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23 April 2024

We are developing a summer camp with the hiring of minors. Are there any recommendations or legal steps we should take into consideration?

Yes, you should consider four things.

First, Article 17 of the Labor Code states: "The minor...who has reached 16 years of age shall be considered of legal age for the purposes of the employment contract. The minor...over 14 years of age and under 16 years of age may enter an employment contract, receive the agreed remuneration and indemnities set forth in this Code and exercise the actions derived from such relations, with the authorization of his father and mother or of the one of these who has authority over the minor, or in the absence of both, of his guardian".

Second, Article 248 of the Labor Code provides, "Any minor under 18 years of age who intends to perform work in enterprises of any kind, shall prove his physical aptitude to perform the position in question with a medical certificate issued free of charge by a medical practitioner rendering services to the State."

For these purposes, it is necessary to approach the Ministry of Labor and obtain the DGT-7 form.

Third, regarding the payment of the salary, one option is to pay it in cash, and another option is to pay it by transfer to an account in the name of one of the parents; this is because banks do not open accounts for minors under 18 years of age.

And fourth, you should consult with TSS User Services to see if it is possible to affiliate the child to social security with a minor's ID card. If that is not possible, then I suggest approaching an insurance company to open an occupational accident policy.