the student for whom the certificate was issued ceases to work for the employer before reaching the age of 16, the latter must notify the superintendent within 5 days, and the student must return to school. ss. 36, 37(2), 38 (Reg.)</p>
	<i>Liquor Licensing Regulations under the Liquor Control Act</i>	under 19	<p>The holder of a license may not personally or through any employee or agent allow or employ a person under the age of 19 in or about licensed premises. Under certain conditions, underage persons may be allowed in such premises solely for the purpose of presenting a live performance of a musical nature if one of the parents or a legal guardian give his/her written consent and accompany, or designate a person over 19 years of age to accompany and be responsible for, the underage entertainer for the duration of the performance in the licensed premises. ss. 14 b), 18A (Reg.)</p>

Jurisdiction	Legislation	Age Group	Employment Restrictions
Ontario	<i>Industrial Establishments Regulation</i> under the <i>Occupational Health and Safety Act</i>	under 16	Cannot be employed in a logging operation. s. 4(1)(c) (Reg.)
		under 15	Cannot be employed in a factory. s. 4(1)(d) (Reg.)
		under 14	Cannot be employed in an industrial establishment ⁵ . s. 4(1)(e) (Reg.)
	<i>Construction Projects Regulation</i> under the <i>Occupational Health and Safety Act</i>	under 16	Cannot be employed at a construction project, or be permitted to be present in or about such a workplace while work is being performed. s. 16 (Reg.)
		under 19	Cannot work as a shaft attendant. s. 295(2) (Reg.)
	<i>Mines and Mining Plants Regulation</i> under the <i>Occupational Health and Safety Act</i>	under 16	Cannot work at a mining plant or surface mine. A worker who is 16 or over can work at a mining plant or a surface mine, but not at the working face. s. 8(1) (Reg.)
		under 18	Cannot work at an underground mine or at the working face of a surface mine. Cannot operate a hoist. ss. 8(1), 238(1) (Reg.)
<i>Oil and Gas - Offshore Regulation</i> under the <i>Occupational Health and Safety Act</i>	under 18	Cannot do work offshore on or from oil or gas rigs. s. 4 (Reg.)	

⁵ "Industrial establishment" means an office building, factory, arena, shop or office, and any land, buildings and structures appertaining thereto. (s.1 of the *Occupational Health and Safety Act*)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Ontario (continued)	<i>Window Cleaning Regulation</i> under the <i>Occupational Health and Safety Act</i>	under 18	Cannot be engaged in window cleaning. s. 8 (Reg.)
	<i>Trades Qualification and Apprenticeship Act</i> and <i>General Regulation</i>	under 16	Cannot work in trades covered by the Act. An apprentice must be at least 16 years of age and have a grade 10 standing or the equivalent, or have the qualifications prescribed in the regulations for the trade. s. 1 (Act) and s. 3 (Reg.)
	<i>Education Act</i> and <i>Supervised Alternative Learning for Excused Pupils Regulation</i>	14 and 15	A parent or guardian of a child may apply to have the child participate in a supervised alternative learning program, approved by a committee established by the appropriate school board. The committee approves or rejects the application. The program may include full-time or part-time employment at an approved work station for a pre-determined period of time and/or the completion of a life-skills course. ss. 1, 2, 3 (Reg.)
		under 16	A child required to attend school (normally until age 16) cannot be employed during school hours. After directing an inquiry into the matter, the Provincial School Attendance Counsellor may excuse a child from attendance for various motives, including if he/she has obtained a secondary school graduation diploma or has completed a course of equivalent standing. ss. 21(1), (2), 24, 30(3)
	<i>Licence to Sell Liquor Regulation</i> under the <i>Liquor Licence Act</i>	under 18	<ul style="list-style-type: none"> • Cannot be employed to sell or serve liquor on licensed premises. • Cannot be involved in adult entertainment on licensed premises. • Cannot operate a motorized vending carts used for the sale and service of liquor on a golf course. s. 30(5), (9), (11) (Act); ss. 23(1), (1.1), (1.2), 30(2), 75.1 Reg.

