



VELFERÐARRÁÐUNEYTIÐ

Ministry of Welfare

REGULATION
regarding the work of children and adolescents,
No. 426/1999.

SECTION I

Definitions and validity.

Article 1

Definitions.

This Regulation applies to the work of individuals under the age of 18.

Youth in this Regulation refers to an individual under the age of 18.

Child in this Regulation refers to an individual under the age of 15 or who is still in compulsory schooling.

Adolescent in this Regulation refers to an individual who has reached the age of 15 but is younger than 18, and is no longer in compulsory schooling.

Article 2

Validity.

The Regulation does not apply to home assistance at the private home of an employer or to work in family enterprises, provided this is temporary or short-term work, and that it is not damaging or hazardous for the youth.

In this instance, a family enterprise is a company owned by individuals or an individual who is a relative to the youth in the descending or ascending line, whether natural or adoptive or by marriage, or a first cousin.

Article 3

Minimum provisions.

More stringent provisions in other law, rules or regulations pertaining to the work of youths supersede the provisions of this Regulation, such as, higher age limits because of certain type of work.

SECTION II

General provisions about the work of all youths under the age of 18.

Article 4

General provisions.

Applicable to any work by youths under the age of 18 the focus upon the selection and organising of the work shall be on safety and that the mental and physical health of the youths are not jeopardised and that the work does not have disrupting effects on their education or development.

Article 5

Hazard assessment.

The employer shall see to it that the necessary arrangements are made in accordance with the provisions of Article 4 on grounds of an assessment of the risk that a job may cause the youths.

Such an assessment shall take place before the youths begin to work and every time that considerable changes are made of the working conditions, during which the following factors shall be inspected, in particular:

- a) the interior arrangement and facilities at the workplace or work station;
- b) the nature and extent of physical, chemical and biological hazardous factors and how long-term they are;
- c) the shape, size and use of equipment relating to the work, for example various hazardous factors, machinery, equipment and tools, and how these are handled;
- d) the organisation of work processes, work planning and arrangement, and the correlation between them;
- e) how the youths are trained and prepared for the work;

If the assessment shows that the safety, the physical or mental health and development of a youth may be put in jeopardy, the employer shall see to it that there be regular and appropriate inspection and control of the youths' health, free of charge to them. When making hazard assessments a special focus shall be placed on the hazard resulting from the young age, lack of experience and lack of awareness for the hazards of the work, as well as taking into consideration that the youths are not fully mature. When assessing the precautionary measures, considerations shall also be shown for the physical, biological, chemical and psychological effects, which youths may suffer for long or short periods of time as a result of their work.

An employer is authorised to seek the opinion of the Administration of Occupational Safety and Health regarding the safety at the workplace.

Article 6

Guiding and teaching.

The employer shall ensure that the youths are given satisfactory teaching and guiding in order to ensure that the work is not hazardous to their safety and health. The employer shall introduce to the youths the measures that are taken to ensure their safety and health.

The work shall take place under the appropriate supervision by an individual who has become 18 years old and has sufficient insight in the nature of the work.

The employer shall inform the parents or the guardians of the possible hazard and of all the measures that are taken to ensure their safety and health.

The provisions of paragraph 5 of Article 26 also apply in terms of the guidelines by the Municipalities' Youth Summer School.

Article 7

Organisation of safety measures.

An employer shall inform his employees, who work with youths, and those in charge of a company's safety measures, of the demands that are made to the work of youths and ensure that they are abided by and that they are followed in the execution, organisation and supervision of the work of youths.

SECTION III

Unauthorised work for youths under the age of 18.

Article 8

General provisions.

Youths under the age of 18 shall not be recruited for the work listed in Articles 10-14 unless otherwise specially stated.

Article 9

Vocational training.

The work of youths 15 years of age or older, which is a necessary part of their vocational or educational training on grounds of law, is exempt from the prohibitions of paragraph 1 of Article 10, paragraph 1 of Article 11 and Article 14, provided this is necessary in order for the youths to complete their studies.

