

TITLE 610 DEPARTMENT OF LABOR

Notice of First Public Comment Period

LSA Document #25-625

YOUTH EMPLOYMENT STATUTORY COMPLIANCE CHANGES

PURPOSE OF NOTICE

The Department of Labor (department) is soliciting public comment on amending and repealing rules at [610 IAC 10](#), concerning youth employment, and bringing the rules into compliance with the Indiana Code. The department seeks comment on the affected citations listed and any other provisions of Title 610 that may be affected by this rulemaking.

ADDITIONAL DOCUMENTS

Regulatory Analysis: [20251105-IR-610250625RAA](#)

Notice of Public Hearing: [20251105-IR-610250625PHA](#)

CITATIONS AFFECTED: [610 IAC 10-1-6](#); [610 IAC 10-3-1](#); [610 IAC 10-5-1](#); [610 IAC 10-5-4](#)

AUTHORITY: [IC 22-1-1-8](#); [IC 22-2-18.1-27](#)

OVERVIEW

Basic Purpose and Background

New youth employment laws were enacted by P.L. 75-2024 and P.L. 133-2024 in the 2024 legislative session, which became effective January 1, 2025. These changes made three of the four rules being modified or repealed in direct conflict with youth employment statutory provisions, while the fourth rule is a definition that is not completely accurate as stated due to an exemption that was previously inadvertently omitted. Clarity of rules and consistency with statutes are important to lend credibility to the state and its laws to ensure proper compliance. The proposed rules will not add any new regulatory obligations, but should impact all employers in the state that hire at least five minors who are at least fourteen years of age, but less than eighteen years of age, subject to a few exceptions, such as minors employed by their own parent or who work as a: (1) performer; (2) newspaper carrier; or (3) youth athletic program referee, umpire, or official.

For purposes of [IC 4-22-2-28.1](#), small businesses affected by this rulemaking may contact the Small Business Regulatory Coordinator:

J. Anthony Hardman

Indiana Department of Labor

402 West Washington Street, Room W195

Indianapolis, IN 46204

(317) 232-2696

DOLlegal@dol.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Caleb Wakeman
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(463) 269-2670
ombudsman@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

REQUEST FOR PUBLIC COMMENT

The department is soliciting public comment on the proposed rule. Comments may be submitted in one of the following ways:

(1) By mail or common carrier to the following address:

LSA Document #25-625 Youth Employment Statutory Compliance Changes
J. Anthony Hardman
Indiana Department of Labor
402 West Washington Street, Room W195
Indianapolis, IN 46204

(2) By email to DOLlegal@dol.in.gov. PLEASE NOTE: Email comments will not be considered part of the official written comment period unless they are sent to the address indicated in this notice.

(3) Attend scheduled public hearing.

COMMENT PERIOD DEADLINE

All comments must be postmarked or time stamped not later than December 5, 2025.

The rule, Regulatory Analysis, appendices referenced in the Regulatory Analysis, and materials incorporated by reference (if applicable) are on file at the Department of Labor, 402 West Washington Street, Room W195, Indianapolis, Indiana and are available for public inspection. Copies of the rule, Regulatory Analysis, and appendices referenced in the Regulatory Analysis are available at the Department of Labor office.

If the department does not receive substantive comments during the public comment period or public hearing, the rule may be adopted with text that is the same as or does not substantially differ from the text of the proposed rule published in this notice.

PROPOSED RULE

SECTION 1. [610 IAC 10-1-6](#) IS AMENDED TO READ AS FOLLOWS:

610 IAC 10-1-6 "Required employer" defined

Authority: [IC 22-1-1-8](#); [IC 22-2-18.1-27](#)

Affected: [IC 22-2-18.1](#)

Sec. 6. "Required employer" means an employer who:

- (1) is not subject to the exemptions described in [IC 22-2-18.1-2](#) and [IC 22-2-18.1-13](#); and
- (2) meets the criteria set forth in [IC 22-2-18.1-26](#)(a) **at least** at one (1) or more locations **location** in Indiana.

(Department of Labor; [610 IAC 10-1-6](#); filed Feb 9, 2022, 4:14 p.m.: [20220309-IR-610210462FRA](#); readopted filed Dec 30, 2024, 12:04 p.m.: [20250122-IR-610230835RFA](#))

SECTION 2. [610 IAC 10-3-1](#) IS AMENDED TO READ AS FOLLOWS:

610 IAC 10-3-1 Hours of employment; records

Authority: [IC 22-1-1-8](#); [IC 22-2-18.1-27](#)

Affected: [IC 22-2-18.1](#)

Sec. 1. An employer shall maintain records of days and hours worked for all employees under ~~eighteen (18)~~ ~~sixteen (16)~~ years of age ~~in order~~ to verify compliance with [IC 22-2-18.1](#).

(Department of Labor; [610 IAC 10-3-1](#); filed Nov 6, 2006, 8:47 a.m.: [20061206-IR-610060159FRA](#); readopted filed Nov 30, 2012, 11:14 a.m.: [20121226-IR-610120578RFA](#); readopted filed Nov 21, 2018, 12:10 p.m.: [20181219-IR-610180417RFA](#); filed Feb 9, 2022, 4:14 p.m.: [20220309-IR-610210462FRA](#); readopted filed Dec 30, 2024, 12:04 p.m.: [20250122-IR-610230835RFA](#))

SECTION 3. [610 IAC 10-5-4](#) IS AMENDED TO READ AS FOLLOWS:

610 IAC 10-5-4 Enter and maintain accurate registration; penalties for failure

Authority: [IC 22-1-1-8](#); [IC 22-2-18.1-27](#)

Affected: [IC 22-2-18.1-26](#); [IC 22-2-18.1-30](#)

Sec. 4. ~~Each~~ **A** required employer shall enter and maintain an accurate and up-to-date list of minor employees at each qualifying location by using the online Youth Employment System (YES). Required employers shall update ~~within three (3) business days of the change~~ any information that has changed regarding qualifying locations, and the names and numbers of minors at each of those locations. Failure to accurately and timely enter and update this information as described in [IC 22-2-18.1-26\(c\)](#) **and** this rule may result in a warning or civil penalty as set forth in [IC 22-2-18.1-30](#).

(Department of Labor; [610 IAC 10-5-4](#); filed Feb 9, 2022, 4:14 p.m.: [20220309-IR-610210462FRA](#); readopted filed Dec 30, 2024, 12:04 p.m.: [20250122-IR-610230835RFA](#))

SECTION 4. [610 IAC 10-5-1](#) IS REPEALED.

Posted: 11/05/2025 by Legislative Services Agency