
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2780 Session of
2002

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THOMAS, SAINATO AND WATERS, JUNE 28, 2002

SENATOR ARMSTRONG, LABOR AND INDUSTRY, IN SENATE, AS AMENDED,
NOVEMBER 19, 2002

AN ACT

1 Regulating child labor; conferring powers and duties on the
2 Department of Labor and Industry and the Department of
3 Education; imposing penalties; and making a repeal.

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

11 Section 1. Short title.

12 This act shall be known and may be cited as the Child Labor
13 Act.

14 Section 2. Legislative intent.

15 In the interest of ensuring that there is a clear set of
16 standards for employers to follow in the employment of children
17 under 18 years of age, the General Assembly recognizes that the
18 current law in this area must be updated and, in order to avoid
19 confusion, must be as consistent as possible with Federal
20 standards. This act is intended to update the Commonwealth's
21 laws regulating the employment of children under 18 years of
22 age, and it is intended to promulgate standards which are
23 consistent as possible with regulations promulgated pursuant to
24 the Fair Labor Standards Act which regulate the employment of
25 children under 18 years of age.

26 Section 3. Definitions.

27 The following words and phrases when used in this act shall
28 have the meanings given to them in this section unless the
29 context clearly indicates otherwise:

30 "Department." The Department of Labor and Industry of the

1 Commonwealth.

2 "Employer." A person that employs a minor.

3 "Enforcement officer." Any of the following:

4 (1) The Secretary of Labor and Industry, a designee who
5 is an employee of the Department of Labor and Industry or an
6 attorney of the Office of General Counsel who is assigned to
7 the department.

8 (2) A chief school administrator.

9 (3) A home and school visitor.

10 (4) An attendance officer appointed under section 1342
11 of the act of March 10, 1949 (P.L.30, No.14), known as the
12 Public School Code of 1949.

13 (5) An issuing officer.

14 (6) A law enforcement officer.

15 "Establishment." A place within this Commonwealth where work
16 is done for compensation of any kind.

17 "Fair Labor Standards Act." The Fair Labor Standards Act of
18 1938 (52 Stat. 1060, 29 U.S.C. § 201 et seq.).

19 "Issuing officer." One of the following:

20 (1) A district superintendent or supervising principal
21 of a public school district or, if a public school district
22 does not have a district superintendent or supervising
23 principal, the secretary of the board of school directors of
24 the district.

25 (2) An individual authorized in writing by the
26 appropriate individual under paragraph (1) to issue a
27 certificate or permit.

28 "Minor." An individual under 18 years of age.

29 "Person." The Commonwealth, any political subdivision or
30 instrumentality or authority of a political subdivision, an

1 individual, a partnership, a corporation, a nonprofit
2 corporation or an unincorporated association.

3 "Regular school week." The five days beginning with Monday
4 through Friday in which school is in session.

5 "Secretary." The Secretary of Labor and Industry of the
6 Commonwealth.

7 "Volunteer emergency service organization." A volunteer fire
8 company, volunteer ambulance organization, volunteer rescue
9 organization or a volunteer forest fighting organization.

10 "Work permit." A transferable work permit entitling a minor
11 to employment.

12 "Youth peddling." The selling of goods or services by minors
13 to customers at residences, places of business or public places,
14 including street corners, roadway medians, sports and performing
15 arts facilities and public transportation stations. The term
16 includes sales from vehicles or the placement of advertisements
17 or literature outside of fixed retail locations. The term does
18 not include any of the following:

19 (1) Minors who sell products, goods or services as
20 volunteers without compensation on behalf of nonprofit
21 organizations, including organizations that:

22 (i) qualify as nonprofit under section 501(c)(3) of
23 the Internal Revenue Code of 1986 (Public Law 99-514, 26
24 U.S.C. § 501(c)(3)); and

25 (ii) meet the registration requirements established
26 by regulations of the Commonwealth.

27 (2) Minors engaged in the delivery of newspapers to
28 consumers at residences or place of business.

