



FACT SHEET: OHIO'S MANUFACTURING MENTORSHIP PROGRAM INTRODUCES YOUNG PEOPLE TO MANUFACTURING CAREERS, BUILDS WORKFORCE PIPELINE

The Ohio Manufacturers' Association (OMA) advocated for legislation that would enable Ohio's 16- and 17-year old students to work on a part-time basis in Ohio's manufacturing industry as a way to showcase the many viable careers in the industry, while strengthening the workforce development pipeline for manufacturers.

Legislation enabling the Manufacturing Mentorship Program was passed in House Bill 166, the state's 2019-2021 operating budget, and became available to Ohio's youth and manufacturing employers in August 2020.

Before this provision was passed by the legislature, only students aged 16 and 17 could work in the manufacturing sector if they were part of a "bona fide educational program." (Ohio's Career and Technical Center programs are typically considered bona fide, as are other school programs that have been approved by the Ohio Department of Education.)

The Manufacturing Mentorship Program enables **any** 16- or 17-year-old student to work in a manufacturing setting **without** being enrolled in a specific "bona fide educational program."

How does the program work?

These are the activities that participating employers are required to execute:

1. Provide the minor with required training (detailed below).
2. Assign the minor to a mentor who provides direct and close supervision when the minor is engaged in workplace activity.
3. Encourage the minor to participate in a career-technical education program such as one approved by the Ohio Department of Education (if they are not already).
4. Comply with all applicable state and federal laws and regulations related to the employment of minors.
5. Maintain records sufficient to document the satisfaction of all criteria established by the program under the law (section 4109.22 of the Ohio Revised Code).
 - a. Maintain documents for no less than two years following the employment of the minor or after the minor turns 18, whichever is later.
 - b. Make the documents available to the director of the Ohio Department of Commerce or the director's designee upon request.

The Ohio Department of Commerce has created **this document** for ease of compliance with any record requirements.

Specific training requirements for students in the program:

1. Completion of a 10-hour course in general industry safety and health hazard recognition and prevention approved by the U.S. Department of Labor Occupational Safety and Health Administration (OSHA);
2. Instruction on how to operate the specific tools the minor will use during employment;
3. Training on the general safety and health hazards to which the minor may be exposed at the minor's workplace;
4. Training on the value of safety and management commitment; and
5. Information on the employer's drug testing policy.

If a minor has already successfully completed a 10-hour OSHA course, the minor *may* participate in an OSHA-approved 30-hour course in general industry safety and health hazard recognition and prevention.

Participating employers are responsible for all costs associated with training. If the minor provides proof of OSHA required training within the six months prior to employment, then the employer is not required to pay for new OSHA training.

Ensuring safety: Restrictions on tools operated by minors

The law requires that the Ohio Department of Commerce specify a list of tools that a minor, who is 16- or 17-years old, may operate during his or her employment in a manufacturing occupation. The director is required to use the manual issued by the Wage and Hour Division of the U.S. Department of Labor titled the "Field Operations Handbook" when developing the list.

The law prohibits an employer from permitting a minor who is not participating in the Manufacturing Mentorship Program from operating a tool on the list developed by the Ohio Department of Commerce. (An employer is prohibited from permitting a minor, regardless of their participation in the Manufacturing Mentorship Program, to operate a tool that is prohibited for use by minors of that age under the Fair Labor Standards Act.)

Tools permitted for Manufacturing Mentorship Program Participants

The following tools may be used by minors 16 and 17 years of age if they are participants in the Manufacturing Mentorship Program:

General tools:

1. Pipe and bolt threading machine;
2. Pipe nipple and automatic pipe nipple machines;
3. Certain electric carts used as a means of transportation in large industrial plants and at railroad stations, as long as they are not driven on public roads;
4. Riding mowers or golf carts in a warehouse setting, as long as they are not driven on public roads;
5. Powered contour measuring instruments; and
6. Multi-axis type robotic equipment.

