

34:2-21.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 34:2-21.3 and 34:2-21.17

(Child labor-- bowling alleys-- permit employment as attendant or busboy)

LAWS OF: 1989

CHAPTER: 121

BILL NO: S3393

SPONSOR(S): Jackman and Singer

Date Introduced: March 20, 1989

Committee: **Assembly:** Labor

Senate: Labor, Industry and Professions

Amended during passage: No

Senate Committee Substitute enacted.

Date of Passage: **Assembly:** June 19, 1989

Senate: May 4, 1989

Date of Approval: June 30, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

RDV

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 3393 and
ACS for ASSEMBLY, Nos. 3724, 4092 and 4121

STATE OF NEW JERSEY

ADOPTED APRIL 27, 1989

Sponsored by Senator JACKMAN and Assemblyman SINGER

1 AN ACT concerning the employment of minors in certain
occupations and amending P.L.1940, c.153.

3

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

1. Section 3 of P.L.1940, c.153 (C.34:2-21.3) is amended to
7 read as follows:

3. Except as provided in section 15 of P.L.1940, c.153
9 (C.34:2-21.15) and except for domestic service or messengers
employed by communications companies subject to the
11 supervision and control of the Federal Communications
Commission, no minor under 18 years of age shall be employed,
13 permitted, or suffered to work in, about, or in connection with
any gainful occupation more than six consecutive days in any one
15 week, or more than 40 hours in any one week, or more than eight
hours in any one day, nor shall any minor under 16 years of age be
17 so employed, permitted, or suffered to work before 7 a.m. or
after 7 p.m. of any day, except a minor [between the ages of 14
19 and 16] who is 14 or 15 years of age may work in a restaurant,
supermarket or other retail establishment, or in any occupation
21 not prohibited by the provisions of this act, P.L.1940, c.153
(C.34:2-21.1 et seq.) or by regulations promulgated by the
23 commissioner pursuant to this act, P.L. 1940, c.153 (C.34:2-21.1
et seq.), during the period beginning on the last day of a minor's
25 school year and ending on Labor Day of each year until 9 p.m. of
any day with written permission from a parent or legal guardian;
27 nor shall any minor between 16 and 18 years of age be so
employed, permitted, or suffered to work before 6 a.m. or after
29 11 p.m. of any day; provided that minors between 16 and 18 years
of age may be employed after 11 p.m. during any regular vacation
31 season, and on days which do not precede a regularly scheduled
school day, with a special written permit from their parents or

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 legal guardian stating the hours they are permitted to work;
2 provided that minors between 16 and 18 years of age may be
3 employed in a seasonal amusement or restaurant occupation after
4 11 p.m. and following 12:01 a.m. of the next day, if that
5 employment is a continuation of a workday which began before 11
6 p.m., either during any regular school vacation season, or on
7 workdays which do not begin on a day which precedes a regularly
8 scheduled school day, with a special written permit from their
9 parents or legal guardian stating the hours they are permitted to
10 work, except that in no case shall minors between 16 and 18 years
11 of age be employed after 3 a.m. or before 6 a.m. on a day which
12 precedes a regularly scheduled school day; provided, further, that
13 minors may be employed in a concert or a theatrical performance
14 up to 11:30 p.m.; and provided, further, that minors not less than
15 16 years of age and who are attending school may be employed as
16 pinsetters [only], lane attendants, or busboys in public bowling
17 alleys up to 11:30 p.m., but may not be so employed during the
18 school term without a special written permit from the
19 superintendent of schools or the supervising principal, as the case
20 may be, which permit must state that the minor has undergone a
21 complete physical examination by the medical inspector, and, in
22 the opinion of the superintendent or supervising principal, may be
23 so employed, without injury to health or interference with
24 progress in school, such special permits to be good for a period of
25 three months only and are revocable in the discretion of the
26 superintendent or supervising principal. Such permit may not be
27 renewed until satisfactory evidence has been submitted to the
28 superintendent or supervising principal showing that the minor
29 has had a physical examination and the minor's health is not
30 being injured by said work; and provided, further, that minors
31 between 16 and 18 years of age may not be employed after 10
32 p.m. during the regular school vacation seasons in or for a factory
33 or in any occupation otherwise prohibited by law or by order or
34 regulation made in pursuance of law. The hours of work of
35 minors under 16 employed outside school hours shall not exceed
36 three hours in any one day when school is in session and shall not
37 exceed in any one week when school is in session the maximum
38 number of hours permitted for that period under the federal "Fair
39 Labor Standards Act of 1938," 29 U.S.C. § 201 et seq., and

1 regulations promulgated pursuant to that federal act.

2 This section is not applicable to the employment of a minor
3 between 16 and 18 years of age during the months of June, July,
4 August or September by a summer resident camp, conference or
5 retreat operated by a nonprofit or religious corporation or
6 association, unless the employment is primarily general
7 maintenance work or food service activities.

(cf: P.L.1988, c.112, s.1)

9 2. Section 17 of P.L.1940, c.153 (C.34:2-21.17) is amended to
10 read as follows:

11 17. No minor under 16 years of age shall be employed,
12 permitted or suffered to work in, about, or in connection with
13 power-driven machinery.