Jurisdiction	Legislation	Age Group	Employment Restrictions
Prince Edward Island	<p><i>Youth Employment Act</i> <i>School Act</i></p>	under 16	<ul style="list-style-type: none"> • Cannot work in employment that is or is likely to be harmful to the health or safety, or moral or physical development of young persons. • Cannot work in construction. • Cannot work between the hours of 11 p.m. and 7 a.m.; during normal school hours (a child must attend school until age 16), except under a recognized vocational training or apprenticeship program; for more than 3 hours on a school day or 8 hours on other days; or for more than 40 hours in any week. (The inspector of labour standards may exempt young persons from these limitations, provided attendance at school or benefits derived from instruction will not be prejudiced and the parent/guardian has provided consent in writing.) ss. 4, 5, 6; <i>School Act</i> s 69(1) <p>The <i>Youth Employment Act</i> does not apply to employment directly related to a course of study at a registered trade school. Also, it does not apply where only members of the employer's family are employed or to employment prescribed by regulation. s. 2(a), (b), (c)</p> <p>In regard to industrial undertakings and plants processing fish, agricultural or forest products, the Director of Occupational Health and Safety or an occupational health and safety officer may prohibit the employment of young persons in a location where a toxic substance or equipment or machinery is potentially dangerous to them. s. 7(2)</p> <p>Employers must meet certain obligations when employing young persons, including acting reasonably in assigning duties taking into account the age, knowledge, education and work experience of the young person, identifying any potential danger and giving appropriate instructions, supervising the work themselves or ensuring an experienced adult does so, and providing adequate training before authorizing a young person to perform unsupervised work. s.8</p>
	Occupational Health and Safety Act Regulations	16 and under	Cannot work as signallers (i.e. persons engaged in controlling traffic movements through workplaces). s.50.4

Jurisdiction	Legislation	Age Group	Employment Restrictions
Prince Edward Island (continued)	Regulations under the <i>Apprenticeship and Trades Qualification Act</i>	under 16	Cannot become an apprentice in a designated trade. s. 3(a)
	<i>Liquor Control Act and Liquor Control Act Regulations</i>	under 19	<p>The holder of a liquor license may not permit any person under the age of 19 to enter, be in, or remain in the licensed premises, except as may be provided by the Act or the regulations. s. 40(3)</p> <p>An underage entertainer is permitted to enter and remain in the rooms in which bars are located or liquor is being served if he/she is 15 years or older, performs alone or as a member of a group, and is accompanied by, or is under the supervision of, a parent or permanent legal guardian or the operator of the licensed premises who is authorized in writing by the parent or legal guardian to be in charge of the underage entertainer while he/she is performing. An "Underage Entertainer" Authorization Form must be completed and signed by the minors' parent or permanent legal guardian. This form must then be approved by the Liquor Control Commission. s 70 (i), (l) (Regs.)</p>