Tools permitted with conditions:

1. Welding tools only while under direct supervision;
2. Waterjet cutting machines with devices for fully automatic feeding and ejection and with a fixed guard that prevents operators or helpers from placing any part of their bodies in the point-of-operation area;
3. Computer numerical control (CNC) machines while under direct supervision;
4. Production press machines that are not already listed as a specific prohibition or exception in Chapter 4101:9-2 of the Administrative Code, so long as those devices include fully automatic feeding and ejection and a fixed guard that prevents operators or helpers from placing any part of their bodies in the point-of-operation area;
5. Plastics molding machines when fitted with the proper guarding and are not manually fed;
6. Plastics extruders while under direct supervision; and
7. Soldering irons while under direct supervision.

Tools restricted by type of use:

1. Certain tools that require the placing of material on a moving chain or in a hopper or slide for automatic feeding, such as:
 - a. Band resaw only when it incorporates the use of a chain feed and there is no direct interaction with the tool;
 - b. Automatic nailing machine only when it incorporates the use of a hopper, belt, or chain feed, and there is no direct interaction with the tool;
2. Automatic wire-stitching machines only when it incorporates the use of a hopper or chain feed and there is no direct interaction with the tool; and
3. Tools designed for carrying or moving nonhazardous material from one machine to another (hike-a-way).

Miscellaneous Tools:

Any other tools that are permitted under the Fair Labor Standards Act and are not specifically prohibited by section 4109.05 or the Revised Code or the rules adopted thereunder.

Starting Your Manufacturing Mentorship Program

Manufacturers that are ready and willing to follow the Manufacturing Mentorship Program requirements described in this document and in Section 4109.22 of the Ohio Revised Code may implement their programs.

4109.22 Manufacturing mentorship program.

(A) As used in this section:

(1) "Manufacturing occupation" means employment that consists of the mechanical, physical, or chemical transformation of materials, substances, or components into new products for sale, including the assembling of component parts into a finished product.

(2) Notwithstanding the definition of "employer" in section [4109.01](#) of the Revised Code, "employer" means every person who employs any individual in a manufacturing occupation.

(B) There is hereby created the manufacturing mentorship program to expose minors who are sixteen or seventeen years of age to manufacturing occupations in this state through temporary employment with an employer. An employer employing a minor under the mentorship program shall do all of the following:

(1) Determine the duration of the minor's employment;

(2) Assign the minor a mentor to provide direct and close supervision while the minor is engaged in any workplace activity;

(3) Provide the minor with the training described in division (C) of this section;

(4) Encourage the minor to participate in a career-technical education program approved by the department of education if the minor is not participating in a career-technical education program when the minor begins employment;

(5) Comply with all applicable state and federal laws and regulations relating to the employment of minors.

(C)

(1) An employer employing a minor who is sixteen or seventeen years of age in a manufacturing occupation under the mentorship program shall provide the minor with training that includes all of the following:

(a) A ten-hour course in general industry safety and health hazard recognition and prevention approved by the occupational safety and health administration of the United States department of labor;

(b) Instructions on how to operate the specific tools the minor will use during the minor's employment;

(c) The general safety and health hazards to which the minor may be exposed at the minor's workplace;

(d) The value of safety and management commitment;

(e) Information on the employer's drug testing policy.

(2) For purposes of division (C)(1)(a) of this section, a minor may participate in a thirty-hour course in general industry safety and health hazard recognition and prevention approved by the occupational safety and health administration if the minor has already successfully completed a ten-hour course.

(3) The employer shall pay any costs associated with providing the training required by division (C)(1) or permitted under division (C)(2) of this section.

(4) An employer is not required to provide the training described in division (C)(1) or (2) of this section if the minor presents proof of completing the training during the six-month period immediately before beginning employment with the employer.