No minor under 18 years of age shall be employed, permitted or
15 suffered to work in, about, or in connection with the following:

16 The manufacture or packing of paints, colors, white lead, or
17 red lead;

18 The handling of dangerous or poisonous acids or dyes; injurious
19 quantities of toxic or noxious dust, gases, vapors or fumes;

20 Work involving exposure to benzol or any benzol compound
21 which is volatile or which can penetrate the skin;

22 The manufacture, transportation or use of explosives or highly
23 inflammable substances;

24 Oiling, wiping, or cleaning machinery in motion or assisting
25 therein;

26 Operation or helping in the operation of power-driven
27 woodworking machinery; provided, that apprentices operating
28 under conditions of bona fide apprenticeship may operate such
29 machines under competent instruction and supervision;

30 Grinding, abrasive, polishing or buffing machines; provided,
31 that apprentices operating under conditions of bona fide
32 apprenticeship may grind their own tools;

33 Punch presses or stamping machines if the clearance between
34 the ram and the dye or the stripper exceeds $\frac{1}{4}$ inch;

35 Cutting machines having a guillotine action;

36 Corrugating, crimping or embossing machines;

37 Paper lace machines;

38 Dough brakes or mixing machines in bakeries or cracker
39 machinery;

1 Calender rolls or mixing rolls in rubber manufacturing;
2 Centrifugal extractors, or mangles in laundries or dry cleaning
3 establishments;

4 Ore reduction works, smelters, hot rolling mills, furnaces,
5 foundries, forging shops, or any other place in which the heating,
6 melting, or heat treatment of metals is carried on;

7 Mines or quarries;

8 Steam boilers carrying a pressure in excess of 15 pounds;

9 Construction work of any kind;

10 Fabrication or assembly of ships;

11 Operation or repair of elevators or other hoisting apparatus;

12 The transportation of payrolls other than within the premises
13 of the employer.

14 No minor under 18 years of age shall be employed, permitted,
15 or suffered to work in, about, or in connection with any
16 establishment where alcoholic liquors are distilled, rectified,
17 compounded, brewed, manufactured, bottled, or are sold for
18 consumption on the premises, or in a pool or billiard room;
19 provided, however, this paragraph shall not apply to minors 16
20 years of age or over, employed as pinsetters [only], lane
21 attendants, or busboys in public bowling alleys as provided in
22 section 3 [hereof] of P.L.1940, c.153 (C.34:2-21.3) or to minors
23 employed in theatrical productions where alcoholic beverages are
24 sold on the premises.

25 Minors 14 years of age or over may be employed as golf course
26 caddies and pool attendants.

27 No minor under 18 years of age shall be employed, permitted,
28 or suffered to work in any place of employment, or at any
29 occupation hazardous or injurious to the life, health, safety, or
30 welfare of such minor, as such occupation shall, from time to
31 time, be determined and declared by the Commissioner of Labor
32 to be hazardous or injurious to the life, health, safety, or welfare
33 of such minors, after a public hearing thereon and after such
34 notice as the commissioner may by regulation prescribe.

35 None of the provisions of this section regarding employment in
36 connection with alcoholic liquors shall be construed to prevent
37 the employment of minors 16 years of age or more in a restaurant
38 as defined in section 1 of P.L.1940, c.153 (C.34:2-21.1) and as
39 provided for in section 3 of [this act] P.L.1940, c.153

1 (C.34:2-21.3), in a public bowling alley as provided in this section,
or in the executive offices, maintenance departments, or pool or
3 beach areas of a hotel, motel or guesthouse; provided, however,
that no minor shall engage in the preparation, sale or serving of
5 alcoholic beverages, nor in the preparation of photographs, nor in
any dancing or theatrical exhibition or performance which is not
7 part of a theatrical production where alcoholic beverages are sold
on the premises, while so employed; and provided, further, that
9 any minor so employed shall be closely supervised while engaged
in the clearing of alcoholic beverages.

11 Nothing in this section shall be deemed to apply to the work
done by pupils in public or private schools of New Jersey, under
13 the supervision and instruction of officers or teachers of such
organizations or schools, or to a minor who is 17 years of age
15 employed in the type of work in which such minor majored under
the conditions of the special vocational school graduate permit
17 provided in section 15 of [this act] P.L.1940, c.153 (C.34:2-21.15).

Nothing in this section shall be construed to prevent minors 16
19 years of age or older who are members of a Junior Firemen's
Auxiliary, created pursuant to N.J.S.40A:14-95, from engaging in
21 any activities authorized by N.J.S.40A:14-98.

Notwithstanding any provision of this section to the contrary, a
23 minor who is 15 years of age or older may work as a cashier or
bagger on or near a supermarket or retail establishment cash
25 register conveyor belt.

(cf: P.L.1988, c.112, s.2)

27 3. This act shall take effect immediately, except that the
provisions of section 1 of this act related to the employment of a
29 minor in a restaurant shall be applicable to employment occurring
on or after August 22, 1988.

31

33

LABOR AND EMPLOYMENT

Children

35

Amends child labor law to permit minors to work in certain
37 occupations.