Jurisdiction	Legislation	Age Group	Employment Restrictions
Quebec	<p><i>An Act respecting labour standards and Regulation respecting labour standards</i></p>	<p>under 18</p> <p>under 17</p> <p>under 14</p>	<p>Cannot perform work that is disproportionate to a child's capacity or that is likely to be detrimental to his/her education, health or physical or moral development. s. 84.2 (Act)</p> <p>In the case of a child subject to compulsory school attendance, an employer may not have work performed by that child during school hours and must ensure that the work is scheduled so that the child is able to attend school during school hours. ss. 84.4, 84.5 (Act)</p> <p>Except in the case of newspaper deliveries or as specified by regulation, no employer may have work performed by a child between 11 p.m. and 6 a.m. the following day, unless the child is no longer subject to compulsory school attendance. The Regulation states that this prohibition does not apply to creation or interpretation work in certain fields of artistic endeavour: the performing arts including theatre, opera, music, dance and variety entertainment, the making of films and records and other sound recordings, dubbing and the recording of commercials. s. 84.6 (Act); s. 35.1 (Reg.)</p> <p>Work performed by a child must be scheduled so that he/she may be at the family residence between 11 p.m. and 6 a.m. the following day, unless the child is no longer subject to compulsory school attendance and except as determined by regulation. The exceptions provided in the Regulation include creation or interpretation work in certain fields of artistic endeavour (see the preceding paragraph) and work for a social or community organization, such as a summer camp or recreational organization, if the working conditions involve lodging at the employer's establishment, provided the child is not required to attend school the following day. s. 84.7 (Act); s. 35.2 (Reg.)</p> <p>Cannot work without the written consent of the holder of parental authority or the tutor. The employer must keep this consent in its employment records. s. 84.3 (Act)</p> <p>The provisions of the Act respecting labour standards do not apply to a student who works during the school year in an establishment selected by an educational institution in accordance with a job induction program approved by the Department of Education. s. 3(50) (Act)</p>

Jurisdiction	Legislation	Age Group	Employment Restrictions
Quebec (continued)	<i>Education Act</i>	under 17	A child must attend school until the end of the school year in which he/she reaches the age of 16 or at the end of which he/she obtains a diploma awarded by the Minister of Education. A child is excused from attending public school if he/she attends a vocational training center or receives instruction in an enterprise that meets the conditions set by the Minister. In addition, at the request of his/her parents, a student may be exempted from compulsory attendance by the school board, for one or more periods of time not exceeding six weeks in total during the school year, to carry out urgent work. ss.14, 15
	<i>Youth Protection Act</i>	under 18	For the purposes of this Act, the security or development of a child is considered to be in danger where he/she is forced or induced to do work disproportionate to his/her capacity or to perform for the public in a manner that is unacceptable for his/her age. s. 38(f)
	<i>Safety Code for the construction industry under the Act respecting occupational health and safety</i>	under 18	Certain occupations or activities are prohibited: shot-firer; work performed by means of a motorized hoisting apparatus; work on a suspended scaffolding or boatswain's chair; demolition work, operation of a low velocity explosive actuated tool; work under water, underground, at the face of an open pit site or at the controls of hoisting or moving equipment, in excavations or trenches, or in compressed air. ss. 2.15.10, 3.9.16(1)a), 3.9.17(1)a), 3.15.10, 3.17.1(c)iv), 3.18.1(12), 4.2.3(a), 7.2.2, 8.13.1, 9.1.8
	<i>Regulation respecting concrete pumps and distribution masts</i>	under 18	Cannot be responsible for and maintain a concrete pump or a distribution mast. s. 33(1)
	<i>Regulation respecting occupational health and safety in mines</i>	under 16	Cannot be employed in an open-pit mine, in a concentrator, or in a plant. s. 26(1)
		under 18	Cannot be employed in an underground mine, on the working face in an open-pit mine, or use equipment that hoists or moves objects. s. 26(2)
	under 20	Cannot be employed as a blaster, unless acting as an assistant, or as a hoistman. s. 26(3)	

Jurisdiction	Legislation	Age Group	Employment Restrictions
Quebec (continued)	<i>Regulation respecting occupational health and safety</i>	under 18	Cannot carry out blasting work or any work requiring the use of explosives. s. 294
	<i>An Act respecting manpower vocational training and qualification</i>	under 16	Cannot become an apprentice in a trade or vocation under the Act. s. 1(a), (b)
	<i>An Act respecting liquor permits</i>	under 18 (i.e. minors)	A pub, tavern or bar permit must be revoked or suspended if the permit holder has been convicted of an offence for having employed a minor or for having allowed a minor to present or to participate in a show, in a room or on a terrace of his/her establishment where alcoholic beverages may be sold. s. 86 (10)

