

# WEST VIRGINIA CODE: §21-6-2

## **§21-6-2. Employment of children under eighteen in certain occupations; determination as to other occupations; appeal to supreme court.**

(a) A child under eighteen years of age may not be employed, permitted or suffered to work in, about, or in connection with any of the following occupations:

- (1) Motor vehicle driver and outside helper whose work includes riding on a motor vehicle outside the cab for the purpose of assisting in transporting or delivery of goods;
- (2) The manufacture, storage, handling or transportation of explosives or highly flammable substances;
- (3) Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or in any other place in which the heating, melting or heat treatment of metals is carried on;
- (4) Logging and saw milling occupations;
- (5) Power-driven woodworking machine occupations;
- (6) Occupations involving exposure to radioactive substances and ionizing radiations;
- (7) Power-driven hoisting apparatus occupations;
- (8) Power-driven metal-forming, punching, and shearing machine occupations;
- (9) Mining, including coal mining;
- (10) Occupations involving slaughtering, meat-packing, or processing or rendering;
- (11) Power-driven bakery machines;
- (12) Power-driven paper-products machine occupations;
- (13) Occupations involved in the manufacturing of brick, tile, and kindred products;
- (14) Occupations involved in the operation of power-driven circular saws, band saws, and guillotine shears;
- (15) Occupations involved in wrecking, demolition, and ship-breaking operations;
- (16) Roofing operations above ground level; and
- (17) Excavation operations.

(b) A child under eighteen years of age may not be employed or permitted to work in a bar, or be permitted, employed or suffered to sell, dispense or serve alcoholic beverages in any place or establishment where the consumption of alcoholic beverages is permitted by law.

(c) A child under eighteen years of age may not be employed or permitted to work in any occupation prohibited by law or determined by the commissioner to be dangerous or injurious: Provided, That a child between the ages of sixteen and eighteen years who is enrolled in, participating in, or has completed the minimum training requirements of the West Virginia State Fire Commission, West Virginia Department of Education Public Service Training, or West Virginia University fire service extension, or equivalent approved program, and who has the written consent of his or her parents or guardian may be employed by or elected as a member of a volunteer fire department to perform fire fighting functions: Provided, however, That no child may be permitted to operate any fire fighting vehicles, enter a burning building in the course of his or her employment or work or enter into any area determined by the fire chief or fireman in charge at the scene of a fire or other emergency to be an area of danger exposing the child to physical harm by reason of impending collapse of a building or explosion, unless the child is under the immediate supervision of a fire line officer.