29 (3) Minors employed at fixed retail locations in
30 compliance with the provisions of the Fair Labor Standards

1 Act.

2 (4) Minors who:

3 (i) sell products, goods or services under the
4 immediate supervision of a parent or legal guardian; and

5 (ii) do not reside away from their home while
6 engaged in the sales activity.

7 Section 4. General limitations on employment of minors.

8 (a) Rest break.--No minor may be employed for more than five
9 hours continuously without an interval of at least 30 minutes
10 for a rest break. No period of less than 30 minutes shall be
11 deemed to interrupt a continuous period of work.

12 (b) Consecutive days.--A minor may not be employed for more
13 than six consecutive days in a single week.

14 (c) Establishments.--Minors may not be employed in the
15 following establishments:

16 (1) Billiard rooms.

17 (2) Except as set forth in section 6(a)(2) or 7(c),
18 establishments where alcoholic beverages are produced, sold
19 or dispensed.

20 (3) Establishments determined by the department, through
21 regulation, to be hazardous to minors or injurious to health
22 of morals of minors.

23 (d) Prohibited employment.--Unless otherwise permitted by
24 this act, a minor shall not be employed:

25 (1) In any occupation designated as hazardous and
26 otherwise prohibited under the Fair Labor Standards Act and
27 regulations under that act.

28 (2) In any occupation designated as hazardous and
29 otherwise prohibited by the secretary in regulations
30 promulgated under this act.

1 Section 5. Employment of minors under 14 years of age.

2 (a) General limitations.--Except as set forth in subsection
3 (b) or in section 8, no minor under 14 years of age may be
4 employed.

5 (b) Exceptions.--Irrespective of the limitations set forth
6 in subsection (a), a minor under 14 years of age may be employed
7 as follows:

8 (1) A minor who is at least 12 years of age may be
9 employed as a caddy subject to the following limitations:

10 (i) The minor may not carry more than one golf bag
11 at a time.

12 (ii) Employment may not be for more than 18 holes of
13 golf in a single day.

14 (2) A minor who is at least 11 years of age may engage
15 in the delivery of newspapers, periodicals or other
16 publications to the homes of subscribers or in the street
17 sale or delivery of the items to the consumer. Minors under
18 this paragraph shall be subject to limitations set forth in
19 section 6(c)(2). This paragraph shall not apply to the
20 hauling of newspapers, periodicals or other publications to
21 drop stations or distribution centers or other related
22 activities.

23 Section 6. Employment of minors under 16 years of age.

24 (a) Permitted employment.--

25 (1) Minors who are under 16 years of age may be employed
26 in occupations not prohibited under section 4(d).

27 (2) Irrespective of the limitation in section 4(c)(2), a
28 minor under 16 years of age may be employed at a ski resort,
29 BOWLING ALLEY, golf course ~~and~~ OR amusement park, where
30 alcoholic beverages are served as long as the minor is not

<—

1 permitted to handle or serve the beverages and is not
2 employed in a room where the beverages are stored or served.

3 (3) A minor under 16 years of age may not be employed in
4 or permitted to conduct youth peddling.

5 (b) Hours of employment.--Except as set forth in subsection
6 (c), hours of employment for minors under 16 years of age shall
7 be limited as follows:

8 (1) Subject to regulations under section 12(a)(2), the
9 minor may not be employed before 7 a.m. or after 7 p.m.,
10 except that, during the school vacation period from June to
11 Labor Day, a minor shall be permitted to be employed until 9
12 p.m.

13 (2) The minor may not be employed for more than three
14 hours on a school day nor more than eight hours on a day when
15 there is no school.

16 (3) The minor may not be employed for more than 18 hours
17 during a week school is in session.

18 (4) The minor may not be employed for more than 40 hours
19 a week when school is not in session.

20 (c) Exceptions.--The following exceptions apply to the
21 prohibitions of subsection (b):

22 (1) Poultry farm-minors who are at least 14 years of age
23 or older may be employed until 10 p.m. on a farm by a person
24 other than the farmer in the hatching, raising or harvesting
25 of poultry as long as the minor is not working in an
26 agricultural occupation declared hazardous by the United
27 States Secretary of Labor.

