



GUAM CHILD LABOR LAW



preface

Employers are generally subject to both state child labor laws and the federal child labor provisions of the Fair Labor Standards Act (FLSA), 29 U.S.C. 212(c), and the FLSA regulations at 29 CFR Part 570. Certain provisions of Guam law may be less restrictive than federal law, and employers covered by the FLSA that only follow a less restrictive provision of Guam law will be in violation of federal law. See 29 U.S.C. 218(a). For more information on federal child labor law, please visit the U.S. Department of Labor's Wage and Hour Division Website at www.dol.gov/agencies/whd.

Information updated as of:

August 11, 2023

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YOUTH EMPLOYMENT

30 MINUTE



MEAL PERIOD
EVERY 4 HOURS
WORKED

NO WORK DURING
SCHOOL HOURS



NO WORK IN
HAZARDOUS ENVIRONMENTS



14-15 YEARS OLD

An "APPLICATION FOR A MINOR'S EMPLOYMENT CERTIFICATE"

must first be completed and submitted to the Wage & Hour Division of the Guam Department of Labor

CONDITIONS OF EMPLOYMENT

- May not start work before 7:00 AM
- May not work after 7:00 PM
 - ◊ Except from June 1st through Labor Day, may not work after 9:00 PM
- May not work more than 3 hrs. on a school day
 - ◊ On non-school days, may work 8 hrs. a day
- May not work more than 18 hrs. during a school week
 - ◊ On non-school weeks, may work 40 hrs. a week
- Combined work and school hours shall not exceed 9 hrs. in a day

16-17 YEARS OLD

A "APPLICATION FOR A MINOR'S EMPLOYMENT CERTIFICATE" is NOT required.



CONDITIONS OF EMPLOYMENT

- May not start work before 6:00 AM
- May not work after 10:00 PM on a school night
 - ◊ On non-school nights (Fri-Sat, Holidays) may work until 12 midnight
- May not work more than 8 hrs. a day
- May not work more than 40 hrs. a week



To file a complaint, or for more information regarding Minor/Youth Employment, please contact GDOL, **WAGE AND HOUR DIVISION**

americanjobcenter
GUAM

For more inquiries on employment and training programs available, please contact The American Job Center

Email: wage.questions@dol.guam.gov
Telephone: (671) 300-4602 / 475-7024
Website: www.dol.guam.gov/compliance/whd

Telephone: (671) 475-7000/7001
Website: www.hireguam.com



Frequently Asked Questions

- **What is the minimum wage rate?**

As of September 1, 2021, the current minimum wage rate on Guam is \$9.25
per 22 GCA Ch 3 § 3105

- **Can I work overtime?**

No; Minors may not work more than forty (40) hours in any one week
per 19 GCA Ch 11 § 11106(a); pg. 10

- **When do I get a meal/break period, and for how long?**

For minors, meal/break periods are required after every four hours worked, for a period of at least thirty minutes
per 19 GCA Ch 11 § 11106(d); pg. 11

- **When do I get paid?**

Within seven (7) days after the pay period end date
per 22 GCA Ch 3 § 3201

- **When do I get paid if I am fired?**

The same day
per 22 GCA Ch 3 § 3201(a)

- **When do I get paid if I voluntarily quit?**

The next regular pay day
per 22 GCA Ch 3 § 3201(b)

Certificate TO EMPLOY A MINOR

CERTIFICATE NO. WHD-CLC - 001 - 23

DEPARTMENT OF LABOR

JOE CRUZ
Name of Minor

10 JANUARY 2023
Date of Issuance

09 JANUARY 2024
Date of Expiration

P.O. BOX 1234 BARRIGADA, GU 96921
Address

MALE
Gender

15 FEBRUARY 2004
Date of Birth

TAMUNING, GU
Place of Birth

☒ Guam ID ☒ U.S. Passport ☒ Birth Certificate
Document(s) submitted for proof of age:

BAGGER
Occupation

1234 ST. HAGATNA, GU 96910
Name of Employer

RETAIL
Industry

9.25
Hourly Rate

SUPERMARKET
Address of Employer

(671) 472-1234
Employer's Contact Number

MINOR'S SIGNATURE

SIGNATURE OF ISSUING OFFICER

DIRECTOR OF LABOR

ISSUED PURSUANT TO CHILD LABOR LAW, 18GCA 01004.
TO VERIFY AUTHENTICITY OF THIS CERTIFICATE, CONTACT THE WAGE AND HOUR DIVISION AT:
TEL: (671) 300-4801 / EMAIL: WAGE.QUESTIONS@DOL.GUAM.GOV

ORIGINAL - Employer GREEN - Office Copy PINK/CRANES - Employer's Copy

EMPLOYMENT CERTIFICATE

Required only for 14–15 year olds

- Once the minor has secured a job, they may pick-up an application from our office, or download the application from our website:



www.dol.guam.gov/compliance/whd



- The application must be completed by the applicant, their parent/guardian and their prospective employer, with original signatures from all parties.
- The originals of all applicable documents listed below must be submitted with the application to our office:
 - Photo ID (Passport, Guam ID) of applicant and their parent/guardian
 - Social Security Card
 - Birth Certificate
 - Official School Schedule
- When submitting the form, the minor does not need to be present; however, when notified that the certificate is available for pick-up, the applicant must be present to sign.



PERMITTED OCCUPATIONS



1. Office and clerical work;
2. Work of an intellectual or artistically creative nature;
3. Bagging and carrying out customer's orders;
4. Cashiering, selling, modeling, art work, advertising, window trimming, or comparative shopping;
5. Pricing and tagging goods, assembling orders, packing, or shelving;
6. Clean-up work and grounds maintenance— may use vacuums and floor waxers, but may not use power-driven mowers, cutters, and trimmers;
7. Work as a lifeguard at a traditional swimming pool or water amusement park if at least 15 years of age and properly certified;
8. Kitchen and other work in preparing and serving food and drinks, but only limited cooking duties and no baking (see below);
9. Cleaning fruits and vegetables;
10. Cooking with gas or electric grills that do not involve cooking over an open flame and with deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets in and out of the hot grease or oil;
11. Clean cooking equipment, including the filtering, transporting and dispensing of oil and grease, but only when the surfaces of the equipment and liquids do not exceed 100° F;
12. Pumping gas, cleaning and hand washing and polishing of cars and trucks (but the young worker may not repair cars, use garage lifting rack, or work in pits);
13. Wrapping, weighing, pricing, stocking any goods as long as he or she doesn't work where meat is being prepared and doesn't work in freezers or meat coolers;
14. Delivery work by foot, bicycle, or public transportation;
15. Riding in the passenger compartment of a motor vehicle except when a significant reason for the minor being a passenger in the vehicle is for the purpose of performing work in connection with the transporting—or assisting in the transporting of—other persons or property

HAZARDOUS OCCUPATIONS

PROHIBITED FOR ALL MINORS



1. Manufacturing and storing of explosives.
2. Driving a motor vehicle and being an outside helper on a motor vehicle.
3. Coal mining.
4. Forest fire fighting and fire prevention, timber tract management, forestry services, logging, and saw mill occupations.
5. Power-driven woodworking machines.
6. Exposure to radioactive substances.
7. Power-driven hoisting apparatus.
8. Power-driven metal-forming, punching, and shearing machines.
9. Mining, other than coal mining.
10. Meat and poultry packing or processing (including the use of power-driven meat slicing machines).
11. Power-driven bakery machines.
12. Balers, compactors, and paper-products machines.
13. Manufacturing brick, tile, and related products.
14. Power-driven circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs.
15. Wrecking, demolition, and shipbreaking operations.
16. Roofing operations and all work on or about a roof.
17. Excavation operations.



HAZARDOUS OCCUPATIONS

STUDENT-LEARNER EXCEPTIONS

Limited exemptions from some of the hazardous occupations rules allow apprentices, trainees and student-learners or enrollee, to perform otherwise prohibited work (hazardous jobs) under certain conditions approved and conducted by or under the auspices of a governmental agency.