SENATE, No. 3393

STATE OF NEW JERSEY

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INTRODUCED MARCH 20, 1989

By Senators JACKMAN and McMANIMON

1 AN ACT concerning the employment of minors in certain
occupations and amending P.L.1940, c.153.

3

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

1. Section 3 of P.L.1940, c.153 (C.34:2-21.3) is amended to
7 read as follows:

3. Except as provided in section 15 of P.L.1940, c.153
9 (C.34:2-21.15) and except for domestic service or messengers
employed by communications companies subject to the
11 supervision and control of the Federal Communications
Commission, no minor under 18 years of age shall be employed,
13 permitted, or suffered to work in, about, or in connection with
any gainful occupation more than six consecutive days in any one
15 week, or more than 40 hours in any one week; or more than eight
hours in any one day, nor shall any minor under 16 years of age be
17 so employed, permitted, or suffered to work before 7 a.m. or
after 7 p.m. of any day, except a minor [between the ages of 14
19 and 16] who is 14 or 15 years of age may work in a restaurant,
supermarket or other retail establishment, or in any occupation
21 not prohibited by the provisions of this act, P.L.1940, c.153
(C.34:2-21.1 et seq.) or by regulations promulgated by the
23 commissioner pursuant to this act, P.L. 1940, c.153 (C.34:2-21.1
et seq.), during the period beginning on the last day of a minor's
25 school year and ending on Labor Day of each year until 9 p.m. of
any day with written permission from a parent or legal guardian;
27 nor shall any minor between 16 and 18 years of age be so
employed, permitted, or suffered to work before 6 a.m. or after
29 11 p.m. of any day; provided that minors between 16 and 18 years
of age may be employed after 11 p.m. during any regular vacation
31 season, and on days which do not precede a regularly scheduled
school day, with a special written permit from their parents or
33 legal guardian stating the hours they are permitted to work;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 provided that minors between 16 and 18 years of age may be
employed in a seasonal amusement or restaurant occupation after
3 11 p.m. and following 12:01 a.m. of the next day, if that
employment is a continuation of a workday which began before 11
5 p.m., either during any regular school vacation season, or on
workdays which do not begin on a day which precedes a regularly
7 scheduled school day, with a special written permit from their
parents or legal guardian stating the hours they are permitted to
9 work, except that in no case shall minors between 16 and 18 years
of age be employed after 3 a.m. or before 6 a.m. on a day which
11 precedes a regularly scheduled school day; provided, further, that
minors may be employed in a concert or a theatrical performance
13 up to 11:30 p.m.; and provided, further, that minors not less than
16 years of age and who are attending school may be employed as
15 pinsetters [only], lane attendants, or busboys in public bowling
alleys up to 11:30 p.m., but may not be so employed during the
17 school term without a special written permit from the
superintendent of schools or the supervising principal, as the case
19 may be, which permit must state that the minor has undergone a
complete physical examination by the medical inspector, and, in
21 the opinion of the superintendent or supervising principal, may be
so employed, without injury to health or interference with
23 progress in school, such special permits to be good for a period of
three months only and are revocable in the discretion of the
25 superintendent or supervising principal. Such permit may not be
renewed until satisfactory evidence has been submitted to the
27 superintendent or supervising principal showing that the minor
has had a physical examination and the minor's health is not
29 being injured by said work; and provided, further, that minors
between 16 and 18 years of age may not be employed after 10
31 p.m. during the regular school vacation seasons in or for a factory
or in any occupation otherwise prohibited by law or by order or
33 regulation made in pursuance of law. The hours of work of
minors under 16 employed outside school hours shall not exceed
35 three hours in any one day when school is in session and shall not
exceed in any one week when school is in session the maximum
37 number of hours permitted for that period under the federal "Fair
Labor Standards Act of 1938," 29 U.S.C. § 201 et seq., and
39 regulations promulgated pursuant to that federal act.

1 This section is not applicable to the employment of a minor
between 16 and 18 years of age during the months of June, July,
3 August or September by a summer resident camp, conference or
retreat operated by a nonprofit or religious corporation or
5 association, unless the employment is primarily general
maintenance work or food service activities.

7 (cf: P.L.1988, c.112, s.1)

2. Section 17 of P.L.1940, c.153 (C.34:2-21.17) is amended to
9 read as follows:

17. No minor under 16 years of age shall be employed,
11 permitted or suffered to work in, about, or in connection with
power-driven machinery.

13 No minor under 18 years of age shall be employed, permitted or
suffered to work in, about, or in connection with the following:

15 The manufacture or packing of paints, colors, white lead, or
red lead;

17 The handling of dangerous or poisonous acids or dyes; injurious
quantities of toxic or noxious dust, gases, vapors or fumes;

19 Work involving exposure to benzol or any benzol compound
which is volatile or which can penetrate the skin;

21 The manufacture, transportation or use of explosives or highly
inflammable substances;

23 Oiling, wiping, or cleaning machinery in motion or assisting
therein;

25 Operation or helping in the operation of power-driven
woodworking machinery; provided, that apprentices operating
27 under conditions of bona fide apprenticeship may operate such
machines under competent instruction and supervision;

29 Grinding, abrasive, polishing or buffing machines; provided,
that apprentices operating under conditions of bona fide
31 apprenticeship may grind their own tools;

Punch presses or stamping machines if the clearance between
33 the ram and the dye or the stripper exceeds $\frac{1}{4}$ inch;

Cutting machines having a guillotine action;

35 Corrugating, crimping or embossing machines;

Paper lace machines;

37 Dough brakes or mixing machines in bakeries or cracker
machinery;

39 Calender rolls or mixing rolls in rubber manufacturing;

1 Centrifugal extractors, or mangles in laundries or dry cleaning establishments;

3 Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place in which the heating, melting, or heat treatment of metals is carried on;

5 Mines or quarries;

7 Steam boilers carrying a pressure in excess of 15 pounds;

Construction work of any kind;

9 Fabrication or assembly of ships;

Operation or repair of elevators or other hoisting apparatus;

11 The transportation of payrolls other than within the premises of the employer.

13 No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or are sold for consumption on the premises, or in a pool or billiard room; provided, however, this paragraph shall not apply to minors 16 years of age or over, employed as pinsetters [only], lane attendants, or busboys in public bowling alleys as provided in section 3 [hereof] of P.L.1940, c.153 (C.34:2-21.3) or to minors employed in theatrical productions where alcoholic beverages are sold on the premises.

