

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2902 Session of
1998

INTRODUCED BY PIPPY, E. Z. TAYLOR, STEVENSON, ORIE, YOUNGBLOOD,
PHILLIPS, GIGLIOTTI, THOMAS AND LEDERER, OCTOBER 20, 1998

REFERRED TO COMMITTEE ON LABOR RELATIONS, OCTOBER 20, 1998

AN ACT

1 Amending the act of May 13, 1915 (P.L.286, No.177), entitled, as
2 amended, "An act to provide for the health, safety, and
3 welfare of minors: By forbidding their employment or work in
4 certain establishments and occupations, and under certain
5 specified ages; by restricting their hours of labor, and
6 regulating certain conditions of their employment; by
7 requiring employment certificates or transferable work
8 permits for certain minors, and prescribing the kinds
9 thereof, and the rules for the issuance, reissuance, filing,
10 return, and recording of the same; by providing that the
11 Industrial Board shall, under certain conditions, determine
12 and declare whether certain occupations are within the
13 prohibitions of this act; requiring certain abstracts and
14 notices to be posted; providing for the enforcement of this
15 act by the Secretary of Labor and Industry, the
16 representative of school districts, and police officers; and
17 defining the procedure in prosecutions thereunder, and
18 establishing certain presumptions in relation thereto;
19 providing for the issuance of special permits for minors
20 engaging in the entertainment and related fields; providing
21 penalties for the violation of the provisions thereof; and
22 repealing all acts or parts of acts inconsistent therewith,"
23 further providing for employment of minors and prohibited
24 employment of minors under 14 years of age.

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

27 Section 1. Section 2 of the act of May 13, 1915 (P.L.286,
28 No.177), known as the Child Labor Law, amended October 4, 1978
29 (P.L.938, No.182), is amended to read:

1 Section 2. No minor under [sixteen] fourteen years of age
2 shall be employed or permitted to work in, about, or in
3 connection with, any establishment or in any occupation except
4 that a minor between the ages of twelve and [fourteen] thirteen
5 years may be employed as a caddy subject to the limitation that
6 he or she carry not more than one golf bag at a time and for not
7 more than eighteen holes of golf in any one day and except that
8 a minor between the ages of fourteen and sixteen years may be
9 employed as hereinafter provided in such work as will not
10 interfere with school attendance: Provided, however, That
11 nothing contained in this section shall be construed as
12 superseding or modifying any provisions contained in section
13 seven of the act to which this is an amendment.

14 Section 2. Section 4 of the act, amended October 4, 1989
15 (P.L.584, No.62), is amended to read:

16 Section 4. No minor under eighteen years of age shall be
17 employed or permitted to work in, about, or in connection with
18 any establishment, or in any occupation, for more than six
19 consecutive days in any one week, or more than forty-four hours
20 in any one week, or more than eight hours in any one day:
21 Provided, That messengers employed by telegraph companies at
22 offices where only one such minor is employed as a messenger in
23 which case such minor shall not be employed for more than six
24 consecutive days in any one week, or more than fifty-one hours
25 in any one week, or more than nine hours in any one day: And
26 provided further, That no minor under eighteen years of age, who
27 is enrolled in regular day school and working outside school
28 hours, shall be employed or permitted to work for more than
29 twenty-eight hours during a school week.

30 No minor under [sixteen] fourteen years of age shall be

1 employed or permitted to work in, about, or in connection with,
2 any establishment or in any occupation before seven o'clock in
3 the morning or after seven o'clock in the evening of any day
4 except during school vacation period from June to Labor Day when
5 such minor may work between the hours of seven o'clock in the
6 morning and ten o'clock in the evening nor shall such a minor
7 who is enrolled in school and working outside school hours be
8 employed or permitted to work in, about, or in connection with,
9 any establishment or in any occupation more than four hours on a
10 school day, or more than eight hours on any other day, or more
11 than eighteen hours during a school week: Provided, That,
12 students fourteen years of age and over whose employment is part
13 of a recognized school-work program, supervised by a recognized
14 school authority, may be employed for hours which, combined with
15 the hours spent in school, do not exceed eight a day: And
16 further provided, That minors over the age of fourteen may be
17 employed in the distribution, sale, exposing or offering for
18 sale, of any newspaper, magazine, periodical or other
19 publication for not more than fifty-one hours in any one week,
20 or more than nine hours in any one day, and after six o'clock in
21 the morning and before eight o'clock in the evening: And further
22 provided, That a minor under [sixteen] fourteen years of age
23 employed on a farm by a person other than the farmer in the
24 hatching, raising or harvesting of poultry may be employed or
25 permitted to work until 10 o'clock in the evening as long as the
26 minor is not working in an agricultural occupation declared
27 hazardous by the United States Secretary of Labor.

28 No minor under eighteen years of age shall be employed or
29 permitted to work for more than five hours continuously in,
30 about, or in connection with, any establishment without an

1 interval of at least thirty minutes for a lunch period and no
2 period of less than thirty minutes shall be deemed to interrupt
3 a continuous period of work.

4 No minor under eighteen years of age shall be employed or
5 permitted to work in, about, or in connection with, any
6 establishment between the hours of twelve in the evening and six
7 in the morning if such minor is enrolled in regular day school:
8 Provided, That, minors sixteen and seventeen years of age may be
9 employed until, but not after, one o'clock in the morning on
10 Fridays and Saturdays, and on days preceding a school vacation
11 occurring during the school year, excepting the last day of such
12 vacation period.

13 Notwithstanding any other provision of this section, a minor
14 who is [sixteen or] between fourteen and seventeen years of age
15 who is employed during the months of June, July, August or
16 September by a summer resident camp or a conference or retreat
17 operated by a religious or scout organization shall receive one
18 day of rest (twenty-four consecutive hours of rest) during every
19 seven-day period: Provided, That this paragraph shall not apply
20 to a minor employed primarily for general maintenance work or
21 food service activities.

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