

Provisions on the Special Protection of Underage Workers of the People's Republic of China

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

Promulgated by Document No. 498 of the Ministry of Labor on December 9, 1994, effective as of January 1, 1995.

Article 1 — Purpose and Basis — These Provisions are formulated in accordance with the Labor Law of the People's Republic of China and the Law on the Protection of Minors for the purposes of safeguarding the lawful rights and interests of underage workers and protecting their physical and mental health during production and work.

Article 2 — Definition of Underage Workers — For the purposes of these Provisions, “underage workers” refer to workers who have reached the age of 16 but have not yet reached the age of 18.

Article 3 — Prohibited Work — Underage workers shall not be assigned to engage in the following work:

1. Work involving occupational exposure to dust above Grade 1 of the National Standards for Classification of Hazardous Factors in Production Dust Operations; 2. Work involving occupational exposure to toxic substances above Grade 1 of the National Standards for Classification of Hazardous Factors in Toxic Operations; 3. Work involving occupational exposure to radioactive substances above Grade 1 of the National Standards for Classification of Hazardous Factors in Radioactive Operations; 4. Work with Grade IV physical labor intensity as specified in the national standards; 5. Underground work and work under particularly harsh conditions; 6. High-altitude work above Grade II as specified in the national standards; 7. Work in excessively hot or cold environments; 8. Work involving operations at heights or in confined spaces; 9. Work on punching, shearing and pressing machinery where dangerous parts are not equipped with safety devices; 10. Work not suitable for underage workers as prescribed by other laws and regulations.

Article 4 — Health Examination Requirements — Employers shall arrange for underage workers to undergo health examinations at the following stages:

1. Before taking up a position; 2. After one year of work; 3. Upon reaching the age of 18, six months before the last scheduled health examination.

Health examinations shall be conducted in accordance with the items specified in the Health Examination Form for Underage Workers.

Article 5 — Registration System — Employers shall register underage workers with the labor administrative department of the local people's government at or above the county level in accordance with the following provisions:

1. An employer shall, before recruiting an underage worker, submit the relevant materials to the labor administrative department for registration; 2. The labor administrative department shall examine the registration materials and issue a Registration Certificate for Underage Workers upon approval.

Article 6 — Working Hours Restrictions — Underage workers shall implement a reduced working hour system and shall not be assigned to work overtime or work night shifts.

Article 7 — Employer Obligations — Employers shall provide underage workers with the necessary labor protection articles and conduct regular health examinations of the workplaces.

Article 8 — Minors with Diseases or Disabilities — Employers shall arrange appropriate work for underage workers who have contracted occupational diseases or suffered work-related injuries in accordance with the

law and provide them with corresponding treatment.

Article 9 — Labor Administrative Department Supervision — Labor administrative departments at or above the county level shall supervise and inspect employers' compliance with these Provisions.

Article 10 — Legal Liability — Where an employer violates these Provisions, the labor administrative department shall order it to make corrections and impose a fine in accordance with the relevant provisions.

Article 11 — Supplementary Provisions — These Provisions shall come into force on January 1, 1995.

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