28 (2) Newspaper-delivery minors and periodical-delivery
29 minors who are at least 14 years of age may be employed in
30 the distribution and sale of newspapers, magazines,

periodicals or other publications after 6 a.m. and before 8 p.m., or until 9 p.m. as set forth in subsection (b)(1).

Section 7. Employment of minors 16 years of age or older.

(a) Permitted employment.--Minors who are at least 16 years of age may be employed in occupations not prohibited under section 4(d).

(b) Hours of employment.--

(1) Except as set forth in paragraph (2), hours of employment for minors at least 16 years of age shall be limited as follows:

(i) The minor may not be employed for more than 48 hours in a single week. ~~however a minor may refuse to work in excess of 40 hours in a single week.~~ <—

(ii) The minor may not be employed for more than eight hours in a single day.

(iii) The minor may not be employed for more than 28 hours during a regular school week.

(iv) The minor may not be employed between the hours of 12 midnight and 6 a.m. on a school day, except that the minor may be employed until 1 a.m. on an evening before a nonschool day.

(2) This subsection does not apply to a minor who:

(i) is a high school graduate; or

(ii) is exempt from compulsory school attendance requirements under section 1330(1) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

(c) Employment in motels, clubs and restaurants in which liquor is present.--Irrespective of the general limitation delineated in section 4(c)(2), a minor who is at least 16 years

1 of age may be employed as follows in a motel, club and
2 restaurant in which liquor is present:

3 (1) The minor may be employed in that part of the
4 establishment in which alcoholic beverages are not served.

5 (2) The minor may be employed to serve food, clear
6 tables and perform other duties in a licensed establishment
7 whose sales of food and nonalcoholic beverages are equal to
8 at least 40% of the combined gross sales of both food and
9 alcoholic beverages, if duties do not include the dispensing
10 or serving of alcoholic beverages. Before employing a minor
11 under this paragraph, an establishment licensed by the
12 Pennsylvania Liquor Control Board must furnish to the issuing
13 officer a certification that, for a period of not less than
14 90 days during the 12 months immediately preceding the date
15 of application, the establishment met the 40% threshold of
16 this paragraph in conformity with the regulations of the
17 board governing the sale of alcoholic beverages on Sunday.

18 (d) Employment of minors in religious or scout organization
19 summer camps or retreats.--A minor at least 16 years of age who
20 is employed during the months of June, July, August or September
21 by a summer resident camp or a conference or retreat operated by
22 a religious or scout organization shall receive 24 consecutive
23 hours of rest, during every seven-day period. This subsection
24 does not apply to a minor employed primarily for general
25 maintenance work or food service activities.

26 Section 8. Employment of minors as performers in theater or
27 film productions.

28 (a) Authorization.--A minor may be employed in a theatrical
29 production, a musical recital or concert, an entertainment act,
30 modeling, radio, television, motion picture making or a similar

1 form or medium of entertainment if all of the following apply:

2 (1) Except as set forth in subsection (b)(4), the minor
3 has an entertainment permit from the department.

4 (2) The performance is not hazardous to the minor's
5 safety or well-being.

6 (3) The minor does not perform after midnight.

7 (4) No alcoholic beverages are sold or dispensed during
8 the performance.

9 (5) The minor does not appear in more than:

10 (i) ~~two~~ THREE performances in a single day; or <—

11 (ii) ten performances in a single week.

12 (6) For rehearsals for performances, length of time and
13 hours of starting and finishing rehearsals added to
14 performance duties are not such as to be injurious or harmful
15 to the minor.

16 (b) Entertainment permits.--

17 (1) The department may issue an entertainment permit to
18 a minor to be employed in a theatrical production, a musical
19 recital or concert, an entertainment act, modeling, radio,
20 television, motion picture making or a similar form or medium
21 of entertainment. The entertainment permit shall insure
22 compliance with subsection (a)(2) through (6).