During vocational training the work shall be conducted under the supervision of a competent individual and every effort shall be made to protect the students against accidents, and every safety precaution shall be taken in the execution of the work and in the arrangement of the training.

The same applies to work after the completion of such a study, which is a part of the relevant work.

The provisions of paragraph 1 do not apply to construction where there exists a risk of explosions or work which results in the handling, production, storing or use of gases where types of gas are compressed, in liquid form under pressure or under pressure dissolved in liquid. The same applies to working with high air pressure and to work, which may result in a risk of suffocation in confined areas where there is limited oxygen.

Article 10

Dangerous equipment and projects.

Youths shall not be hired to work with the equipment, or to projects, listed in Appendix 1 A, or to conduct work that represents similar hazards.

Youths that have reached the age of 16 may work, however, with the technical aids that are listed in Appendix 1 B.

In family enterprises, including agriculture, youths that have reached the age of 15 may engage in the kind of work listed in Appendix 1 C, provided they are given detailed training and guidance, and are under supervision. Youths working in agricultural duties in family enterprises shall have received education and supervision on tractors before work commences with the use of such machinery outside of roads.

Article 11

Dangerous substances.

Youths are not permitted to work with or shall not be placed in jeopardy because of the substances listed in Appendix 2.

Article 12

Physical strain.

Youths shall not handle heavy weights that may, in the short or long run, damage their health and development. Any unnecessary physical strain of youths shall be avoided in their work, as well as incorrect physical work postures or movements, *cf.* Appendix 3, paragraph 1, a and b.

Article 13

Other special danger.

Youths may not be hired to work where their physical or mental maturity is faced with special danger unless they work with adults or persons who have reached the age of 18. This applies in particular to work in kiosks, video stores, fast-foot sales outlets, gas stations and at similar places. In assessing the risk, *cf.* Article 5, of the working conditions, *cf.* this paragraph, a special assessment shall be made on whether the workplace is safe in respect of its location, interior arrangement and the safety measures that are taken.

Paragraph 4 of Article 19 applies to the evening and night work of adolescents at such places.

Article 14

General provision.

Youth are not permitted to work under working conditions as those specified in Appendix 3, or under similar conditions that represent a risk to their health and safety.

SECTION IV
The work time of adolescents.

Article 15

The phrase work time.

The phrase work time in this Regulation refers to the active working hours, i.e., the period of time during which the youths are at work, or are available to the employer and are conducting their work or duties in accordance with law and/or wage agreements.

Meal breaks and special holidays shall not be deemed as work time. The same applies to travel to and from the workplace or the regular workstation, and to paid waiting hours or work breaks where no work contribution is required.

The annual paid minimum vacation, according to law, and absence in the event of illness shall be deemed as working time and shall be neutral in the calculations on averages.

The hours in vocational training shall be considered as working time.

Article 16

Daily work time.

The work time of adolescents shall not exceed 8 hours per day and 40 hours per week. When the daily work time is generally 8 hours, the work time shall be consecutive if possible.

In special instances the work time of adolescents may exceed 8 hours per day and 40 hours per week, provided that the provisions of Articles 19, 21 and 22 on the work time, rest time and time off are honoured. This only applies because of pressing need due to the nature of the operation, for example, if valuables in agriculture or fish processing are to be saved.

Adolescents may not, however, work longer than 60 hours per week and 48 hours per week average over a four-month period.

Article 17

Adding up of working time.

When the work of adolescents is a part of the vocational or academic study, the time spent on teaching shall be included in the daily and weekly work time, *cf.* Article 16.

If an adolescent works for more than one employer, his work time shall be added up.

Article 18

Breaks.

If the daily work time exceeds 4 hours, and adolescent shall have the right to at least 30 minutes break per day, preferably consecutive.

