

SENATE, No. 2100

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

SYNOPSIS

Permits minors to work until 11 p.m. between Memorial Day and October 1 of each year in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the hours in which minors can work and
2 amending P.L.1940, c.153.

3

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

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

9 3. Except as provided in section 15 of P.L.1940, c.153 (C.34:2-
10 21.15) and except for domestic service or messengers employed by
11 communications companies subject to the supervision and control
12 of the Federal Communications Commission, no minor under 18
13 years of age shall be employed, permitted, or suffered to work in,
14 about, or in connection with any gainful occupation more than six
15 consecutive days in any one week, or more than 40 hours in any one
16 week, or more than eight hours in any one day, nor shall any minor
17 under 16 years of age be so employed, permitted, or suffered to
18 work before 7 a.m. or after 7 p.m. of any day, except a minor who is
19 14 or 15 years of age may work in a restaurant, supermarket or
20 other retail establishment, or in any occupation not prohibited by
21 the provisions of this act, P.L.1940, c.153 (C.34:2-21.1 et seq.) or
22 by regulations promulgated by the commissioner pursuant to this
23 act, P.L.1940, c.153 (C.34:2-21.1 et seq.), during the period
24 beginning on **the last** Memorial day **of a minor's school year**
25 and ending on **Labor Day** October 1 of each year until **9 p.m.**
26 11 p.m. of any day with written permission from a parent or legal
27 guardian, and except a minor who is 14 or 15 years of age may be
28 employed as a little league umpire for little leagues chartered by
29 Little League Baseball, Incorporated, until 9 p.m. of any day with
30 written permission from a parent or legal guardian; nor shall any
31 minor between 16 and 18 years of age be so employed, permitted,
32 or suffered to work before 6 a.m. or after 11 p.m. of any day;
33 provided that minors between 16 and 18 years of age may be
34 employed after 11 p.m. during any regular vacation season, and on
35 days which do not precede a regularly scheduled school day, with a
36 special written permit from their parents or legal guardian stating
37 the hours they are permitted to work; provided that minors between
38 16 and 18 years of age may be employed in a seasonal amusement
39 or restaurant occupation after 11 p.m. and following 12:01 a.m. of
40 the next day, if that employment is a continuation of a workday
41 which began before 11 p.m., either during any regular school
42 vacation season, or on workdays which do not begin on a day which
43 precedes a regularly scheduled school day, with a special written
44 permit from their parents or legal guardian stating the hours they
45 are permitted to work, except that in no case shall minors between

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 16 and 18 years of age be employed after 3 a.m. or before 6 a.m. on
2 a day which precedes a regularly scheduled school day; provided,
3 further, that minors may be employed in a concert or a theatrical
4 performance up to 11:30 p.m.; and provided, further, that minors
5 not less than 16 years of age and who are attending school may be
6 employed as pinsetters, lane attendants, or busboys in public
7 bowling alleys up to 11:30 p.m., but may not be so employed during
8 the school term without a special written permit from the
9 superintendent of schools or the supervising principal, as the case
10 may be, which permit shall state that the minor has undergone a
11 complete physical examination by the medical inspector, and, in the
12 opinion of the superintendent or supervising principal, may be so
13 employed, without injury to health or interference with progress in
14 school, such special permits to be good for a period of three months
15 only and are revocable in the discretion of the superintendent or
16 supervising principal. Such permit may not be renewed until
17 satisfactory evidence has been submitted to the superintendent or
18 supervising principal showing that the minor has had a physical
19 examination and the minor's health is not being injured by said
20 work; and provided, further, that minors between 16 and 18 years of
21 age may not be employed after 10 p.m. during the regular school
22 vacation seasons in or for a factory or in any occupation otherwise
23 prohibited by law or by order or regulation made in pursuance of
24 law. The hours of work of minors under 16 employed outside
25 school hours shall not exceed three hours in any one day when
26 school is in session and shall not exceed in any one week when
27 school is in session the maximum number of hours permitted for
28 that period under the federal "Fair Labor Standards Act of
29 1938," 29 U.S.C.s.201 et seq., and regulations promulgated
30 pursuant to that federal act.

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

37 (cf: P.L.1998, c.138, s.1)

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39 2. This act shall take effect immediately.
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42 STATEMENT

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44 This bill revises the hours a minor who is 14 or 15 years of age
45 may work with permission from a parent or legal guardian. If
46 enacted, the bill would allow minors who are 14 or 15 years of age
47 to work until 11 p.m. from Memorial Day to October 1 of each year,
48 with permission from their parent or legal guardian.

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1 Under current law, minors who are 14 or 15 years of age may
2 work during the period beginning on the last day of the school year
3 and ending on Labor Day of each year until 9 p.m.

4 The bill does not modify the types of occupations in which
5 minors can work, the total number of hours minors can work, or the
6 required breaks from work an employer is required to provide an
7 employee who is a minor.