23 (2) The department may issue an entertainment permit to
24 a minor for temporary employment as part of the performing
25 cast in the production of motion pictures or television
26 programming as follows:

27 (i) The department must determine that adequate
28 provision has been made for the minor's educational
29 instruction, supervision, health and welfare.

30 (ii) Unless the department determines that more

1 restrictive conditions are necessary, an entertainment
2 permit under this paragraph shall authorize a minor to
3 work as part of the performing cast for no more than 44
4 hours in a single week nor eight hours in a single day.
5 Time spent on the set or on location while on call shall
6 be excluded from any calculation of the maximum number of
7 hours under this subparagraph if the department
8 determines that adequate provision has been made for the
9 minor's education, supervision and welfare during such
10 intervals. The department may restrict the number of
11 hours which may be spent on call by the minor.

12 (iii) The department may waive restrictions
13 contained in this act and in any other act on the time of
14 day or night allowed for engaging in the employment
15 authorized by this paragraph if the department determines
16 that the waiver:

17 (A) is necessary to preserve the artistic
18 integrity of the motion picture OR TELEVISION
19 PROGRAMMING; and

<—

20 (B) will not impair the educational instruction,
21 supervision, health or welfare of the minor.

22 (iv) An entertainment permit under this paragraph
23 shall be valid for up to six months.

24 (v) An entertainment permit under this paragraph
25 shall state that the minor for whom the entertainment
26 permit is issued may not be allowed on a set during nor
27 otherwise watch the filming or rehearsal for filming of a
28 sexual act.

29 (3) Expected rehearsal time and the hours of starting
30 and finishing the rehearsal must be set forth in the

1 application for an entertainment permit. The entertainment
2 permit issued shall state what rehearsal time is permissible.

3 (4) The application must comply with all of the
4 following:

5 (i) Be made on a form signed by the employer of the
6 minor and the parent or guardian of the minor.

7 (ii) Contain the seal of a notary public and a
8 statement that the facts as set forth in the application
9 are correct.

10 (iii) State what provisions are in effect to provide
11 for:

12 (A) the minor's educational instruction,
13 supervision, health and welfare; and

14 (B) safeguarding and conservation for the minor
15 of the money derived from performance.

16 (5) No entertainment permit shall be issued for a
17 performance if there is no adequate provision for the matters
18 set forth in paragraph (4)(iii).

19 (6) An appeal of a decision by the department under this
20 subsection must be made to the secretary. The secretary shall
21 hold a hearing on the appeal.

22 (7) An entertainment permit is not to be required for a
23 minor who participates in a nonprofit, educational,
24 theatrical production if all of the following apply:

25 (i) There is informed, written consent of the
26 minor's parent or guardian.

27 (ii) Participation is:

28 (A) for a period of no more than 14 consecutive
29 days; and

30 (B) not during school hours.

1 (iii) The minor receives no direct or indirect
2 remuneration.

3 (c) Conflicts.--Nothing in this section shall be construed
4 to supersede or repeal:

5 (1) any provision of this act unless an entertainment
6 permit is issued; or

7 (2) 18 Pa.C.S. § 5903 (relating to obscene and other
8 sexual materials and performances) or § 6312 (relating to
9 sexual abuse of children).

10 Section 9. Minors serving in volunteer emergency service
11 organizations.

12 (a) General rule.--A minor who is a member of a volunteer
13 emergency service organization may participate in training and
14 emergency service activities except as follows:

15 (1) A minor may not operate a truck, ambulance or other
16 official fire vehicle.

17 (2) A minor may not operate an aerial ladder, aerial
18 platform or hydraulic jack.

19 (3) A minor may not use rubber electrical gloves,
20 insulated wire gloves, insulated wire cutters, life nets or
21 acetylene cutting units.

22 (4) A minor may not operate the pump of a fire vehicle
23 while at the scene of a fire.

24 (5) A minor may not enter a burning structure.