23 Minors 14 years of age or over may be employed as golf course caddies and pool attendants.

25 No minor under 18 years of age shall be employed, permitted, or suffered to work in any place of employment, or at any occupation hazardous or injurious to the life, health, safety, or welfare of such minor, as such occupation shall, from time to time, be determined and declared by the Commissioner of Labor to be hazardous or injurious to the life, health, safety, or welfare of such minors, after a public hearing thereon and after such notice as the commissioner may by regulation prescribe.

33 None of the provisions of this section regarding employment in connection with alcoholic liquors shall be construed to prevent the employment of minors 16 years of age or more in a restaurant as defined in section 1 of P.L.1940, c.153 (C.34:2-21.1) and as provided for in section 3 of [this act] P.L.1940, c.153 (C.34:2-21.3), in a public bowling alley as provided in this section,

1 or in the executive offices, maintenance departments, or pool or
2 beach areas of a hotel, motel or guesthouse; provided, however,
3 that no minor shall engage in the preparation, sale or serving of
4 alcoholic beverages, nor in the preparation of photographs, nor in
5 any dancing or theatrical exhibition or performance which is not
6 part of a theatrical production where alcoholic beverages are sold
7 on the premises, while so employed.

8 Nothing in this section shall be deemed to apply to the work
9 done by pupils in public or private schools of New Jersey, under
10 the supervision and instruction of officers or teachers of such
11 organizations or schools, or to a minor who is 17 years of age
12 employed in the type of work in which such minor majored under
13 the conditions of the special vocational school graduate permit
14 provided in section 15 of [this act] P.L.1940, c.153 (C.34:2-21.15).

15 Nothing in this section shall be construed to prevent minors 16
16 years of age or older who are members of a Junior Firemen's
17 Auxiliary, created pursuant to N.J.S:40A:14-95, from engaging in
18 any activities authorized by N.J.S.40A:14-98.

19 Notwithstanding any provision of this section to the contrary, a
20 minor who is 15 years of age or older may work as a cashier or
21 bagger on or near a supermarket or retail establishment cash
22 register conveyor belt.

23 (cf: P.L.1988, c.112, s.2)

24 3. This act shall take effect immediately, except that the
25 provisions of section 1 of this act related to the employment of a
26 minor in a restaurant shall be applicable to employment occurring
27 on or after August 22, 1988.

28 STATEMENT

29 This bill amends the law regulating the employment of minors
30 under 18 years of age, and allows minors:

- 31 1) who are 14 or 15 years of age to be employed during the
32 summer vacation period in restaurants or in any lawful
33 occupation during the hours permitted under the federal
34 "Fair Labor Standards Act of 1938," 29 U.S.C. §201 et
35 seq., with written permission from a parent or guardian.
36 The federal "Fair Labor Standards Act" permits 14 and 15
37 year old minors to work in any lawful occupation until
38
39

1 9 p.m. on any day between June 1 and Labor Day.
Current State law provides that 14 and 15 year old
3 minors may work only from 7 a.m. to 7 p.m., except
minors employed by supermarkets and other retail
5 establishments who may work until 9 p.m. during the
summer vacation period with written permission from a
7 parent or guardian.

2) who are 16 or 17 years of age to be employed until 11:30
9 p.m. during the school term, with written permission from
the superintendent of schools or the supervising principal,
11 as lane attendants and busboys in public bowling alleys
where alcoholic beverages are served, provided that these
13 minors do not engage in the preparation, sale or serving of
alcoholic beverages. Current law permits these minors to
15 work only as pinsetters in public bowling alleys up to 11:30
p.m. during the school term with a written permit from
17 the minor's superintendent of schools or supervising
principal, as the case may be.

3) who are 14 or 15 years of age to be employed in any one
19 week when school is in session not more than the maximum
21 number of hours permitted for that period under the
federal "Fair Labor Standards Act," and regulations
23 promulgated by the United States Secretary of Labor
pursuant to that act.

25
The bill is to take effect immediately. However, the provisions
27 of the bill related to the employment of minors in the restaurant
industry are to apply to employment occurring on or after August
29 22, 1988, the effective date of P.L.1988, c.126. That act
authorized the employment of 14 and 15 year olds in
31 supermarkets and other retail establishments under certain
conditions.

33

LABOR AND EMPLOYMENT

35

Children

37 Amends child labor law to permit minors to work in certain
occupations.

ASSEMBLY, No. 3724

STATE OF NEW JERSEY

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INTRODUCED SEPTEMBER 22, 1988

By Assemblymen SINGER, COLLINS, Kelly and Littell

1 AN ACT permitting the employment of 16 and 17 year old
minors in certain occupations and amending P.L.1940, c.153.

3

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

1. Section 17 of P.L.1940, c.153 (C.34:2-21.17) is amended to
7 read as follows:

17. No minor under 16 years of age shall be employed,
9 permitted or suffered to work in, about, or in connection with
power-driven machinery.

