



June 2024

Employment Law - Client Update

Employers Update - Employment of Teenagers - Reminder in Preparation of Approaching Summer Vacation

Dear Clients,

As we approach the annual summer vacation, we would like to bring your attention to a series of important guidelines regarding the employment of teenagers as stipulated in the Youth Employment Law - 1953 (hereinafter: the "**Youth Employment Law**").

1. Minimum Age of Employment for Teenagers

As a general rule, the Youth Employment Law prohibits the employment of teenagers under the age of 15. However, the law distinguishes between three age groups:

- a. Employment of Teens Ages 16 or Older During the School Year: Throughout the school year and after school hours, it is permitted to employ teens ages 16 years or older, so long as they fall under the categories applicable by the Compulsory Education Law. In order to employ teens after school hours, employers must first obtain information regarding the employee's school hours from the school. Moreover, the employment of teens 16 years or older during school hours, may be permitted if one of the following conditions is met:
 - i. The teen is employed as an apprentice, under the definition of the term in the Apprenticeship Law 5713-1953.
 - ii. An inspector on behalf of the Ministry of Education and Culture certified that the teen has completed mandatory education in a shorter period than mandated for their age group.
 - iii. The employee was granted an exemption from the Compulsory Education Law based on the teens inability to study in an education institution.
- b. Employment of Teens Between the Ages of 15-16 During the School Year: Throughout the school year, teenagers ages 15-16 years old who fall under the Compulsory Education Law, may not be employed, unless one of the abovementioned conditions is met.

Note: An employer may employ teenagers in the abovementioned age groups during official school holidays.

- c. Employment of Teenagers Between the Ages of 14-15 Years Old: During official school holidays teenagers ages 14-15 years old may be employed provided that they are employed in non-physically intensive roles, so as not to harm their health and development. Notwithstanding this, it is prohibited to employ a teenager who has not yet reached the age of 15, in public, artistic or promotional performances, or in photography for promotional purposes.

2. Working Hours for Employed Teenagers

The employment of teenagers may not exceed 8 daily hours, and 40 weekly hours. Exceptions may be made, to employ teenagers for up to 9 daily hours, so long as the weekly hours do not exceed 40 weekly hours.

3. Working Breaks for Employed Teenagers

Employed teenagers are entitled to a 45-minute break for food and rest, after completing 6 hours of work, of which at least 30 minutes must be consecutive.

4. Employment of Teenagers During the Weekly Rest

An employed teenager is entitled to a weekly rest day, which must last at least 36 consecutive hours. The day of the week of the weekly rest day is determined by the teenagers' religious affiliations.

5. Employment of Teenagers on Night Shifts

As a general rule, it is forbidden to employ teenagers who are subject to the Compulsory Education Law between the hours of 8PM and 8AM (the next morning). Furthermore, it is forbidden to employ teenagers who have reached the age of 16, who are not subject to the Compulsory Education Law, between the hours of 10PM and 6AM. However, exceptions may be made:

- a. An employer may obtain a permit from the Ministry of Labor to employ teenagers aged 16 years and older, on night shifts.
- b. In response to the state of emergency on the economy, the Iron Swords War, the enlistment of large portions of the work force for reserve duty, and the reduced function of educational institutions, a temporary provision was signed granting a general permit to employ teenagers aged 16 and older until 11PM. This provision stipulates that an employer may employ a teenager aged 16 and older so long as the following two conditions are met: (1) following the workday, after 10PM an employer must ensure the teenager's return home, either personally or by proxy, (2) the employees receive a 14-hour break between workdays. This permit was valid from October 26th, 2023, until November 9th, 2023, or the end of the state of emergency, whichever came first. We note that currently, the general permit has expired and has not been renewed.
- c. On May 22nd, 2024 the Labor and Welfare Committee of the Knesset approved an addendum to the Youth Employment Law, solidifying a previously temporary provision. This provision permits the employment of teenagers ages 16 years and older until 1:00AM, during official school holidays. A key condition of this provision is that if the workday ends after 11:00PM, the employer, either personally or by proxy, must ensure the teenagers' transportation home immediately after their shift. On May 29th 2024, the proposed law was brought forth for the final legislative process and is expected to receive approval soon.

6. Minimum Wage for Employed Teenagers

Employers must provide employed teenagers with at least minimum wage, which is determined by the age of the employee. As of April 1st, 2024 the minimum wage for employed teenagers is as follows:

- a. Teenagers up to 16 years old: minimum wage at an hourly rate of NIS 23.79, and a monthly rate (for up to 40 hours) of NIS 4,116.01.
- b. Teenagers aged 16-17 years old: minimum wage at an hourly rate of NIS 25.49, and a monthly rate (for up to 40 hours) of NIS 4,410.01.
- c. Teenagers aged 17-18 years old: minimum wage at an hourly rate of NIS 28.21, and a monthly rate (for up to 40 hours) of NIS 4,880.41.

7. Vacation Days for Employed Teenagers

Employed teenagers are entitled to the following vacation days: workplaces with a 5-day workweek – 14 annual vacation days; workplaces with a 6-day workweek – 16 annual vacation days. An employed teenager who was employed for less than 75 days a year, is not entitled to the abovementioned annual vacation days but rather entitled to an additional 4% salary component.

8. Pension Fund Contributions for Employed Teenagers

There is no requirement for an employer to make pension fund contributions for an employed teenager. This requirement is only applicable to male employees aged 21 years and older and female employees aged 20 years and older. However, in certain circumstances, according to specific Labor Union Agreements or sectoral Expansion Orders employed teenagers may be entitled to pension fund contributions based on a different age categorization than in the General Expansion Order for Pension Fund Contributions.

9. Certificate of Employment for Teenagers

Currently, the requirement to obtain a work permit for employed teenagers has been revoked. Instead, as a prerequisite to their employment, employers must now refer teenage employees to their general practitioner for a medical examination and receive a medical examination. The teenager must report to the examination, which is considered part of their working hours. The employer must maintain the medical certificate together with a copy of the employees or their guardian's identification card for at least a year following the termination of employment.

10. Salary Deductions for Employed Teenagers

As a general rule, employers may not perform deductions from an employed teenager's salary. However, employers are required to pay social security payments on behalf of teenage employees. Additionally, employed teenagers are required to pay income tax on their salary, however until the age of 19 employees are eligible to age based tax rebate points such that only male teenagers earning over NIS 82,363 annually, and female teenagers earning over NIS 91,706 annually must pay income tax.

11. Notice of Terms of Employment

According to the Employee and Candidate Notice Law (Terms of Employment and Recruitment Procedure), 2002 employers are required to provide their teenage employees, expected to work for at least 30 days, a written

notice of their employment rights such as: the identity of the employer and the employee, the effective date of employment and the period of employment, the employees main responsibilities, the name and positions of the employee's direct supervisor, the employees hourly wage, the length of the workday and the workweek, the day of rest, and any additional details that will ensure employees understand the expectations of employment.

12. Transportation Allowance

In addition to a monthly salary, employers must provide employees with a monthly travel allowance to and from their workplace, and from their home, up to a daily maximum of NIS 22.60 or the cost of a monthly travel pass.

13. Strengthening the Enforcement of Labor Laws

Please note, that in addition to the penalties stipulated in the Youth Employment Law, as outlined above, the Law for Strengthening the Enforcement of Labor Laws, 2011, specifies a series of violations of the Youth Employment law, that if violated, employers will be subjected to a financial penalty based on the severity of the violation, up to the amount of NIS 39,770 per violation.

Should you have any questions or concerns, we would be happy to provide assistance.

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