

[FOURTH OFFICIAL COPY REPRINT]

COMMITTEE SUBSTITUTE A

FOR

ASSEMBLY, No. 174

# STATE OF NEW JERSEY

ADOPTED MARCH 11, 1940

AN ACT to limit and regulate child labor in this State; to provide for examinations and inspections under the provisions of this act; to provide for the enforcement of this act and regulations made thereunder; to prescribe penalties for the violation thereof; and to repeal other acts.

1 WHEREAS, The employment of minors in occupations or pursuits wherein  
2 they are subject to exploitation is contrary to public policy; and

3 WHEREAS, Such employment as will impede the progress of minors, prove a  
4 detriment to their health, or interfere with their education should be  
5 abolished in the State of New Jersey; and

6 WHEREAS, The work of minors in occasional and nonrecurrent occupations  
7 when not required to attend school is not thus detrimental, nor will it,  
8 when properly supervised by parent or guardian, constitute such exploita-  
9 tion; therefore,

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*  
2 *Jersey:*

1 1. As used in this act:

2 (a) "Employment certificate" means a certificate granted by the issu-  
3 ing officer authorizing the employment of a child as permitted under this  
4 act.

5 (b) "Age certificate" means a certificate issued for a person between  
6 the ages of eighteen and twenty-one years.

7 (c) "Issuing officer" means any superintendent of schools, supervis-  
8 ing principal, or teacher in a school district who is designated by the board  
9 of education in the district to issue certificates or permits in accordance  
10 with the provisions of this act.

11 (d) "School district" means any geographical area having authority  
12 over the public schools within that area.

13 (e) "Agriculture" includes farming in all its branches and among other  
14 things includes the cultivation and tillage of the soil, dairying, the production,  
15 cultivation, growing, and harvesting of any agricultural or horticultural  
16 commodities (including commodities defined as agricultural commodities in  
17 section fifteen (g) of the Agricultural Marketing Act, as amended) the  
18 planting, transplanting and care of trees and shrubs and plants, the raising  
19 of livestock, bees, fur-bearing animals or poultry, and any practices (includ-  
20 ing any forestry or lumbering operations) performed by a farmer or on a  
21 farm as an incident to or in conjunction with such farming operations, in-  
22 cluding preparation for market, delivery to storage or to market or to  
23 carriers for transportation to market, provided that such practices shall be  
24 performed in connection with the handling of agricultural or horticultural  
25 commodities the major portion of which have been produced upon the  
26 premises of an owning or leasing employer.

1 2. No minor under sixteen years of age shall be employed, permit-  
2 ted, or suffered to work in, about, or in connection with any gainful occu-  
3 pation at any time; *provided*, that minors between fourteen and sixteen years  
4 of age may be employed, permitted or suffered to work outside school hours  
5 and during school vacations but not in or for a factory or in any occupa-  
6 tion otherwise prohibited by law or by order or regulation made in pur-  
7 suance of law; *and provided, further*, that minors under sixteen years of  
8 age may engage outside school hours and during school vacations in agri-  
9 cultural pursuits or in street trades as defined in this act, in accordance  
10 with the provisions of section fifteen of this act. Nothing in this act shall  
11 be construed to apply to the work of a minor engaged in domestic service

12 or agricultural pursuits performed outside of school hours or during school  
13 vacation in connection with the minor's own home and directly for his par-  
14 ent or legal guardian.

15 No minor under sixteen years of age not a resident of this State shall  
16 be employed, permitted or suffered to work in any occupation or service  
17 whatsoever at any time during which the law of the State of his residence  
18 requires his attendance at school, or at any time during the hours when  
19 the public schools in the district in which employment in such occupations  
20 or services may be available are in session.