11 No minor under 18 years of age shall be employed, permitted or
suffered to work in, about, or in connection with the following:

13 The manufacture or packing of paints, colors, white lead, or
red lead;

15 The handling of dangerous or poisonous acids or dyes; injurious
quantities of toxic or noxious dust, gases, vapors or fumes;

17 Work involving exposure to benzol or any benzol compound
which is volatile or which can penetrate the skin;

19 The manufacture, transportation or use of explosives or highly
flammable substances;

21 Oiling, wiping, or cleaning machinery in motion or assisting
therein;

23 Operation or helping in the operation of power-driven
woodworking machinery; provided, that apprentices operating
25 under conditions of bona fide apprenticeship may operate such
machines under competent instruction and supervision;

27 Grinding, abrasive, polishing or buffing machines; provided,
that apprentices operating under conditions of bona fide
29 apprenticeship may grind their own tools;

Punch presses or stamping machines if the clearance between
31 the ram and the dye or the stripper exceeds ¼ inch;

Cutting machines having a guillotine action;

33 Corrugating, crimping or embossing machines;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Paper lace machines;
2 Dough brakes or mixing machines in bakeries or cracker
3 machinery;
4 Calender rolls or mixing rolls in rubber manufacturing;
5 Centrifugal extractors, or mangles in laundries or dry cleaning
6 establishments;
7 Ore reduction works, smelters, hot rolling mills, furnaces,
8 foundries, forging shops, or any other place in which the heating,
9 melting, or heat treatment of metals is carried on;
10 Mines or quarries;
11 Steam boilers carrying a pressure in excess of 15 pounds;
12 Construction work of any kind;
13 Fabrication or assembly of ships;
14 Operation or repair of elevators or other hoisting apparatus;
15 The transportation of payrolls other than within the premises
16 of the employer.
17 No minor under 18 years of age shall be employed, permitted,
18 or suffered to work in, about, or in connection with any
19 establishment where alcoholic liquors are distilled, rectified,
20 compounded, brewed, manufactured, bottled, or are sold for
21 consumption on the premises, or in a pool or billiard room;
22 provided, however, this paragraph shall not apply to minors 16
23 years of age or over, employed as pinsetters [only] , lane
24 attendants, or busboys in public bowling alleys as provided in
25 section 3 [hereof] of this act (C.34:2-21.3) or to minors employed
26 in theatrical productions where alcoholic beverages are sold on
27 the premises.
28 Minors 14 years of age or over may be employed as golf course
29 caddies and pool attendants.
30 No minor under 18 years of age shall be employed, permitted,
31 or suffered to work in any place of employment, or at any
32 occupation hazardous or injurious to the life, health, safety, or
33 welfare of such minor, as such occupation shall, from time to
34 time, be determined and declared by the Commissioner of Labor
35 to be hazardous or injurious to the life, health, safety, or welfare
36 of such minors, after a public hearing thereon and after such
37 notice as the commissioner may by regulation prescribe.
38 None of the provisions of this section regarding employment in
39 connection with alcoholic liquors shall be construed to prevent

1 the employment of minors 16 years of age or more in a restaurant
2 as defined in section 1 of this act (C.34:2-21.1) and as provided
3 for in section 3 of this act (C.34:2-21.3), or in the executive
4 offices, maintenance departments, or pool or beach areas of a
5 hotel, motel or guesthouse; provided, however, that no minor
6 shall engage in the preparation, sale or serving of alcoholic
7 beverages, nor in the preparation of photographs, nor in any
8 dancing or theatrical exhibition or performance which is not part
9 of a theatrical production where alcoholic beverages are sold on
10 the premises, while so employed.

11 Nothing in this section shall be deemed to apply to the work
12 done by pupils in public or private schools of New Jersey, under
13 the supervision and instruction of officers or teachers of such
14 organizations or schools, or to a minor who is 17 years of age
15 employed in the type of work in which such minor majored under
16 the conditions of the special vocational school graduate permit
17 provided in section 15 of this act (C.34:2-21.15).

Nothing in this section shall be construed to prevent minors 16
19 years of age or older who are members of a Junior Firemen's
20 Auxiliary, created pursuant to N.J.S.40A:14-95, from engaging in
21 any activities authorized by N.J.S.40A:14-98.

Notwithstanding any provision of this section to the contrary, a
23 minor who is 15 years of age or older may work as a cashier or
24 bagger on or near a supermarket or retail establishment cash
25 register conveyor belt.