25 (6) A minor may not engage in firefighting activities
26 unless all of the following apply:

27 (i) The minor is at least 16 years of age.

28 (ii) The minor has successfully completed a course
29 of training equal to the standards for basic firefighting
30 established by the Department of Education and the

1 Department of Conservation and Natural Resources.

2 (iii) The minor is under the direct supervision and
3 control of the fire chief, an experienced line officer or
4 a designated forest fire warden.

5 (b) Additional limitations for minors under 16 years of
6 age.--In addition to the limitations delineated in subsection
7 (a), the activities of minors under 16 years of age shall be
8 further limited as follows:

9 (1) A minor under 16 years of age shall only be
10 permitted to perform the following activities:

11 (i) Training.

12 (ii) First aid.

13 (iii) Cleanup service at the scene of a fire,
14 outside the structure and after the fire has been
15 declared by the fire official in charge to be under
16 control.

17 (iv) Assist a coffee wagon and food services.

18 (2) A minor under 16 years of age may not do any of the
19 following:

20 (i) Operate high pressure hose lines except during
21 training activities.

22 (ii) Ascend ladders except during training
23 activities.

24 (c) Other prohibited activities.--The department may
25 prohibit through regulation other activities that it deems
26 hazardous to the health of minors.

27 (d) Other provisions.--

28 (1) Except as set forth in this subsection, this section
29 does not supersede any other provision of this act or any
30 regulation promulgated under this act.

1 (2) A minor may continue serving in answer to a fire
2 call until excused by the individual acting as chief of the
3 fire company if the minor:

4 (i) is at least 16 years of age;

5 (ii) is a member of a volunteer fire company; and

6 (iii) answers a fire call while lawfully employed.

7 (3) A minor 14 OR 15 YEARS OF AGE may perform the <—
8 training or firefighting activities permitted under this
9 section between the hours of 7 p.m. and 10 p.m. before a
10 school day if the minor:

11 ~~(i) is at least 16 years of age;~~ <—

12 ~~(ii)~~ (I) is a member of a volunteer fire company; <—

13 and

14 ~~(iii)~~ (II) has the written consent of a parent or <—

15 guardian.

16 Section 10. Duties of employer.

17 (a) Work permits and parental authorization.--

18 (1) Unless a minor has the items listed in paragraph
19 (2), a minor may not be employed or permitted to work:

20 (i) in, about or in connection with an
21 establishment; or

22 (ii) in an occupation.

23 (2) To be permitted to work under paragraph (1), a minor
24 must have all of the following:

25 (i) A work permit.

26 (ii) A written, notarized statement by the minor's
27 parent or guardian acknowledging understanding of the
28 duties and hours of employment and granting permission to
29 work.

30 (3) Before employing a minor, an employer shall do all

of the following:

(i) Verify work permit under paragraph (2)(i).

(ii) Receive the statement under paragraph (2)(ii).

(b) Notification.--The employer shall acknowledge to the issuing official in writing the employment of a minor and shall detail the normal duties and hours of employment within five days after the beginning of employment and shall include the age and permit number of the minor. On termination of employment of a minor, the employer shall notify the issuing official within five days of the final day of employment that the minor no longer is employed by the employer.

(c) Posting requirement.--An employer shall post in a conspicuous place in the establishment all of the following:

(1) A printed abstract of the sections of this act relating to the hours of labor.

(2) A list of the minors employed in the establishment.

(3) A schedule of the hours of labor of the minors listed in subparagraph (ii). The schedule of hours of labor shall contain:

(i) the maximum number of hours each minor is required or permitted to work on each day of the week;

(ii) the weekly total for each minor; and

(iii) the daily hours for commencing and stopping work and for time allowed for meals.

(d) Records.--

(1) An employer shall maintain a record of minors at the work site which contains, for each holder, a copy of the work permit, the original notarized permission statement required in subsection (a) and a copy of the letter sent to the issuing official announcing the employment of the minor.