1 3. Except as provided in section fifteen and except for domestic  
2 service or messengers employed by communications companies subject  
3 to the supervision and control of the Federal Communications Com-  
3½ mission, no minor under eighteen years of age shall be employed,  
4 permitted, or suffered to work in, about, or in connection with any gainful  
4½ occupation more than six consecutive days in any one week, or more than  
5 forty hours in any one week, or more than eight hours in any one day, nor  
6 shall any minor under sixteen years of age be so employed, permitted, or  
7 suffered to work before seven o'clock in the morning or after six o'clock in  
8 the evening of any day; nor shall any minor between sixteen and eighteen  
9 years of age be so employed, permitted or suffered to work before six o'clock  
10 in the morning or after ten o'clock in the evening of any day; *provided,*  
11 that minors between fourteen and eighteen years of age may be employed  
12 in a concert or a theatrical performance up to eleven P. M.; *and provided,*  
13 *further,* that male minors between sixteen and eighteen years of age may be  
14 employed until eleven P. M. during the regular school vacation seasons but  
15 not in or for a factory or in any occupation otherwise prohibited by law or  
16 by order or regulation made in pursuance of law. The combined hours of  
17 work and hours in school of children under sixteen employed outside school  
18 hours shall not exceed a total of eight per day.

1 4. No minor under eighteen years of age shall be employed or permit-  
2 ted to work for more than five hours continuously without an interval of

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

1     5. Every employer shall post and keep conspicuously posted in the  
2 establishment wherein any minor under eighteen is employed, permitted, or  
3 suffered to work a printed abstract of this act and a list of the occupa-  
4 tions prohibited to such minors, to be furnished by the Department of Labor,  
5 and a schedule of hours of labor which shall contain the name of each minor  
6 under eighteen, the maximum number of hours he shall be required or per-  
7 mitted to work during each day of the week, the total hours per week, the  
8 time of commencing and stopping work each day, and the time for the begin-  
9 ning and ending of the daily meal period. An employer may permit such  
10 minor to begin work after the time for beginning, and stop before the time  
11 for ending work stated in the schedule; but he shall not otherwise employ  
12 or permit him to work except as stated in the schedule. This schedule shall  
13 be on a form provided by the Department of Labor and shall remain the  
14 property of that department. Nothing in this section shall apply to the  
15 employment of minors in agricultural pursuits or in domestic service in  
16 private homes.

1     6. Every employer shall keep a record, in a form approved by the  
2 Department of Labor, which shall state the name, date of birth and address  
3 of each person under nineteen years of age employed, the number of hours  
4 worked by said person on each day of the week, the hours of beginning and  
5 ending such work, the hours of beginning and ending meal periods, the  
6 amount of wages paid, and such other information as the Department shall  
7 by regulation require. Such record shall be kept on file for at least one  
8 year after the entry of the record and shall be open to the inspection of the  
9 Department of Labor, of attendance officers and of police officers. Nothing  
10 in this section shall apply to the employment of minors in agricultural pur-  
11 suits, or in domestic service in private homes.

1     7. Except as permitted under section fifteen, no minor under eighteen  
2 years of age shall be employed, permitted, or suffered to work in, about, or in

3 connection with any gainful occupation, unless and until the person employ-  
4 ing such minor shall procure and keep on file an employment certificate or  
5 special permit for such minor, issued by the issuing officer of the school dis-  
6 trict in which the child resides, or of the district in which the child has  
7 obtained a promise of employment if the child is a nonresident of the State;  
8 *provided*, that no certificate or special permit shall be required for any child  
9 sixteen years of age or over employed in agricultural pursuits. Such certifi-  
10 cate or special permit shall be issued in triplicate in such form and in accord-  
11 ance with such instructions as may be prescribed by the Commissioner of  
12 Education. The Commissioner of Education shall supply to the issuing offi-  
13 cers all blank forms to be used in connection with the issuance of such cer-  
14 tificates, and special permits as provided for in section fifteen.

15       Employment certificates shall be of two kinds, regular certificates per-  
16 mitting employment during school hours, and vacation certificates permit-  
17 ting employment during the school vacation and during the school term at  
18 such times as the public schools are not in session.