(cf: P.L.1988, c.112, s.2)

27 2. Section 3 of P.L.1940, c.153 (C.34:2-21.3) is amended to
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31 employed by communications companies subject to the
32 supervision and control of the Federal Communications
33 Commission, no minor under 18 years of age shall be employed,
34 permitted, or suffered to work in, about, or in connection with
35 any gainful occupation more than six consecutive days in any one
36 week, or more than 40 hours in any one week, or more than eight
37 hours in any one day, nor shall any minor under 16 years of age be
38 so employed, permitted, or suffered to work before 7 a.m. or
39 after 7 p.m. of any day, except a minor between the ages of 14

1 and 16 may work in a supermarket or other retail establishment
2 during the period beginning on the last day of a minor's school
3 year and ending on Labor Day of each year until 9 p.m. of any day
4 with written permission from a parent or legal guardian; nor shall
5 any minor between 16 and 18 years of age be so employed,
6 permitted, or suffered to work before 6 a.m. or after 11 p.m. of
7 any day; provided that minors between 16 and 18 years of age
8 may be employed after 11 p.m. during any regular vacation
9 season, and on days which do not precede a regularly scheduled
10 school day, with a special written permit from their parents or
11 legal guardian stating the hours they are permitted to work;
12 provided that minors between 16 and 18 years of age may be
13 employed in a seasonal amusement or restaurant occupation after
14 11 p.m. and following 12:01 a.m. of the next day, if that
15 employment is a continuation of a workday which began before 11
16 p.m., either during any regular school vacation season, or on
17 workdays which do not begin on a day which precedes a regularly
18 scheduled school day, with a special written permit from their
19 parents or legal guardian stating the hours they are permitted to
20 work, except that in no case shall minors between 16 and 18 years
21 of age be employed after 3 a.m. or before 6 a.m. on a day which
22 precedes a regularly scheduled school day; provided, further, that
23 minors may be employed in a concert or a theatrical performance
24 up to 11:30 p.m.; and provided, further, that minors not less than
25 16 years of age and who are attending school may be employed as
26 pinsetters [only] , lane attendants, or busboys in public bowling
27 alleys up to 11:30 p.m., but may not be so employed during the
28 school term without a special written permit from the
29 superintendent of schools or the supervising principal, as the case
30 may be, which permit must state that the minor has undergone a
31 complete physical examination by the medical inspector, and, in
32 the opinion of the superintendent or supervising principal, may be
33 so employed, without injury to health or interference with
34 progress in school, such special permits to be good for a period of
35 three months only and are revocable in the discretion of the
36 superintendent or supervising principal. Such permit may not be
37 renewed until satisfactory evidence has been submitted to the
38 superintendent or supervising principal showing that the minor
39 has had a physical examination and the minor's health is not

1 being injured by said work; and provided, further, that minors
2 between 16 and 18 years of age may not be employed after 10
3 p.m. during the regular school vacation seasons in or for a factory
4 or in any occupation otherwise prohibited by law or by order or
5 regulation made in pursuance of law. The hours of work of
6 minors under 16 employed outside school hours shall not exceed
7 three hours in any one day when school is in session.

8 This section is not applicable to the employment of a minor
9 between 16 and 18 years of age during the months of June, July,
10 August or September by a summer resident camp, conference or
11 retreat operated by a nonprofit or religious corporation or
12 association, unless the employment is primarily general
13 maintenance work or food service activities.

(cf: P.L.1988, c.112, s.1)

15 3. This act shall take effect on the 30th day after enactment.

17

STATEMENT

19

20 This bill amends the law regulating child labor, and allows
21 minors who are 16 or 17 years of age to work as lane attendants
22 and busboys in public bowling alleys where alcoholic beverages
23 are served. Current law permits these minors to work only as
24 pinsetters in these bowling alleys, and allows their employment as
25 pinsetters in these locations up to 11:30 p.m. during the school
26 term with a special written permit from the superintendent of
27 schools or the supervising principal, as the case may be.

28 The purpose of the legislation is to give public bowling alleys
29 serving alcoholic beverages the same status under the child labor
30 laws as restaurants serving alcoholic beverages.

31

33

LABOR AND EMPLOYMENT

Children

35

36 Allows 16 and 17 year olds to work as busboys and lane attendants
37 in certain bowling alleys.

ASSEMBLY, No. 4092

STATE OF NEW JERSEY

INTRODUCED JANUARY 10, 1989

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By Assemblyman LoBIONDO

1 AN ACT concerning the hours of employment of certain minors
and amending P.L.1940, c.153.

3

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

1. Section 3 of P.L.1940, c.153 (C.34:2-21.3) is amended to
7 read as follows:

3. Except as provided in section 15 of P.L.1940, c.153
9 (C.34:2-21.15) and except for domestic service or messengers
employed by communications companies subject to the
11 supervision and control of the Federal Communications
Commission, no minor under 18 years of age shall be employed,
13 permitted, or suffered to work in, about, or in connection with
any gainful occupation more than six consecutive days in any one
15 week, or more than 40 hours in any one week, or more than eight
hours in any one day, nor shall any minor under 16 years of age be
17 so employed, permitted, or suffered to work before 7 a.m. or
after 7 p.m. of any day, except a minor [between the ages of] 14
19 or 15 years of age [and 16] may work [in a supermarket or other
retail establishment] in any lawful occupation not prohibited by
21 the provisions of this act, P.L.1940, c.153 (C.34:2-21.1 et seq.)
during the period beginning on the last day of a minor's school
23 year and ending on Labor Day of each year until 9 p.m. of any day
with written permission from a parent or legal guardian; nor shall
25 any minor between 16 and 18 years of age be so employed,
permitted, or suffered to work before 6 a.m. or after 11 p.m. of
27 any day; provided that minors between 16 and 18 years of age
may be employed after 11 p.m. during any regular vacation
29 season, and on days which do not precede a regularly scheduled
school day, with a special written permit from their parents or
31 legal guardian stating the hours they are permitted to work;
provided that minors between 16 and 18 years of age may be
33 employed in a seasonal amusement or restaurant occupation after
11 p.m. and following 12:01 a.m. of the next day, if that

