

## TITLE 610 DEPARTMENT OF LABOR

### Regulatory Analysis

LSA Document #25-625

#### I. Description of Rule

**a. History and Background of the Rule** – Most of the youth employment rules found at [610 IAC 10](#) were initially promulgated in 2006 and readopted in 2012 and 2018. In 2022, Rule 4 was repealed, Rule 5 was added, and a few wording changes were made throughout in response to some major legislative changes that were made to the youth employment laws. The 2022 changes were readopted in 2024 as part of an entire Title 610 readoption, but some new youth employment laws were again enacted by P.L. 75-2024 and P.L. 133-2024 in the 2024 legislative session that took effect on January 1, 2025. These legislative changes are what necessitated the changes to the youth employment rules being proposed.

**b. Scope of the Rule** – Three of the four rule modifications being proposed are to bring the rules in alignment with new statutory provisions and will not add any new regulatory obligations. Only the modification to the definition of “required employer” is being proposed to correct a previous inadvertent omission, which will add another employer exemption, but will not add any new regulatory obligation.

**c. Statement of Need** – Currently three of the four proposed rule modifications are in direct conflict with statutory provisions and the fourth is not completely accurate as stated. Clarity of rules and consistency with statutes are important to lend credibility to the state and its laws and to ensure proper compliance.

**d. Statutory Authority for the Proposed Rule** – [IC 22-2-18.1-27](#) provides the authority for the IDOL to adopt rules related to the youth employee registration system, which it did. Unfortunately, the legislature did not like the registration timing adopted by the department and enacted its own timing. These rule modifications are necessary to align the rules with the statutory timing.

**e. Fees, Fines, and Civil Penalties** – None of the rule modifications being proposed have anything to do with fees, fines, or civil penalties and there is no need to follow the additional steps in [IC 4-22-2-19.6](#).

#### II. Fiscal Impact Analysis

**a. Anticipated Effective Date of the Rule** – These rule modifications are anticipated to be effective within thirty (30) days of publishing the final rules.

**b. Estimated Fiscal Impact on State and Local Government** – These rule modifications should not impact expenditures and revenues of State agencies or local government.

**c. Sources of Expenditures or Revenues Affected by the Rule** – These rule modifications should not impact expenditures and revenues of State agencies or local government.

#### III. Impacted Parties

The parties impacted by these proposed rule modifications include all employers in the state who hire five or more minors who are at least fourteen years of age, but less than eighteen years of age. This requirement is subject to a few exceptions that exclude, for example, minors employed by their own parent and minors who

work as a performer, newspaper carrier, and youth athletic program referee, umpire, or official. There is no known source that accurately captures the number of employers in the state that meet these requirements, and it would be difficult to estimate; however, the number of employers who currently register minors in the registration database is approximately 11,000.

#### IV. Changes in Proposed Rule

<a href="#">610 IAC 10-1-6</a>	Adds the exemptions found in <a href="#">IC 22-2-18.1-13</a> . This had been previously inadvertently omitted.
<a href="#">610 IAC 10-3-1</a>	Changes the age reference from under 18 to under 16 due to the changes in <a href="#">IC 22-2-18.1</a> (18-21 and 23.5).
<a href="#">610 IAC 10-5-1</a>	Repealed by <a href="#">IC 22-2-18.1-26</a> (c).
<a href="#">610 IAC 10-5-4</a>	Repeals timing language that used to be in <a href="#">610 IAC 10-5-1</a> and mentions that it can now be found in statute, which is referring to <a href="#">IC 22-2-18.1-26</a> (c).

#### V. Benefit Analysis

**a. Estimate of Primary and Direct Benefits of the Rule** – These rules are being modified primarily in response to the legislature adding [IC 22-2-18.1-26](#)(c) to replace [610 IAC 10-5-1](#). Primary and direct benefits of the rule changes have not been considered since the purpose of the changes is simply to bring the rules in alignment and compliance with the new statutory provisions and they will not add any new regulatory obligations.

**b. Estimate of Secondary or Indirect Benefits of the Rule** - These rules are being modified primarily in response to the legislature adding [IC 22-2-18.1-26](#)(c) to replace [610 IAC 10-5-1](#). Secondary and indirect benefits of the rule changes have not been considered since the purpose of the changes is simply to bring the rules in alignment and compliance with the new statutory provisions and they will not add any new regulatory obligations.

**c. Estimate of Any Cost Savings to Regulated Industries** – These rules are being modified primarily in response to the legislature adding [IC 22-2-18.1-26](#)(c) to replace [610 IAC 10-5-1](#). Cost savings to regulated industries have not been considered since the purpose of the changes is simply to bring the rules in alignment and compliance with the new statutory provisions and they will not add any new regulatory obligations.

#### VI. Cost Analysis

**a. Estimate of Compliance Costs for Regulated Entities** – These rules are being modified primarily in response to the legislature adding [IC 22-2-18.1-26](#)(c) to replace [610 IAC 10-5-1](#). Compliance costs for regulated entities have not been considered since the purpose of the changes is simply to bring the rules in alignment and compliance with the new statutory provisions and they will not add any new regulatory obligations. Furthermore, the requirement on regulated entities became less stringent for entering required information into the YES system, giving employers approximately two weeks to update information instead of the previous requirement of three days. This may result in fewer instances of non-compliance and fewer penalties being assessed.

**b. Estimate of Administrative Expenses Imposed by the Rules** – These rules are being modified primarily in response to the legislature adding [IC 22-2-18.1-26\(c\)](#) to replace [610 IAC 10-5-1](#). Administrative expenses imposed by the rules have not been considered since the purpose of the changes is simply to bring the rules in alignment and compliance with the new statutory provisions and they will not add any new regulatory obligations.

**c. The fees, fines, and civil penalties analysis required by [IC 4-22-2-19.6](#)** – These rule modifications do not add or increase a fee, fine, or civil penalty.

**d. If the implementation costs of the proposed rule are expected to exceed the threshold set in [IC 4-22-2-22.7\(c\)\(6\)](#)** – The combined implementation and compliance costs of the proposed rule changes do not reach one million dollars (\$1,000,000) for businesses, units, and individuals over any two (2) year period.

## **VII. Sources of Information**

**a. Independent Verifications or Studies** - These rules are being modified primarily in response to the legislature adding [IC 22-2-18.1-26\(c\)](#) to replace [610 IAC 10-5-1](#). A cost-benefit analysis has not been considered since the purpose of the changes is simply to bring the rules in alignment and compliance with the new statutory provisions and they will not add any new regulatory obligations. Therefore, no independent verifications or studies were used or needed.

**b. Sources Relied Upon in Determining and Calculating Costs and Benefits** – These rules are being modified primarily in response to the legislature adding [IC 22-2-18.1-26\(c\)](#) to replace [610 IAC 10-5-1](#). A cost-benefit analysis has not been considered since the purpose of the changes is simply to bring the rules in alignment and compliance with the new statutory provisions and they will not add any new regulatory obligations. Therefore, no sources were relied upon or needed.

## **VIII. Regulatory Analysis**

Three of the four rule modifications being proposed are to bring the rules in alignment with new statutory provisions and will not add any new regulatory obligations. Only the modification to the definition of “required employer” is being proposed to correct a previous inadvertent omission, which will add another employer exemption, but will not add any new regulatory obligation. Therefore, no cost-benefit analysis was considered or needed for any of the proposed rule changes. The Department believes that the benefit of having its rules be consistent with related statutes outweighs any costs.

## **IX. Contact Information of Staff to Answer Substantive Questions**

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