19       The original copy of the employment certificate shall be mailed by the  
20 issuing officer to the prospective employer of the minor for whom it is issued;  
21 a duplicate copy shall be mailed to the Department of Labor in Trenton as  
22 provided in section twelve, and a triplicate copy shall be kept in the files of  
23 the issuing officer. The issuing officer may refuse to grant a certificate, if in  
24 his judgment, the best interests of the minor would be served by such refusal  
25 and he shall keep a record of such refusals, and the reasons therefor.

1       8. The issuing officer shall issue such certificates only upon the applica-  
2 tion in person of the minor desiring employment, and after having approved  
3 and filed the following papers:

3½       (1) A promise of employment signed by the prospective employer or  
4 by someone duly authorized by him, setting forth the specific nature of  
5 the occupation in which he intends to employ such minor, the wage to be  
6 paid such minor, and the number of hours per day and days per week  
7 which said minor shall be employed.

8           (2) Evidence of age showing that the minor is of the age required  
9 by this act, which evidence shall consist of one of the following proofs of  
10 age and shall be required in the order herein designated, as follows:

11           (a) A birth certificate or certified transcript thereof or a signed  
12 statement of the recorded date and place of birth issued by a regis-  
13 trar of vital statistics or other officer charged with the duty of re-  
14 cording births, or

15           (b) A baptismal certificate or attested transcript thereof show-  
16 ing the date and place of birth, and date and place of baptism of  
17 the minor, or

18           (c) Other documentary evidence of age satisfactory to the issu-  
19 ing officer, such as a bona fide contemporary record of the date and  
20 place of the minor's birth kept in the Bible in which the records of  
21 the births in the family of the minor are preserved, or a passport,  
22 showing the age of the minor, or a certificate of arrival in the United  
23 States, issued by the United States Immigration Office, showing the  
24 age of the minor, or a life insurance policy, provided that such other  
25 documentary evidence has been in existence at least one year prior to  
26 the time it is offered as evidence, and provided further that a school  
27 record of age or an affidavit of a parent or guardian or other written  
28 statement of age shall not be accepted, except as specified in para-  
29 graph (d) of this section.

30           (d) In the case none of the aforesaid proofs of age shall be  
31 obtainable and only in such case, the issuing officer may accept the  
32 school record or the school-census record of the age of  
33 the minor together with the sworn statement of a parent or  
34 guardian as to the age of the minor and also with a  
35 certificate signed by the physician authorized to sign the  
36 statements of physical fitness required by this section, specifying  
37 what in his opinion is the physical age of the minor. Such certificates  
38 shall show the height and weight of the minor and other facts con-

39           cerning his physical development which were revealed by such exam-  
40           ination and upon which the opinion of the physician is based as to the  
41           physical age of the minor. If the school or school-census record of  
42           age is not obtainable, the sworn statement of the minor's parent or  
43           guardian, certifying to the name, date and place of birth of the minor,  
44           together with a physician's certificate of age as hereinbefore speci-  
45           fied, may be accepted as evidence of age. The issuing officer shall  
46           administer said sworn statement.

47           The issuing officer shall, in issuing a certificate for a minor, require  
48           the evidence of age specified in paragraph (a) of this section in prefer-  
49           ence to that specified in paragraphs (b), (c) and (d) of this section and  
50           shall not accept the evidence of age permitted by any subsequent para-  
51           graph unless he shall receive and file evidence that the evidence of age  
52           required by the preceding paragraph or paragraphs cannot be obtained.

53           (3) A statement of physical fitness, signed by a medical inspector  
54           employed by the applicable Board of Education, setting forth that such  
55           minor has been thoroughly examined by such medical inspector that he  
56           either is physically fit for employment in occupations permitted for per-  
57           sons under eighteen years of age, or is physically fit to be employed under  
58           certain limitations, specified in the statement. If the statement of physi-  
59           cal fitness is limited, the employment certificate issued thereon shall state  
60           clearly the limitations upon its use, and shall be valid only when used  
61           under the limitations so stated. The method of making such examina-  
62           tions shall be prescribed jointly by the Commissioner of Education and  
63           the State Department of Health.