(1) The apprentice or trainee is a party to an apprenticeship or trainee agreement registered with the Department of Labor within thirty (30) days after execution of the agreement and the work of the apprentice or trainee in the occupation declared hazardous is incidental to his training.

(2) The student-learner is enrolled in a course of study and training in a cooperative vocational training program under a bona fide vocational training program, authorized and approved by the Department of Education; provided that:

- (A) The employment is intermittent and for short periods of time, and under the direct and close supervision of a qualified and experienced person; and
- (B) Safety instructions are given by the school and correlated by the employer with on-the-job training.

(3) The enrollee is enrolled in a work training program conducted under the Comprehensive Employment and Training Act of 1974 and similar training programs approved and conducted by or under the auspices of a governmental agency.

(4) The apprentice, trainee, student- learner or enrollee is fourteen (14) or older.



HOURS OF WORK

14-15 YEARS OLD

- May not start work before 7:00 AM
- May not work after 7:00 PM
 - Except from June 1st through Labor Day, may not work after 9:00 PM
- May not work more than 3 hours on a school day
 - On non-school days, may work 8 hours a day
- May not work more than 18 hours during a school week
 - On non-school weeks, may work 40 hours a week
- Combined work and school hours shall not exceed 9 hours in a day

16-17 YEARS OLD

- May not start work before 6:00 AM
- May not work after 10:00 PM on a school night
 - On non-school nights (Fri-Sat, Holidays) may work until 12 midnight
- May not work more than 8 hours a day
- May not work more than 40 hours a week



19 GCA Personal Relations

CHAPTER 11 CHILD LABOR LAW

§ 11101. Title.

§ 11102. Administration.

§ 11103. Construction of Chapter.

§ 11104. Employment Certificate.

§ 11105. Hazardous Occupation.

§ 11106. Hours of Work.

§ 11107. Access to Work Premises and Records.

§ 11108. Regulations.

§ 11109. Penalty.

§ 11101. Title. This Chapter may be cited as the Child Labor Law.

§ 11102. Administration. This Chapter shall be administered and enforced by the Wage and Hour Commissioner described in Chapter 1 of Title XLII of the Government Code of Guam, hereinafter referred to as the Commissioner.

§ 11103. Construction of Chapter. Nothing in this chapter shall be construed:

(a) To apply

(1) To the work of a minor in any occupation, which has not been defined as hazardous or detrimental to the life, health, morals, safety or well-being of minors if the work is performed directly for his or her parents or guardians; nor

(2) To the work of a minor performed in connection with the sale or distribution of newspapers to the ultimate consumer; provided, that (i) the minor is twelve (12) years of age or older,

(ii) he or she delivers newspapers only in residential areas, and
(iii) he or she does not stand on or near a highway selling newspapers to persons driving by; nor

(3) To the work of a minor employed by persons holding temporary licenses to conduct carnivals, fairs, or similar festivities; nor

(4) To the work of a minor in domestic service in or about a private home; provided, that in any instance under items (1), (2), (3), or (4) of this paragraph

(a) the work is performed when such a minor is not legally required to attend school and does not exceed three (3) hours of work in any school day after school hours and is not performed after 7 p.m., or after 9 p.m. from June 1st through Labor Day.

(b) To authorize the employment of any minor where forbidden by any other law of Guam; nor

(c) To prohibit minors of any age from receiving industrial education in any school.

SOURCE: Repealed and reenacted by P.L. 22-118:1.

§ 11104. Employment Certificate. No minor under the age of sixteen (16) years of age shall be employed or permitted to work until the employer of such minor procures and keeps on file an employment certificate for such minor issued by the Commissioner pursuant to regulations. No such employment certificate shall be issued for employment in any occupation which has been defined as hazardous or detrimental to the life, health, morals, safety or well-being of minors, or for any occupation in which employment of a minor is otherwise forbidden by law.

