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FACTS

European Agency for Safety and Health at Work

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Protection for young people in the workplace



Young people can be at particular risk because they lack experience, training and awareness. They need good advice, information and supervision as well as suitable, safe and healthy jobs. For under-18 year-olds, including those on vocational training and work experience placements and those doing casual work while still at school or college, more specific regulations apply covering restrictions regarding their exposure to hazards and working hours. This factsheet provides a summary of the requirements to ensure health and safety at work, generally and specific to young people. Other factsheets provide more advice for employers, supervisors, young people and parents.

Legislation – protection for all

Every workplace should have a good health and safety management system which protects everyone. Within that system particular attention should be paid to the vulnerability of young workers and new starters.

Employers' duties to their workers, regardless of age, include:

- identifying hazards and carrying out a risk assessment ⁽¹⁾ – including not only youngsters working full-time but also any casual young labour, for example hired to help at week-ends or school holidays and those on vocational training or work experience placements;
- putting in place arrangements for ensuring safety and health, based on the risk assessment, including any special arrangements: for young workers or new recruits; with

recruitment agencies, work experience and placement organisers, vocational training organisers etc.;

- providing the necessary organisation including specified supervision arrangements, and having supervisors with the competence and time to carry out their role;
- identifying any special measures required for vulnerable individuals – including young workers and new recruits, and prohibitions on young workers, for example on using dangerous equipment, should be clearly specified;
- providing information on possible risks in their jobs and prevention measures adopted;
- providing adequate training, instruction and information on recruitment, and following change of job or changes in the workplace;
- protecting particularly sensitive risks groups from the dangers that affect them including the special needs of young workers;
- consulting with workers and their representatives and allowing them to participate in health and safety questions, including young workers themselves and consulting worker representatives over arrangements for young workers.

Legislation – special protection for under-18s ⁽²⁾

A *risk assessment* must be carried out before young people start work, covering: the workplace; physical, biological and chemical agents; work equipment and its use; work processes, operations and work organisation; and training and instruction.

⁽¹⁾ A hazard is anything that could cause illness or injury. The risk is the likelihood of it happening.

⁽²⁾ The information given is based on the **minimum** requirements of Council Directive 94/33/EC on the protection of young people at work. The law in your Member State may be stricter, for example, regarding the minimum ages that children may work, hours and prohibited tasks.

As a general rule *under 18s must NOT be allowed to do work which:*

- exceeds their physical or mental capacities;
- exposes them to substances which are toxic or cause cancer;
- exposes them to radiation;
- involves extreme heat, noise or vibration;
- involves risks that they are unlikely to recognise or avoid because of their lack of experience or training or their insufficient attention to safety.

Those under 18 but over the minimum school leaving age can do the above work under very special circumstances, where:

- the work is crucial for their vocational training;
- the work is performed under the supervision of a competent person;
- risks are reduced to the lowest level possible.

Young workers should not be allowed to do work where a significant risk remains, despite all efforts having been taken to control it.

There are restrictions on the working hours of young workers. They are also allowed more generous rest periods than other workers and they are not typically allowed to work nights.

School children over 13: in those Member States that allow some children under the national minimum school leaving age to work, there are strict limitations on working hours, night work and categories of work and required rest periods according to age, and they may only carry out 'light' work even when they are over the national minimum age for working. The *parents or legal guardians* of school-age children must be informed of the outcome of the risk assessment and the control measures adopted concerning their children's safety, before work starts.

Check your national legislation, so that you know the precise requirements on safety, and the prohibitions on types of work, ages that children may work, working hours limitations and authorization requirements.

Worker rights

All workers, including young people have the right:

- to know what hazards are present in their workplace, what they must do to keep themselves safe, and what action to take if there is an accident or emergency;
- to receive information, instruction and training on these matters, which should be specific to the job and free of charge;
- to be provided with the necessary protective equipment, free of charge;
- to participate, by asking questions, reporting any unsafe practices or conditions, and be consulted by their employer on safety matters.

If a young worker has any doubts about the safety of any aspects of their job and what they are asked to do, they have the right and the responsibility to bring their concerns to their supervisor's attention. Ultimately they have the right to refuse to do unsafe work. A young person is not obliged to do something dangerous just because a manager or co-worker does it.

Worker responsibilities

Safety is a cooperative process meaning that although the main responsibilities to identify hazards and put in place preventive measures lie with the employer, workers have responsibilities too. By law all workers, including young people must take care of themselves and others, and cooperate with their employer on health and safety. For example, they must:

- follow all the safety rules, instructions and training including for using equipment and machinery, safety devices or personal protective equipment such as gloves or masks; and
- report any health and safety hazards to their supervisor.

Further information on young worker safety, including additional factsheets, is available from the Agency website at <http://ew2006.osha.eu.int/> Prevention advice and links to good practice for specific risks and workplaces are available at: <http://osha.eu.int/> Sources of advice include national authorities, trade unions and trade associations.

A link to the full text of Council Directive 94/33/EC on the protection of young people at work is available at: <http://osha.eu.int/data/legislation/18>

The directive sets minimum standards, so it is important to check the full requirements of your national legislation and guidance:

More information on guidance for Great Britain available from <http://www.hse.gov.uk>

More information on legislation for Ireland is available at: <http://www.hsa.ie>

More information on legislation for Malta is available at: <http://mt.osha.eu.int/legislation>

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