1 (2) An employer shall maintain records for employed
2 minors in compliance with the recordkeeping requirements of
3 the act of January 17, 1968 (P.L.11, No.5), known as The
4 Minimum Wage Act of 1968, AND SHALL MAINTAIN ACCURATE RECORDS <—
5 OF THE ACTUAL DAYS, HOURS AND TIMES OF DAY THE MINORS WORKED,
6 INCLUDING BREAKS.

7 (3) An employer shall provide an enforcement officer
8 with access to records kept under this subsection.

9 Section 11. Work permit.

10 (a) Form and content.--

11 (1) A work permit shall be issued on a wallet-sized form
12 prescribed by the department. The certificate shall contain
13 the following information related to the holder:

14 (i) Name.

15 (ii) Sex.

16 (iii) Date and place of birth.

17 (iv) Place of residence.

18 (v) Color of hair and eyes.

19 (vi) Any distinguishing physical characteristics or
20 physical limitation.

21 (2) The work permit shall certify that:

22 (i) the holder has personally appeared before the
23 issuing officer and has been examined;

24 (ii) all papers required by law have been examined,
25 approved and filed; and

26 (iii) all conditions and requirements for issuing a
27 permit have been fulfilled.

28 (3) The work permit shall be signed, in the presence of
29 the issuing officer, by the holder.

30 (4) The work permit shall bear a number, the date of

1 issuance and the signature of the issuing officer.

2 (b) Application.--

3 (1) Documentation.--

4 (i) Except as set forth in subparagraph (ii),
5 application for a work permit must be verified as
6 follows:

7 (A) The applicant's parent or guardian must sign
8 the application.

9 (B) In lieu of a signature under clause (A), the
10 applicant may execute a statement before a notary
11 public or other person authorized to administer oaths
12 attesting to the accuracy of the facts set forth in
13 the application on a form prescribed by the
14 department. The statement shall be attached to the
15 application.

16 (ii) Subparagraph (i) does not apply if the
17 applicant can demonstrate official proof of high school
18 graduation.

19 (2) Examination.--

20 (i) Except as set forth in paragraph (ii), a work
21 permit shall not be issued until the applicant has
22 personally appeared before and been examined by the
23 issuing officer.

24 (ii) Subparagraph (i) does not apply if the
25 applicant can demonstrate official proof of high school
26 graduation.

27 (3) Documentation.--The issuing officer shall not issue
28 a work permit until the issuing officer has received,
29 examined, approved and filed the following papers which
30 verify the minor's age:

1 (i) If proof of age is an official document or
2 record of the Commonwealth or government of another state
3 or governmental subdivision of another state, it need not
4 be filed if the issuing officer records the information
5 necessary to enable the document or record to be located
6 at the place where it is filed. If proof of age is other
7 than an official document or record of the Commonwealth
8 or government of another state or governmental
9 subdivision of another state, the following is the order
10 of preference for acceptable proof under this
11 subparagraph:

12 (A) An attested transcript of the birth
13 certificate, filed according to law with a register
14 of vital statistics or other officer charged with the
15 duty of recording birth.

16 (B) A certified baptismal certificate or
17 transcript of the record of baptism showing the date
18 of birth.

19 (C) A passport showing the age of immigrant.

20 (D) Any certified documentary record of age
21 other than a school record or an affidavit of age,
22 which appears to the satisfaction of the issuing
23 officer to be sufficient evidence of age.

24 (E) The signed statement of a physician,
25 approved by the board of school directors, stating
26 that, after examination, it is the opinion of the
27 physician that the applicant has attained the age
28 required by the law for the occupation in which the
29 minor expects to engage. The statement must be
30 accompanied by an affidavit signed by the applicant's

parent or guardian or, if there is no parent or guardian, by the applicant's next friend and certifying to the name, date and place of birth of the applicant and that the individual signing the statement is unable to produce any of the proofs of age specified in clauses (A) through (D).

(ii) (Reserved).

(d) Issuance.--If all application requirements are met, a work permit shall be issued by an issuing officer unless it is the issuing officer's judgment that the minor cannot maintain adequate academic achievement if permitted to work during the school year.