64           (4) A school record signed by the principal of the school which the  
65           minor has last attended or by someone duly authorized by him, giving  
66           the full name, date of birth, grade last completed, and residence of the  
67           minor; *provided*, that in the case of a vacation certificate issued for work  
68           before or after school hours, such record shall also state that the child  
69           is a regular attendant at school, and in the opinion of the principal may

70 perform such work without impairment of his progress in school, but  
71 such principal's statement shall not be required for the issuance of a va-  
72 cation certificate for work during regular school vacations.

1 9. Upon request, it shall be the duty of the issuing officer to issue to any  
2 young person between the ages of eighteen and twenty-one years residing in  
3 his district and applying in person, who expresses a desire to enter employ-  
4 ment, an age certificate upon presentation of the same proof of age as is re-  
5 quired for the issuance of employment certificates under this act. A young  
6 person between the said ages nonresident of the State may apply to the issu-  
7 ing authority of any district where such person states he intends to seek em-  
8 ployment. The age certificate shall state the color, name, sex, date and place  
9 of birth, residence, color of hair and eyes, height, and distinguishing facial  
10 marks, if any, and the kind of proof of age submitted. All copies thereof  
11 shall be signed in person by the applicant in the presence of the said issuing  
12 officer in whose name it is issued.

13 Any employer before employing a minor may require him to produce an  
14 age certificate and sign his name for comparison with the signature on the  
15 certificate. If in his judgment the signature and characteristics of the child  
16 correspond with the signature and description in the certificate, the em-  
17 ployer, on employing the child, may require and retain the certificate during  
18 the minor's employment and shall return it to the minor upon the termination  
19 of his employment.

1 10. An employment certificate shall state the name, sex, color, date and  
2 place of birth, residence, color of hair and eyes, height, weight, any distin-  
3 guishing facial marks of the child—the employer's name, address and type  
4 of business, the occupation of the child, the kind of proof of age submitted,  
5 the grade completed, physician's approval and the name and address of  
6 parent. Every such certificate shall be signed in the presence of the issu-  
7 ing officer by the child in whose name it is issued.

1 11. An employment or age certificate or special permit issued in accord-  
2 ance with this act shall be conclusive evidence of the age of the minor for

3 whom issued in any proceeding involving the employment of a minor under  
4 the child-labor or workmen's compensation law or any other labor law of the  
5 State, as to any act occurring subsequent to its issuance.

1       12. Every issuing officer issuing an employment or an age certificate or  
2 special permit, shall send immediately to the Department of Labor at Tren-  
3 ton, a duplicate of the certificate or permit and the original papers upon  
4 which the certificate or special permit was granted. That department shall  
5 examine and promptly return to the issuing officer the said original papers  
6 and shall keep on file the duplicate of said certificate or permit. Whenever  
7 there is reason to believe that an employment or an age certificate or special  
8 permit was improperly issued, the Commissioner of Labor shall notify the  
9 Commissioner of Education and the board of education of the school district  
10 in which the certificate was issued. The board of education of the school dis-  
11 trict may cancel any employment or any age certificate or special permit  
12 issued by it, and shall cancel the same when directed so to do by the Commis-  
13 sioner of Education. Whenever any employment certificate has been can-  
14 celled, the board of education cancelling the same shall immediately notify  
15 the Commissioner of Education, the Commissioner of Labor and the person  
16 by whom the child is employed, of its action, and such employer shall immedi-  
17 ately upon receiving notice forward the certificate to the board of education.

18       All birth certificates, baptismal certificates, passports, insurance policies  
19 or other original papers submitted in proof of age shall be returned to the  
20 minor upon request after they have been returned to the issuing officer by the  
21 Department of Labor and after the issuing officer has transcribed for his files  
22 information pertinent to the issuance of the certificates. The Commissioner  
23 of Labor and the issuing officer may destroy all employment and age certifi-  
24 cates and special permits or copies thereof when the birth dates set forth in  
25 such certificates and special permits are more than twenty-one years before  
26 the date of destruction.