Article 19

Evening and night work.

Adolescents may not work from 10 p.m. to 6 a.m. except when this is specially stated, however, never between 12 midnight and 4 a.m.

At health institutions or at similar institutions, youths may work without limitation during the period 12 midnight to 4 a.m., provided that the provisions of Articles 21 and 22 are honoured.

At bakeries, work may take place from 4 a.m.

At kiosks and road restaurants, fast-food sales outlets, video stores, gas stations and similar places, adolescents may work until 12 midnight. A special focus shall be made in respect of the provisions of Article 13 regarding work on the grounds of this exemption.

At cinemas, theatres, and similar operations adolescents may assist at the shows until 12 midnight.

At restaurants, hotels and similar operations adolescents may work until 12 midnight.

Article 20

Physical examination.

Adolescents shall have the right to physical examination and a check of their work competence, free of charge to them, before they begin night work and then at regular intervals thereafter, unless they only work night work in exceptional instances. The execution of such an examination is at the responsibility of the relevant employer.

The night work time is deemed as being from 10 p.m. to 6 a.m.

Article 21

Rest period per day.

Adolescents shall receive at least 12 hours of consecutive rest per day.

It is permissible to deviate from the provisions of paragraph 1 on the consecutive rest in respect of adolescent work that is divided up over the day and is in effect for short periods of time each time.

In instances of adolescent work at health institutions or similar institutions, in agriculture, tourism, or at hotels or restaurants, and work that is divided up over the day, it is permissible to deviate from the provisions of paragraph 1 when there exist just reasons to do so and provided that the adolescents receive comparable additional rest.

If the authorisations, *cf.* paragraphs 2 and 3, are exercised the adolescent shall receive comparable additional rest. The consecutive rest, however, shall never be less than 10 hours per day.

Article 22

Weekly rest period.

During every seven-day period, adolescents shall receive at least two days of rest, which shall be consecutive if possible. This minimum rest period shall generally include Sundays.

It is permissible to shorten the minimum rest period on grounds of justifiable technological or organisational reasons; however, it shall under no circumstances be shorter than 36 consecutive hours.

It is permissible to deviate from the provisions of paragraph 1 in instances of adolescent work being divided up over the day or if it is in effect for short periods of time each time.

In instances of adolescent work at health institutions or similar institutions, in agriculture, tourism, or at hotels or restaurants, and work that is divided up over the day, it is permissible to deviate from the provisions of paragraph 1 when there exist just reasons to do so and provided that the adolescents receive comparable additional rest.

If these authorisations of deviation are exercised the adolescent shall receive a day off at a later date and in the last instance such that he receives two consecutive days off during every 14-day period.

Adolescents shall, however, always receive one weekly day off.

Article 23

Force majeure.

In instances of force majeure, accidents or mechanical failure or during other circumstances that are out of the control of the employer, it is permissible to deviate from the provisions of this Regulation in respect of the work time night work and the rest period of adolescents, provided this is temporary work that cannot be delayed and provided that adults cannot be recruited for the work. In such instances, the adolescents shall receive a similar additional rest period over the following three weeks.

Such deviations shall be recorded in a control book or in another satisfactory fashion. Such recording shall include the reason and time length of such a deviation.

SECTION V

Employment of children at the age of 13-15 or the employment of those in compulsory schooling.

Article 24

General.

Children shall not be recruited to work unless specially stipulated, *cf.* Articles 25 and 26.

Article 25

Danger-free and light work.

Children, who are at the age of 13-14, or who are in compulsory schooling, may only engage in work that falls under the definition “light work” and which is listed in Appendix 4.

The prerequisite is that such work does not constitute any threat against the health or safety of the children. Children may neither work with or in the vicinity of machinery or dangerous substances, nor shall they lift heavy weights.

The Administration of Occupational Safety and Health may permit children to engage in light work that is not listed in Appendix 4 and 5 A, provided this is similar work.