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 employment is a continuation of a workday which began before 11
2 p.m., either during any regular school vacation season, or on
3 workdays which do not begin on a day which precedes a regularly
4 scheduled school day, with a special written permit from their
5 parents or legal guardian stating the hours they are permitted to
6 work, except that in no case shall minors between 16 and 18 years
7 of age be employed after 3 a.m. or before 6 a.m. on a day which
8 precedes a regularly scheduled school day; provided, further, that
9 minors may be employed in a concert or a theatrical performance
10 up to 11:30 p.m.; and provided, further, that minors not less than
11 16 years of age and who are attending school may be employed as
12 pinsetters only in public bowling alleys up to 11:30 p.m., but may
13 not be so employed during the school term without a special
14 written permit from the superintendent of schools or the
15 supervising principal, as the case may be, which permit must
16 state that the minor has undergone a complete physical
17 examination by the medical inspector, and, in the opinion of the
18 superintendent or supervising principal, may be so[,] employed,
19 without injury to health or interference with progress in school,
20 such special permits to be good for a period of three months only
21 and are revocable in the discretion of the superintendent or
22 supervising principal. Such permit may not be renewed until
23 satisfactory evidence has been submitted to the superintendent or
24 supervising principal showing that the minor has had a physical
25 examination and the minor's health is not being injured by said
26 work; and provided, further, that minors between 16 and 18 years
27 of age may not be employed after 10 p.m. during the regular
28 school vacation seasons in or for a factory or in any occupation
29 otherwise prohibited by law or by order or regulation made in
30 pursuance of law. The hours of work of minors under 16
31 employed outside school hours shall not exceed three hours in any
32 one day when school is in session. This section is not applicable
33 to the employment of a minor between 16 and 18 years of age
34 during the months of June, July, August or September by a
35 summer resident camp, conference or retreat operated by a
36 nonprofit or religious corporation or association, unless the
37 employment is primarily general maintenance work or food
38 service activities.
39 (cf: P.L.1988, c.112, s.1.)

1 2. This act shall take effect immediately.

3

STATEMENT

5

7 This bill allows minors who are 14 or 15 years of age to work in
the summer months in any lawful occupation during the hours
permitted by the federal "Fair Labor Standards Act of 1938," 29
9 U.S.C. § 201 et seq.

11 Current law provides that minors within this age group may
work from 7 a.m. to 7 p.m., except minors employed by
supermarkets and other retail establishments who may work
13 until 9 p.m. during the summer vacation period. The bill permits
these minors to work in any lawful occupation during the summer
15 vacation period until 9 p.m.

17

LABOR AND EMPLOYMENT

19

Children

21 Amends child labor law to allow 14 and 15 year olds to work
summer hours permitted under federal "Fair Labor Standards Act
23 of 1938."

ASSEMBLY, No. 4121

STATE OF NEW JERSEY

INTRODUCED JANUARY 10, 1989

By Assemblymen SINGER, LITTELL, Foy, Salmon and Patero

1 AN ACT concerning the employment of certain minors and
amending P.L.1940, c.153.

3

BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

1. Section 3 of P.L.1940, c.153 (C.34:2-21.3) is amended to
7 read as follows:

3. Except as provided in section 15 of P.L.1940, c.153
9 (C.34:2-21.15) and except for domestic service or messengers
employed by communications companies subject to the
11 supervision and control of the Federal Communications
Commission, no minor under 18 years of age shall be employed,
13 permitted, or suffered to work in, about, or in connection with
any gainful occupation more than six consecutive days in any one
15 week, or more than 40 hours in any one week, or more than eight
hours in any one day, nor shall any minor under 16 years of age be
17 so employed, permitted, or suffered to work before 7 a.m. or
after 7 p.m. of any day, except a minor between the ages of 14
19 and 16 may work in a restaurant, supermarket or other retail
establishment during the period beginning on the last day of a
21 minor's school year and ending on Labor Day of each year until 9
p.m. of any day with written permission from a parent or legal
23 guardian; nor shall any minor between 16 and 18 years of age be
so employed, permitted, or suffered to work before 6 a.m. or
25 after 11 p.m. of any day; provided that minors between 16 and 18
years of age may be employed after 11 p.m. during any regular
27 vacation season, and on days which do not precede a regularly
scheduled school day, with a special written permit from their
29 parents or legal guardian stating the hours they are permitted to
work; provided that minors between 16 and 18 years of age may
31 be employed in a seasonal amusement or restaurant occupation
after 11 p.m. and following 12:01 a.m. of the next day, if that
33 employment is a continuation of a workday which began before 11