1       13. If a child within the ages for compulsory school attendance is em-  
2 ployed in a school district other than that in which he lives, the issuing

3 officer of the district in which the child lives shall immediately send a  
4 duplicate of the certificate, properly filled out and the address of the  
5 employer to the superintendent of schools of the county in which the child  
6 resides who shall thereupon send said duplicate to the superintendent of  
7 schools of the county in which the child is employed.

1     14. Every employer receiving an employment certificate shall within two  
2 days after termination of the employment return said certificate to the  
3 person issuing it. A new employment certificate shall not be issued for any  
4 minor except upon the presentation of a new promise of employment. An  
5 employment certificate shall be valid only for the employer for whom issued  
6 and for the occupation designated in the promise of employment. Said  
7 employer shall, during the period of the minor's employment, keep such  
8 certificate on file at the place of employment and accessible to any issuing  
9 officer and to any attendance officer, inspector, or other person authorized to  
10 enforce this act. The failure of any employer to produce for inspection  
11 such employment certificate, or the presence of any minor under eighteen  
12 years of age in his place of work at any time other than that specified in  
13 the posted schedule of hours required by this act, shall be prima facie  
14 evidence of the unlawful employment of the minor. The presence of any  
15 minor under eighteen years of age in any place of employment shall be  
16 prima facie evidence of the employment of such minor, except that the  
17 presence on any farm or place of agricultural pursuit of any such minor shall  
18 not constitute such prima facie evidence.

1     15. No boy under fourteen years of age and no girl under eighteen years  
2 of age may engage in any street trade, which term, for the purpose of this  
3 section, shall include the selling, offering for sale, soliciting for, collecting  
4 for, displaying, or distributing any articles, goods, merchandise, commercial  
5 service, posters, circulars, newspapers or magazines or in blacking shoes on  
6 any street or other public place or from house to house. No child under  
7 twelve years of age may be employed in agricultural pursuits.

8 Whenever a child under sixteen years of age desires to work during such  
9 times as the schools of the district in which he resides are not in session in  
10 any street trade or in agricultural pursuits, the parent, guardian or other  
11 person having the custody and control of the child may file with the issuing  
12 officer in the school district in which the child resides an application for a  
13 special permit authorizing such work. Such application shall show the exact  
14 character of the work the child is to do, and the hours and wages and  
15 special conditions under which said work is to be performed.

16 If upon investigation it is found that the facts set forth in the applica-  
17 tion are true and that the work will not interfere with the child's health  
18 or standing in school, the issuing officer shall, upon presentation to him of  
19 the same proof of age as is required for the issuance of an employment  
20 certificate, issue a special permit, allowing the child to work at such times as  
21 the public schools in the district are not in session, but such work  
22 except in agricultural pursuits to be otherwise subject to the maximum  
22½ hours of labor provisions set for minors under sixteen years of age in section  
23 three of this act; *provided*, that nothing in this section shall prevent boys  
23½ between twelve and fourteen years of age from delivering, soliciting and col-  
24 lecting for newspapers and magazines over routes in residential neighbor-  
24½ hoods at such times and under such conditions as are not prohibited in this  
25 act and boys between fourteen and sixteen years of age from delivering and  
25½ selling newspapers and magazines between the hours of five-thirty o'clock in  
26 the morning and six o'clock in the evening of any day; *and provided, further*,  
26½ that children engaged in agricultural pursuits may be employed no more than  
27 ten hours per day.

27½ Such special permit shall show the name, address, and date of birth of  
28 the minor for whom it is issued, the kind of proof of age submitted, the  
28½ nature of the occupation in which the minor is to engage, and such other  
29 information as the Commissioner of Education may require.

30 Any such special permit for work in agriculture shall be issued for a  
31 period not to exceed six months and shall show its date of expiration. Any

32 person employing a minor under sixteen years of age in agriculture shall  
 33 obtain such a certificate from the minor and keep it on file during the period  
 34 of the minor's employment and shall return it to the minor to whom it is  
 35 issued upon termination of his employment.

