

WAC 296-125-024 House-to-house sales. (1) Minimum age. No minor under the age of sixteen years may be employed in house-to-house sales, unless the department grants a variance to an employer for that specific purpose. A variance must be obtained prior to an employer's employment of any minor under the age of sixteen.

(2) Registration certificates. Each employer of minors in house-to-house sales, or person seeking to advertise to employ a person in house-to-house sales with an advertisement specifically stating a minimum age requirement that is under the age of twenty-one, shall receive from the department, and shall maintain, a valid house-to-house sales registration certificate prior to employing a sixteen- or seventeen-year-old minor for house-to-house sales and prior to advertising for employment.

Employers also must obtain and maintain a valid minor work permit, pursuant to WAC 296-125-020 [296-125-0200], and parent/school authorization forms, pursuant to WAC 296-125-126 [296-125-0260], prior to employing minors for house-to-house sales. If an employer seeks to transport a minor out of the state of Washington for house-to-house sales, the employer must obtain and keep on file express written authorization from each minor's parent or legal guardian to transport each minor worker out of the state for house-to-house sales.

A valid registration certificate and a valid minor work permit must remain in full force and effect at all times that minors are employed by the employer. When duly issued by the department, and unless modified, suspended, or revoked, such a certificate will authorize the employer to employ any number of sixteen- or seventeen-year-old minors for house-to-house sales in accordance with the provisions of this chapter and in accordance with any limitations listed on the certificate.

(3) Adult supervision requirements.

(a) The employer shall ensure that there is one adult supervisor for every five minor employees employed in house-to-house sales during all work hours. A supervisor may not supervise more than one group of five minor employees.

(b) The employer shall ensure that each supervisor of minor employees is a responsible adult who is at least twenty-one years of age.

(c) The employer shall ensure that each supervisor has contact, personally or verbally, with each minor employee at least once every fifteen minutes. The contact with minor employees may be made by remote means such as telephone or walkie-talkie, but in any case shall be of such a nature as to provide assurance of the minor's health, safety, and welfare. The employer shall ensure that each supervisor is within one-half mile of each supervised minor employee during all working hours.

(d) The employer shall ensure that each minor employee is returned by the employer or its agent to the minor's home or initial point of contact promptly at the end of the minor's work hours. If the minor is returned to the initial point of contact, the employer shall ensure that the location selected is one in which the minor's safety is the first and foremost consideration. Minors shall be protected from risks of injury including, but not limited to, moving vehicles.

(4) Hours restrictions and rest periods. Minors may not be employed in house-to-house sales prior to 7:00 a.m. or after 9:00 p.m., nor during school hours. In addition, employers of minors in house-to-house sales must comply with the further requirements of WAC

296-125-027, concerning maximum number of hours per day and per week, and WAC 296-125-028, concerning mandatory rest and meal breaks.

(5) Employee identification cards.

(a) An employer shall issue to each minor employed in house-to-house sales an identification card with the employee's picture. The identification cards issued shall be exclusively from forms obtained in blank from the department.

(b) An identification card shall be in the possession of each minor employed in house-to-house sales during all working hours, and shall be shown to each customer or potential customer.

(6) Posting. At least one copy of a valid house-to-house sales registration certificate shall be posted in plain view of all employees at the employer's primary place of business within the state of Washington.

(7) Renewal. House-to-house sales registration certificates shall be valid for a one-year period. The filing of an application for renewal of registration does not result in an automatic extension of the one-year registration period. The department may refuse to renew a registration certificate if the department finds that a condition of the previous registration period has not been satisfied, that the employer has violated the requirements of this chapter, or that any other condition exists that is or could be detrimental to the health, safety, or welfare of a minor.

(8) Revocation, suspension, and modification. The department may revoke, suspend, or modify an employer's registration for house-to-house sales if the department finds that a condition of registration is not being satisfied, that the employer has violated the requirements of this chapter, or that any other condition exists which is or could be detrimental to the health, safety, or welfare of a minor. In the event the department finds that a condition exists which is or could be detrimental to the health, safety, or welfare of a minor, the department may take emergency action to revoke or suspend a house-to-house sales registration; in such instances, an appeal of the department's action shall not stay the revocation, suspension, or modification during the pendency of the appeal.

(9) Appeals. An appeal of an action by the department to refuse to issue or renew, or to revoke, suspend, or modify an employer's house-to-house sales registration must be filed in writing with the director of the department within thirty days of the department's action. Such appeal shall be conducted in accordance with the rules of practice and procedure established in chapter 296-10 WAC. Such appeal shall not stay the effectiveness of an emergency action taken by the department pursuant to this section.

[Statutory Authority: Chapters 43.22 and 49.12 RCW, RCW 26.28.060 and 43.17.060. WSR 93-01-068, § 296-125-024, filed 12/11/92, effective 3/1/93.]