



## Lift Equipment Restrictions for Minor Employees

Minors shall not be permitted to operate floor-based vertical powered patient/resident lift devices, ceiling-mounted vertical powered patient/resident lift devices, and powered sit-to-stand patient/resident lift devices (lifting devices) based on the following guidance from the U.S. Department of Labor:

*The Fair Labor Standards Act (FLSA) includes limitations on the type of a work a minor can complete. [Child Labor Hazardous Occupations Order No. 7](#) (29 CFR § 570.58) prohibited children under 18 years of age from operating or assisting in the operation of several types of hoisting apparatus. The Wage and Hour Division adopted an enforcement position in 2011, allowing certain properly trained 16- and 17-year-old nursing aides or nursing assistants to assist trained adults in the operation of certain power-driven patient/resident hoists/lifts under certain conditions. The enforcement position is explained in the [Wage and Hour Division Field Assistance Bulletin 2011-3](#).*

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### Employer Attestation of Mechanical Lift Restriction Acceptance

I attest, as the employer of record, that I understand minor employees/attendants shall not be permitted to operate floor-based vertical powered patient/resident lift devices, ceiling-mounted vertical powered patient/resident lift devices, and powered sit-to-stand patient/resident lift devices (lifting devices). I agree to these restrictions set forth by the U.S. Department of Labor's Child Labor Hazardous Occupations Order.

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Employer of Record Printed Name

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Employer of Record Signature

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Date

November 2021