1 16. No fees or expenses incurred in obtaining any certificates under this  
 2 act shall be charged to or paid by any child, parent, guardian or other  
 3 person having custody or control of such a child for any service had under  
 4 this act.

1 17. No minor under sixteen years of age shall be employed, permitted or  
 2 suffered to work in, about, or in connection with power-driven machinery.

3 No minor under eighteen years of age shall be employed, permitted or  
 4 suffered to work in, about, or in connection with the following:

5 the manufacture or packing of paints, colors, white lead, or red lead;

6 the handling of dangerous or poisonous acids or dyes;

7 injurious quantities of toxic or noxious dust, gases, vapors or fumes;

8 work involving exposure to benzol or any benzol compound which is  
 9 volatile or which can penetrate the skin;

10 the manufacture, transportation or use of explosives or highly in-  
 11 flammable substances;

12 oiling, wiping, or cleaning machinery in motion or assisting therein;

13 operation or helping in the operation of power-driven woodworking  
 13½ machinery; *provided*, that apprentices operating under conditions of

14 bona fide apprenticeship may operate such machines under competent

14½ instruction and supervision;

15 grinding, abrasive, polishing or buffing machines, provided that ap-

16 prentices operating under conditions of bona fide apprenticeship

17 may grind their own tools;

18 punch presses or stamping machines if the clearance between the ram

19 and the dye or the stripper exceeds one-fourth inch;

20 cutting machines having a guillotine action;

21 corrugating, crimping or embossing machines;

- 22 paper lace machines;
- 23 dough brakes or mixing machines in bakeries or cracker machinery;
- 24 calender rolls or mixing rolls in rubber manufacturing;
- 25 centrifugal extractors, or mangles in laundries or dry cleaning establish-
- 26 ments;
- 27 ore reduction works, smelters, hot rolling mills, furnaces, foundries,
- 28 forging shops, or any other place in which the heating, melting, or
- 29 heat treatment of metals is carried on;
- 30 mines or quarries;
- 31 steam boilers carrying a pressure in excess of fifteen pounds;
- 32 construction work of any kind;
- 33 fabrication or assembly of ships;
- 34-35 operation or repair of elevators or other hoisting apparatus.

36 No minor under eighteen years of age shall be employed, permitted, or  
37 suffered to work in, about, or in connection with any establishment where  
38 alcoholic liquors are distilled, rectified, compounded, brewed, manufactured,  
39 bottled, or are sold for consumption on the premises, or in a public bowling  
40 alley, or in a pool or billiard room. No girl under the age of eighteen years  
41 shall be employed, permitted, or suffered to work as a messenger in the  
42 distribution or delivery of goods or messages for any person, firm or cor-  
43 poration engaged in the business of transmitting or delivering goods or  
44 messages.

45 No minor under eighteen years of age shall be employed, permitted, or  
46 suffered to work in any place of employment, or at any occupation hazardous  
47 or injurious to the life, health, safety, or welfare of such minor, as such  
48 occupation shall, from time to time, be determined and declared by the Com-  
49 missioner of Labor to be hazardous or injurious to the life, health, safety,  
50 or welfare of such minors, after a public hearing thereon and after such  
51 notice as the commissioner may by regulation prescribe.

52 Nothing in this section shall be deemed to apply to the work done by  
53 pupils in public and private schools of New Jersey under the supervision  
54 and instruction of officers or teachers of the schools.

1 18. It shall be the duty of the Department of Labor and its inspectors  
2 and agents, acting under the Commissioner of Labor, to enforce the provi-  
3 sions of this act, to make complaints against persons violating its provi-  
4 sions, and to prosecute violations of the same. The Commissioner of Labor  
5 and any inspector or other authorized person acting under him, attendance  
6 officers and other persons employed by law to compel the attendance of  
7 children at school, and officers and agents of any duly incorporated society for  
8 the protection of children from cruelty and neglect, shall have authority to  
9 enter and inspect at any time any place or establishment covered by this act,  
10 and to have access to employment or age certificates or special permits kept  
11 on file by the employers and such other records as may aid in the enforce-  
12 ment of this act.