Jurisdiction	Legislation	Age Group	Employment Restrictions
Saskatchewan	<i>Minimum Wage Board Order, 1997 under the Labour Standards Act</i>	under 16	Cannot be employed in any educational institution, hospital, nursing home, hotel or restaurant. s. 8
	<i>Occupational Health and Safety Regulations, 1996 under the Occupational Health and Safety Act, 1993</i>	under 16	Cannot be employed: <ul style="list-style-type: none"> • on a construction site; • in a production process at a pulp mill, sawmill, woodworking establishment, smelter, foundry, refinery or metal processing or fabricating operation; • in a confined space; • in a production process in a meat, fish or poultry processing plant; • in a forestry or logging operation; • on a drilling or servicing rig; • as an operator of powered mobile equipment, a crane or a hoist; • where exposure to a chemical or biological substance is likely to endanger the health or safety of the person; or • in power line construction or maintenance. s. 14(1)
	<i>Education Act, 1995</i>	under 18	Cannot work underground or in an open-pit mine, as a radiation worker, in a silica or asbestos process, nor in any activity for which an atmosphere-supplying respirator is required by regulation. s. 14(2)
	<i>Education Act, 1995</i>	under 16	Cannot work during school hours without the approval of the principal. s. 149(1) A child may be exempted from attendance at school if he/she is engaged in work-experience or other educational programs approved by the board of education. s.157(1)
	<i>Alcohol and Gaming Regulation Act, 1997 and Alcohol Control Regulations, 2002</i>	under 19 (i.e. minors)	No holder of a permit may allow minors in premises covered by the permit, unless authorized by the Act, the regulations or the terms of the permit. No minor may sell, handle or serve alcohol in or about such premises. ss.111(6), 113(1) Under the terms of a permit, minors may be employed to provide professional entertainment (e.g. musical entertainment). Policy of the Saskatchewan Liquor and Gaming Authority. A licensed liquor establishment cannot allow “any nude activity or entertainment or any activity or entertainment that consists of a striptease performance or wet clothing contest”. s. 63 Reg.

Jurisdiction	Legislation	Age Group	Employment Restrictions
Saskatchewan (continued)	<i>The Saskatchewan Gaming Corporation Casino Regulations, 2002</i>	under 19	No person under 19 years of age may be present in the area in which games of chance are located or in the areas of the casino where the gaming area is in view, unless authorized by the Liquor and Gaming Authority (e.g., to provide entertainment and/or for educational purposes). ss.12 and 12.1 Reg.

Jurisdiction	Legislation	Age Group	Employment Restrictions
Yukon	<i>Employment Standards Act</i>	under 17	Cannot be employed in occupations that may be specified by regulation or contrary to such conditions as may be prescribed by the regulations. s. 17(6)
	<i>Mines Safety Regulations</i> under the <i>Occupational Health and Safety Act</i>	under 16	Cannot be employed in or about a mine. At age 16, a young person can be employed at a surface mine, except the working face. s. 14(1)(a)
		under 18	Cannot be employed underground or at the working face of a surface mine. s. 14(1)(b)
	<i>Blasting Regulations</i> under the <i>Occupational Health and Safety Act</i>	under 18	Cannot operate a motor vehicle transporting explosive materials. s. 18 (1)
	<i>Radiation Protection Regulations</i> under the <i>Occupational Health and Safety Act</i>	under 18	Cannot be employed as an X-ray worker, unless undergoing training and is under the direct supervision of an X-ray worker. s. 19
	<i>Apprentice Training Act</i>	under 16	Cannot be trained in a designated occupation. s. 6.
	<i>Education Act</i>	under 16	Must attend school. The superintendent or director may, on application from a student or a parent, excuse the student from attendance at school and may attach conditions to the permission to be excused. ss.22(1), 23(1)
	Liquor Act	under 19	No person under the age of 19 may enter, be in, or remain in any tavern or cocktail lounge. s. 90(4)