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 p.m., either during any regular school vacation season, or on
workdays which do not begin on a day which precedes a regularly
3 scheduled school day, with a special written permit from their
parents or legal guardian stating the hours they are permitted to
5 work, except that in no case shall minors between 16 and 18 years
of age be employed after 3 a.m. or before 6 a.m. on a day which
7 precedes a regularly scheduled school day; provided, further, that
minors may be employed in a concert or a theatrical performance
9 up to 11:30 p.m.; and provided, further, that minors not less than
16 years of age and who are attending school may be employed as
11 pinsetters only in public bowling alleys up to 11:30 p.m., but may
not be so employed during the school term without a special
13 written permit from the superintendent of schools or the
supervising principal, as the case may be, which permit must
15 state that the minor has undergone a complete physical
examination by the medical inspector, and, in the opinion of the
17 superintendent or supervising principal, may be so employed,
without injury to health or interference with progress in school,
19 such special permits to be good for a period of three months only
and are revocable in the discretion of the superintendent or
21 supervising principal. Such permit may not be renewed until
satisfactory evidence has been submitted to the superintendent or
23 supervising principal showing that the minor has had a physical
examination and the minor's health is not being injured by said
25 work; and provided, further, that minors between 16 and 18 years
of age may not be employed after 10 p.m. during the regular
27 school vacation seasons in or for a factory or in any occupation
otherwise prohibited by law or by order or regulation made in
29 pursuance of law. The hours of work of minors under 16
employed outside school hours shall not exceed three hours in any
31 one day when school is in session.

This section is not applicable to the employment of a minor
33 between 16 and 18 years of age during the months of June, July,
August or September by a summer resident camp, conference or
35 retreat operated by a nonprofit or religious corporation or
association, unless the employment is primarily general
37 maintenance work or food service activities.

(cf: P.L.1988, c.112, s.1)

39 2. This act shall take effect immediately, and shall apply to
employment occurring on or after August 22, 1988.

1

STATEMENT

3

This bill allows a minor between the ages of 14 and 16 to work in a restaurant during the period beginning on the last day of the minor's school year and ending on Labor Day of each year until 9 p.m. of any day with written permission from a parent or legal guardian.

7

9

LABOR AND EMPLOYMENT

11

Children

13

Modifies child labor laws to permit minors between 14 and 16 to work in restaurants at certain times.

ASSEMBLY LABOR COMMITTEE
STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 3393 and ACS for
ASSEMBLY, Nos. A3724, 4092 and 4121
STATE OF NEW JERSEY

DATED: MAY 18, 1989

The Assembly Labor Committee reports favorably the Senate Committee Substitute for Senate Bill No. 3393 and the Assembly Committee Substitute for Assembly Bills No. 3742, 4092 and 4121.

The bill amends the law regarding the employment of minors to permit:

1. The employment of a 14 or 15 year old during the summer vacation period in restaurants or in any lawful occupation until 9 p.m. with written permission from a parent or guardian. Current State law provides that 14 and 15 year olds may work only from 7 a.m. to 7 p.m., except that a supermarket or other retail establishment may employ them until 9 p.m. during the summer vacation period with written permission from their parents or guardians.

2. The employment, with written permission from school authorities, of 16 or 17 year olds until 11:30 p.m. during the school term as lane attendants and busboys in public bowling alleys where alcoholic beverages are served, provided that these minors do not engage in the preparation, sale or serving of alcoholic beverages and are closely supervised while engaged in clearing alcoholic beverages. Current law limits work in public bowling alleys by these minors to pinsetting.

3. The employment of 14 or 15 year olds when school is in session not more than the maximum number of hours per week permitted under federal law, which is currently 18 hours.

The bill is to take effect immediately, except that the provisions of the bill related to the employment of minors in restaurants applies only to employment occurring on or after August 22, 1988, the effective date of P.L.1988, c.112. That act authorized the employment of 14 and 15 year olds in supermarkets and other retail establishments under certain conditions.

SENATE LABOR, INDUSTRY AND PROFESSIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 3393 and
ACS for ASSEMBLY, Nos. 3724, 4092 and 4121

STATE OF NEW JERSEY

DATED: APRIL 27, 1989

The Senate Labor, Industry and Professions Committee reports favorably a Senate Committee Substitute for Senate, No. 3393 and ACS for Assembly Nos. 3724, 4092 and 4121.

This bill amends the law regulating the employment of minors under 18 years of age, and allows minors:

- 1) who are 14 or 15 years of age to be employed during the summer vacation period in restaurants or in any lawful occupation until 9 p.m. with written permission from a parent or guardian. Current State law provides that 14 and 15 year old minors may work only from 7 a.m. to 7 p.m., except minors employed by supermarkets and other retail establishments who may work until 9 p.m. during the summer vacation period with written permission from a parent or guardian.
- 2) who are 16 or 17 years of age to be employed until 11:30 p.m. during the school term, with a special written permit from the superintendent of schools or the supervising principal, as lane attendants and busboys in public bowling alleys regardless of whether alcoholic beverages are served, provided that these minors do not engage in the preparation, sale or serving of alcoholic beverages and are closely supervised. Current law permits these minors to work only as pinsetters in public bowling alleys up to 11:30 p.m. during the school term with a special written permit from the minor's superintendent of schools or supervising principal, as the case may be.
- 3) who are 14 or 15 years of age to be employed in any one week when school is in session not more than the maximum number of hours permitted for that period under the federal "Fair Labor Standards Act," and regulations promulgated by

the United States Secretary of Labor pursuant to that act, which is currently 18 hours per week.

The bill is to take effect immediately. However, the provisions of the bill related to the employment of minors in the restaurant industry are to apply to employment occurring on or after August 22, 1988, the effective date of P.L.1988, c.112. That act authorized the employment of 14 and 15 year olds in supermarkets and other retail establishments under certain conditions.