

34:2-21.3

LEGISLATIVE HISTORY CHECKLIST

WASA 34:2-21.3 (Child labor--Permit late evening employment during school vacations)

LAWS OF 1980 CHAPTER 22

Bill No. S660

Sponsor(s) Bedell

Date Introduced Pre-filed

Committee: Assembly

Senate Labor, Industry and Professions

Amended during passage Yes No

Date of Passage: Assembly Feb. 28, 1980

Senate Feb. 21, 1980

Date of approval April 18, 1980

Following statements are attached if available:

Sponsor statement Yes  (Below) No

Committee Statement: Assembly Yes  No

Senate Yes  No

Fiscal Note Yes  No

Veto message Yes  No

Message on signing Yes  No

Following were printed:

Reports Yes  No

Hearings Yes  No

Sponsor's statement:

This bill allows minors between 16 and 18 years of age to be employed after 11 p.m. during any regular school vacation session upon permission of their parents or legal guardian.

(over)

9/1/70

Recommendation for legislation made in:

974.90 New Jersey. Commission on Sex Discrimination  
W762 in the Statutes.  
1979d Sex discrimination in the employment  
statutes. First report...October, 1979.  
Trenton, 1979.  
(See pp. 5-6, 28-29)

SENATE, No. 660

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senator BEDELL

AN ACT to amend "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," approved June 25, 1940 (P. L. 1940, c. 153).

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

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

3 3. Except as provided in section 15 and except for domestic  
4 service or messengers employed by communications companies  
5 subject to the supervision and control of the Federal Communica-  
6 tions Commission, no minor under 18 years of age shall be em-  
7 ployed, permitted, or suffered to work in, about, or in connection  
8 with any gainful occupation more than 6 consecutive days in any  
9 1 week, or more than 40 hours in any 1 week, or more than 8 hours  
10 in any 1 day, nor shall any minor under 16 years of age be so  
11 employed, permitted, or suffered to work before 7 a.m. or after 6  
12 p.m. of any day; nor shall any minor between 16 and 18 years of  
13 age be so employed, permitted or suffered to work before 6 a.m.  
14 or after **[10]** 11 p.m. of any day; *provided, that minors between 16*  
15 *and 18 years of age may be employed after 11 p.m. during any*  
16 *regular school vacation season, and in a restaurant after 12 o'clock*  
17 *midnight on such days which do not precede a regularly scheduled*  
18 *school day, with a special written permit from their parents or*  
19 *legal guardian stating the hours they are permitted to work; pro-*  
20 *vided, further that minors **[between]** 14 and **[18]** 15 years of age*  
21 *may be employed in a concert or a theatrical performance up to*  
22 *11 p.m.; **[and provided, further, that male minors between 16 and***  
23 *18 years of age may be employed in any public bowling alley up*  
24 *to 11:30 p.m.; **]** and provided, further, that **[male]** minors not less*

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

25 than 16 years of age and who are attending school may be employed  
 26 as pin-setters only in public bowling alleys up to 11:30 p.m. [during  
 27 any regular school vacation season], but may not be so employed  
 28 during the 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 [boy] *minor* has under-  
 31 gone a complete physical examination by the medical inspector,  
 32 and, in the opinion of the superintendent or supervising principal  
 33 may be so employed, without injury to health or interference with  
 34 progress in school, such special permits to be good for a period  
 35 of 3 months only and are revocable in the discretion of the super-  
 36 intendent or supervising principal. Such permit may not be re-  
 37 newed until satisfactory evidence has been submitted to the super-  
 38 intendent or supervising principal showing that the [boy] *minor*  
 39 has had a physical examination and [his] *the minor's* health is  
 40 not being injured by said work; and provided, further, that [male]  
 41 minors between 16 and 18 years of age may *not* be employed [until  
 42 11] *after 10* p.m. during the regular school vacation seasons [but  
 43 not] in or for a factory or in any occupation otherwise prohibited  
 44 by law or by order or regulation made in pursuance of law. The  
 45 combined hours of work and hours in school of [children] *minors*  
 46 under 16 employed outside school hours shall not exceed a total of  
 47 8 per day; and provided, further, that minors between 16 and  
 48 18 years of age may be employed in any restaurant until 12 mid-  
 49 night unless such minors are regularly attending school in which  
 50 case such minors may be employed until 12 midnight during any  
 51 regular school vacation season and on such days which do not  
 52 precede a regularly scheduled school day, but no such minor  
 53 employed in any occupation in a restaurant shall be paid at a wage  
 54 rate less than that provided pursuant to law for such occupation].

55 This section is not applicable to the employment of a minor be-  
 56 tween 16 and 18 years of age during the months of June, July,  
 57 August or September by a summer resident camp, conference or  
 58 retreat operated by a nonprofit or religious corporation or associa-  
 59 tion, unless the employment is primarily general maintenance  
 60 work or food service activities.

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill allows minors between 16 and 18 years of age to be employed after 11 p.m. during any regular school vacation session upon permission of their parents or legal guardian.

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SENATE LABOR, INDUSTRY AND  
PROFESSIONS COMMITTEE

STATEMENT TO

**SENATE, No. 660**

**STATE OF NEW JERSEY**

DATED: JANUARY 24, 1980

This bill would permit minors 16 and 17 years of age, who have a written permit from their parents or legal guardian stating what hours they are permitted to work, to be employed after 11 p.m. during regular school vacations and to be employed in restaurants after 12 midnight on days which do not precede regularly scheduled school days. Parental permission would be in addition to the employment certificate required by N. J. S. A. 34:2-21.7. No minor under 18 is permitted to work in any gainful occupation unless the employer procures an employment certificate or special permit issued by the issuing officer of the school district.

The provisions of the bill would apply equally to male and female minors. Minors age 16 and 17 would not be permitted to work after 10 p.m. in or for a factory or in any occupation otherwise prohibited by law. The total number of hours a minor would be permitted to work per week is restricted by law.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

APRIL 21, 1980

FOR FURTHER INFORMATION

KATHRYN FORSYTH

Governor Brendan Byrne has signed S-660, sponsored by Senator Eugene Bedell (D-Monmouth), which amends the law governing the working hours of minors.

Under prior law, minors between the ages of 16 and 18 were not permitted to work before 6 a.m. or after 10 p.m., with certain specified exceptions. This bill changes the general rule from 10 p.m. to 11 p.m.

The bill also permit minors to work after 11 p.m. "during any regular school vacation period" and after 12 midnight on days which do not precede a regularly scheduled school day. In both cases, however, the minor must have written consent specifying the hours to be worked from his or her parent or legal guardian.

In addition, the bill removes the references to gender used in writing the original law, permits a minor over the age of 16 to be employed in a factory during regular school vacation periods after 10 p.m., and expands the ability of minors to work in public bowling alleys.

While the measure permits minors to work later hours, it does not allow them to work more than 40 hours per week, more than eight hours a day, or more than six consecutive days in a week.

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