

CHILD LABOR LAW - AMEND

Act of Dec. 21, 1998, P.L. 1242, No. 158

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Session of 1998

No. 1998-158

HB 1064

AN ACT

Amending the act of May 13, 1915 (P.L.286, No.177), entitled, as amended, "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates or transferable work permits for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Secretary of Labor and Industry, the representative of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing for the issuance of special permits for minors engaging in the entertainment and related fields; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," further providing for entertainment, rehearsals, permits, applications and appeals; and providing for volunteer fire company activities.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 7.1 of the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, amended December 21, 1988 (P.L.1908, No.192), is amended by adding a subsection to read:

Section 7.1. * * *

(a.2) A special permit shall not be required under this section for a minor who participates in a nonprofit, educational, theatrical production if there is informed, written consent of a parent or guardian; if the participation is for a period of no more than fourteen consecutive days; if the participation is not during school hours; and if the minor receives no direct or indirect remuneration. All other existing limitations of this section shall remain applicable.

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Section 2. Section 7.3 of the act, amended or added June 27, 1973 (P.L.70, No.30) and May 20, 1976 (P.L.130, No.57), is amended to read:

Section 7.3. Minor Volunteer Fire Company, Volunteer Ambulance Corps, Volunteer Rescue Squads and Volunteer Forest Fire Crew Member Activities.--(a) Minors who are members of a volunteer fire company and volunteer forest fire crew may participate in training and fire-fighting activities as follows:

(1) Drivers of trucks, ambulances or other official fire vehicles must be eighteen years of age.

(2) Minors sixteen and seventeen years of age who have successfully completed a course of training equal to the standards for basic fire-fighting established by the Department of Education and the Department of Environmental Resources, may engage in fire-fighting activities provided that such minors are under the direct supervision and control of the fire chief, an experienced line officer or a designated forest fire warden.

(3) No person under eighteen years of age shall be permitted to (i) operate an aerial ladder, aerial platform or hydraulic jack, (ii) use rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets or acetylene cutting units, (iii) operate the pumps of any fire vehicle while at the scene of a fire, or (iv) enter a burning structure.

(b) The activities of minors under sixteen years of age shall be limited to:

(1) Training.

(2) First aid.

(3) Clean-up service at the scene of a fire, outside the structure, after the fire has been declared by the fire official in charge to be under control.

(4) Coffee wagon and food services.

(c) In no case, however, shall minors under sixteen years of age be permitted to:

(1) Operate high pressure hose lines, except during training activities;

(2) Ascend ladders, except during training activities; or

(3) Enter a burning structure.

(d) All other activities by minors who are members of a volunteer fire company or a volunteer forest fire crewman shall be permissible unless specifically prohibited by this act.

(e) No rule or regulation of any State agency concerning minor volunteer firemen shall be adopted or promulgated except by amendment to this act.

(f) All other existing provisions of this act and the regulations promulgated thereunder affecting the employment of minors shall be applicable in all cases, including the requirements for employment certificates and the limitations on hours of employment: Provided, That a minor sixteen or seventeen years of age who is a member of a volunteer fire company who answers a fire call while lawfully employed and continues in such service until excused by the one acting as chief of that fire company shall not be considered in violation of this act for any part of the period so occupied[.]: **And further provided, That a minor who is fourteen or fifteen years of age, who is a member of a volunteer fire company and who performs the training or fire-fighting activities permitted for such minor under the provisions of this act between the hours of seven o'clock in the evening and ten o'clock in the evening before a day of school with written parental consent shall not be considered in violation of this act.**

(g) Any minor who is a member of a volunteer ambulance corps or rescue squad may participate in training and any other activity as provided by regulations adopted by the Department of Labor and Industry but in any case, drivers of all ambulances or other official ambulance corps or rescue squad vehicles must be eighteen years of age.

Section 3. This act shall take effect in 60 days.

THOMAS J. RIDGE