1 19. Whoever employs or permits or suffers any minor to be employed  
2 or to work in violation of this act, or of any order or ruling issued under  
3 the provisions of this act, or obstructs the Department of Labor, its offi-  
4 cers or agents, or any other person authorized to inspect places of employ-  
5 ment under this act, and whoever, having under his control or custody any  
6 minor, permits or suffers him to be employed or to work in violation of  
7 this act, shall be guilty of a misdemeanor and shall be punished by a fine of  
8 not less than twenty-five dollars (\$25.00) nor more than five hundred dollars  
9 (\$500.00), or by imprisonment of not less than ten nor more than ninety  
10 days, or by both such fine and imprisonment. Each day during which any  
11 violation of this act continues shall constitute a separate and distinct offense,  
12 and the employment of any minor in violation of the act shall with respect  
13 to each minor so employed, constitute a separate and distinct offense.

1 20. If any provisions of this act or the application thereof to any per-  
2 son or circumstance is held invalid, the remainder of the act and the appli-  
3 cation of such provisions to other persons or circumstances shall not be  
4 affected thereby.

1 21. The provisions of article two, chapter two, of Title 34, Revised Stat-  
2 utes, and of sections 18:14-15 to 18:14-33, inclusive, of the Revised Statutes,  
3 are hereby repealed.

1 22. This act shall take effect September first, one thousand nine hun-  
2 dred and forty.

## STATEMENT

The purpose of this bill is:

1. To amend the Child Labor Law of New Jersey to bring it into conformity with the school laws of the neighboring States, all of which require children to remain in school until 16 years, and also with the Federal Wage and Hour Law, which requires the same standards. In the year ending August 31, 1939, 3,449 New Jersey children of 14 and 15 years secured work licenses.

2. To raise the age of boys engaged in street trades from 10 years (one of the lowest age levels in any State) to 14 and of girls to 18 years, and sets a minimum age for children engaged in agriculture of 12 years and forbids non-resident children from working in New Jersey when schools are in session. For vacation employment the age is 14 and work in factories is forbidden.

3. It restricts hours of work for minors up to 18 years to 8 a day, 40 a week, and to 6 consecutive days in any week. Minors under 16 may not work before 7 A. M., or after 6 P. M.; below 18 years, before 6 A. M., or after 10 P. M., except in concert or theatrical performances up to 11 P. M.

4. It provides adequate certification of working papers for minors and forbids the employment of minors under 18 years in a limited list of hazardous occupations.

5. It does away with continuation schools, thus providing reallocation of funds for vocational education.

6. It shifts unemployment for minors from the higher age levels to the lower, and thus provides more jobs for breadwinners rather than infants.

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SENATE AMENDMENTS TO

COMMITTEE SUBSTITUTE **A**

FOR

**ASSEMBLY, No. 174**

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# STATE OF NEW JERSEY

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ADOPTED JUNE 10, 1940

On page three, line twelve, of section three, after "P. M." insert a comma and the following: "*and provided, further,* that male minors between sixteen and eighteen years of age may be employed until eleven P. M. during the regular school vacation seasons but not in or for a factory or in any occupation otherwise prohibited by law or by order or regulation made in pursuance of law."

On page thirteen, at the end of section seventeen, insert the following: "Nothing in this section shall be deemed to apply to the work done by pupils in public and private schools of New Jersey under the supervision and instruction of officers or teachers of the schools."

In section 15, page 11, line 18, strike out "may" and insert in lieu thereof "shall."

In section 15, page 11, line 23½, after the word "delivering" add the words ", soliciting and collecting for."

In section 15, page 11, line 24, after the word "over" eliminate the word "fixed."

In section 15, page 11, line 25, after the word "delivering" add the words "and selling."

In section 15, page 11, line 25½, eliminate "six o'clock in the morning" and insert in lieu thereof "five-thirty o'clock in the morning."