(D) The director of commerce, in consultation with employers, shall adopt rules in accordance with Chapter 119. of the Revised Code specifying a list of the tools that a minor who is sixteen or seventeen years of age who is employed under the mentorship program may operate during the minor's employment in a manufacturing occupation. The director shall use the manual issued by the wage and hour division of the United States

department of labor titled "field operations handbook" or its successor for guidance in developing the list. Nothing in this division requires the director to include a tool on the list if the orders issued pursuant to the "Fair Labor Standards Act of 1938," 29 U.S.C. 201, et seq., and section [4109.05](#) of the Revised Code or rules adopted under that section specifically permit minors of that age to operate the tool.

(E) A minor who is sixteen or seventeen years of age who is employed by an employer under the mentorship program may work in any manufacturing occupation not denied by law to minors of that age under section [4109.05](#) of the Revised Code or rules adopted under that section.

(F) No employer shall do either of the following:

(1) Permit a minor who is sixteen or seventeen years of age to operate a tool minors of that age are permitted to operate pursuant to the rules adopted under division (D) of this section unless the minor is employed by the employer under the mentorship program;

(2) Permit a minor who is sixteen or seventeen years of age who is employed by the employer under the mentorship program to operate a tool prohibited for use by minors of that age pursuant to the "Fair Labor Standards Act of 1938," 29 U.S.C. 201, et seq., and section [4109.05](#) of the Revised Code or rules adopted under that section.

Added by 133rd General Assembly File No. TBD, HB 166, §101.01, eff. 10/17/2019.

MMP Compliance Checklist

Pursuant to section 4109.22 of the Revised Code, the manufacturing mentorship program was created to provide minors age sixteen or seventeen years of age real-world experience in manufacturing occupations in Ohio. To be compliant with this program, an employer employing a minor must do all of the following:

- **Determine the duration of the minor’s employment:**
 - Does the employer have a signed agreement between the minor’s legal guardian and a representative of the employer stating the employment duration? Yes No
 - What is the format of this agreement? Where is the agreement maintained?

Signature of Employer’s Representative: _____ Date: _____

- **Assign the minor a mentor to provide direct supervision while the minor is engaged in any workplace activity:**
 - Has the minor been assigned a mentor? Yes No
 - Provide the name, title, contact information, and agreement with the mentor.

Name, Title, and Contact Information: _____

Is an agreement in place with the mentor? Yes No Type of agreement: _____

Signature of Mentor: _____ Date: _____

- **Provide the minor with the following training or obtain proof that the minor has previously completed the required training within the six-month period immediately before the beginning of employment:**
 - OSHA-approved 10-hour general safety training; or OSHA-approved 30-hour industry-specific safety training if the minor has previously completed an OSHA - approved 10-hour course.

Completion Date _____
 - Instructions on operation of specific tools to be used during employment.

Completion Date _____

- General safety and health hazards to which the minor may be exposed at the workplace. Completion Date _____
- The value of safety and management commitment. Completion Date _____
- Information on the employer's drug testing policy. Completion Date _____

[Proof of completed training should be attached to this checklist]

- **Encourage the minor to participate in a career-technical education program approved by the Ohio Department of Education if the minor is not already participating in such a program when employment begins:**
 - Has the minor been given information about career-technical education programs available in the field and geographic area? Yes No List the programs that have been described and attach any promotional information provided to the minor to this checklist.

<p>Signature of Employer's Representative: _____ Date: _____</p>
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- **Ensure compliance with all applicable state and federal laws and regulations relating to the employment of minors:**
 - Attach a copy of the minor's State of Ohio work permit, if applicable, to this checklist.

Pursuant to rule 4101:9-2-02.1 of the Ohio Administrative Code, employers are required to maintain records sufficient to document the satisfaction of all criteria established in section 4109.22 of the Revised Code for no less than two years following the employment of the minor or after the minor turns eighteen. Accordingly, it is recommended that this checklist and supporting documents be used for that purpose and be maintained for that period of time.

Signature of Employer's Representative: _____ Date: _____

Signature of Employee: _____ Date: _____

Signature of Employee's Legal Guardian: _____ Date: _____

**Please note that these are steps recommended by the Bureau of Wage and Hour to ensure compliance with this program, other documentation or evidence of compliance may also be acceptable to the Bureau on case-by-case basis.*