§ 11105. Hazardous Conditions. No minor under the age of eighteen (18) years of age shall be employed or permitted to work in any occupation which has been defined or declared by regulation, federal law or by the Commissioner of Wages and Hours or by the Administrator of Wages and Hours, as hazardous or detrimental to the life, health, morals, safety or well-being of minors.

SOURCE: Amended by P.L. 21-140:23 (10/2/92). Repealed and reenacted by P.L. 22-118:2.

§ 11106. Hours of Work.

(a) No minor aged sixteen (16) or seventeen (17) shall be employed or permitted to work more than eight (8) hours in any one (1) day or more than forty (40) hours per week, nor shall a minor aged sixteen (16) or seventeen (17) be employed on a school night past 10 p.m.. During non-school nights, such minors may be employed up to 12 midnight; provided, however, they may not be employed before 6 a.m. on any week day of the year.

(b) No minor aged fourteen (14) or fifteen (15) shall be employed during school hours except as provided in school work experience or career exploration programs; and not before 7 a.m. or after 7 p.m., or after 9 p.m. from June 1st through Labor Day; no minor aged fourteen (14) or fifteen (15) shall work more than three (3) hours a day on school days nor more than eighteen (18) hours a week in school weeks, nor more than eight (8) hours a day on non-school days, and not more than forty (40) hours a week in non-school weeks.

(c) A minor aged sixteen (16) or seventeen (17) who has graduated from high school or has been awarded a certificate of proficiency, or who is married or supporting dependents, or who has been declared an adult by a court, may be employed for the same hours as an adult, except such minor may not be employed past 12 midnight or not before 6 a.m. on any given day of the week.

(d) No minor under the age of eighteen (18) shall be employed or permitted to work for more than four (4) hours continuously without an interval of at least thirty (30) minutes for lunch or a rest period, and no period of less than thirty (30) minutes shall be deemed to interrupt a continuous period of work.

(e) No minor under the age of eighteen (18) shall be employed or permitted to work during the time such minor is legally required to attend school.

(f) The term 'school night' when used in this § 11106 shall mean Sunday through Thursday nights, and shall also exclude nights preceding a holiday during a school week.

SOURCE: Amended by P.L. 14-127:14. Repealed and Reenacted by P.L. 22-118:3.

§ 11107. Access to Work Premises and Records. The Commissioner or his authorized representative shall have access to any building, place, or other premises where minors are employed or permitted to work, and to have access to, including the right to copy from, employment records of the employer. Every employer shall furnish to the Commissioner or his authorized representative such information relating to the employment of minors, and in such manner, as the Commissioner may prescribe. Any person denying such access, or failing to furnish such information, shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000) or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment.

§ 11108. Regulations. The Commissioner may make, subject to the approval of the Governor and promulgation by the Executive Order, regulations for the implementation of this Chapter which may include but shall not be limited to the following:

(a) Definitions of occupations that are hazardous or detrimental to the life, health, morals, safety or well-being of minors;

(b) Conditions and requirements for issuance of employment certificates for minors;

(c) Working conditions and circumstances under which minors below the age of sixteen (16) years may be employed or permitted to work as dancers, singers, musicians, entertainers, motion picture or theatrical performers.

§ 11109. Penalty. Any person, whether a parent, guardian, employer or otherwise, and any firm or corporation, as employer or otherwise, who permits a minor to work in violation of this chapter shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000), or by imprisonment not exceeding one (1) year, or by both such fine and imprisonment, provided, however, that in the event the court finds the violation to be flagrant and willful, the fine may be increased to up to Ten Thousand Dollars (\$10,000).

SOURCE: Repealed and reenacted by P.L. 22-118:4.

For additional information:

GUAM DEPARTMENT OF LABOR

WHD

WAGE & HOUR DIVISION

414 West Soledad Ave. Suite 401
Hagatna, GU 96910



WEBSITE: dol.guam.gov

TEL: 300-4602 | 475-7024

EMAIL: wage.questions@dol.guam.gov