(e) Revocation.--An issuing officer may revoke a work permit if it is the issuing officer's judgment that the minor cannot maintain adequate academic achievement if permitted to work during the school year.

Section 12. Administration.

(a) Duties of department.--The department has the following powers and duties:

(1) Prescribe the forms necessary to implement this act.

(2) Promulgate regulations to administer this act which are consistent as possible with the regulations promulgated under the Fair Labor Standards Act. Regulations under this paragraph may establish a procedure for an employer that is not subject to the Fair Labor Standards Act to receive an extension until 10 p.m. of the 9 p.m. time limitation under section 6(b)(1). An extension granted under this procedure shall specify that the extension does not apply to Federal enforcement or administration of the Fair Labor Standards Act.

1 (3) Provide copies of this act and blank forms for
2 compliance with its provisions to employers and prospective
3 employers.

4 (b) Secretary.--For the enforcement of this act, the
5 secretary or a designee has investigatory subpoena power and the
6 duty to issue a subpoena upon application of an attorney of the
7 Office of General Counsel assigned to the department.

8 Application may be made to Commonwealth Court to enforce a
9 subpoena. Nothing in this section shall be construed to excuse a
10 person from producing documents and records as requested by the
11 department under any other provision of law.

12 (c) Duties of Department of Education.--The Department of
13 Education shall distribute to school districts all forms
14 necessary for the enforcement of this act.

15 (d) Duties of school districts.--School districts shall
16 administer applications and issuance of work permits pursuant to
17 section 11 and may initiate enforcement actions under subsection
18 (e).

19 (e) Enforcement.--Enforcement officers may initiate
20 prosecution for violations of this act.

21 (f) Suspected violations of age requirements.--

22 (1) If an enforcement officer has reason to believe that
23 an individual working without a work permit is a minor or
24 that a minor with a work permit is working in violation of
25 the age restrictions set forth in this act, the officer may
26 demand that the person employing the individual within ten
27 days:

28 (i) furnish to the officer proof of age; or

29 (ii) cease to employ or permit the individual to
30 work.

(2) Proof of a demand under paragraph (1) and of failure to comply with paragraph (1)(i) constitutes prima facie evidence of the illegal employment of a minor.

(3) Compliance with paragraph (1)(ii) does not relieve a person from liability under section 13.

Section 13. Penalties.

(a) Criminal.--

(1) A person may not do any of the following:

(i) Intentionally violate this act.

(ii) Interfere with the functions of an enforcement officer.

(iii) Compel or permit a minor to violate this act.

(iv) Fail, after notice, to provide records under section 10(d)(3) or 12(b).

(v) Falsify records under this act.

(2) Except as set forth in paragraph (3), a person that violates paragraph (1) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$100 nor more than \$500.

(3) A person that, after being sentenced under paragraph (2), violates paragraph (1) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$500 nor more than \$1,500 or to imprisonment for not more than ten days, or both.

(b) Administrative penalties.--The department may impose an administrative penalty of not less than \$100 nor more than \$1,000 for each violation of this act. This subsection is subject to 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

1 Section 14. Employment of minors in student-learner and
2 apprenticeship programs.

3 A minor may be employed in a work experience and career
4 exploration program, an apprenticeship program and a school-to-
5 work program, to the extent permitted by regulations promulgated
6 under this act and not prohibited by the Fair Labor Standards
7 Act.

8 Section 15. Applicability.

9 (a) Domestic service.--This act shall not apply to the
10 employment of a minor in domestic service in or around private
11 homes.

12 (b) Agricultural employment.--Agricultural employment which
13 is exempt from coverage of the child labor provisions of the
14 Fair Labor Standards Act shall be exempt from coverage of this
15 act.

16 Section 16. Repeal.

17 The act of May 13, 1915 (P.L.286, No.177), known as the Child
18 Labor Law, is repealed.

19 Section 17. Effective date.

20 This act shall take effect June 30, 2003.