

[First Reprint]

ASSEMBLY, No. 4906

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED OCTOBER 29, 2020

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

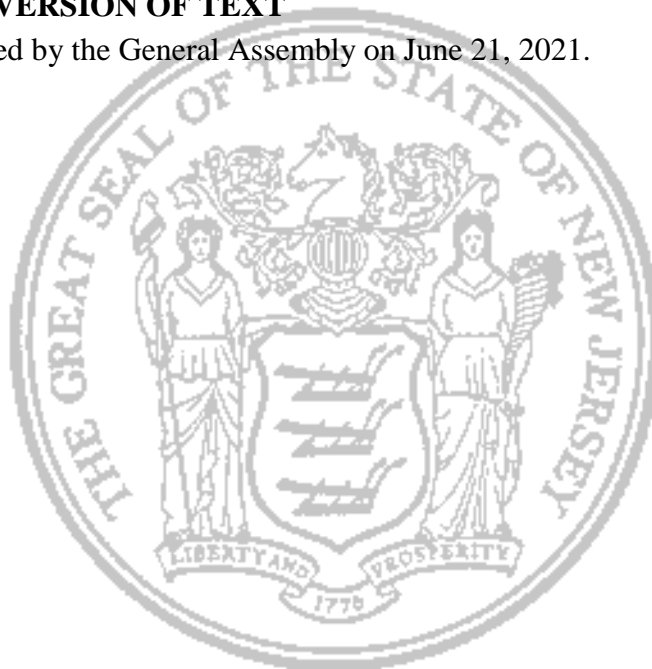
**Assemblywoman Lopez, Assemblyman Stanley, Assemblywoman
Timberlake, Assemblymen Johnson, Wimberly and Mazzeo**

SYNOPSIS

Allows minors to serve as election workers between 5:30 a.m. and 9:00 p.m.
on election days.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 21, 2021.



(Sponsorship Updated As Of: 6/24/2021)

1 AN ACT allowing minors to serve as election workers and amending
2 P.L.1940, c.153.

3

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

6

7 1. Section 3 of P.L.1940, c.153 (C.34:2-21.3) is amended to read
8 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 of
12 the Federal Communications Commission, no minor under 18 years of
13 age shall be employed, permitted, or suffered to work in, about, or in
14 connection with any gainful occupation more than six consecutive
15 days in any one week, or more than 40 hours in any one week, or more
16 than eight hours in any one day, nor shall any minor under 16 years of
17 age be so employed, permitted, or suffered to work before 7 a.m. or
18 after 7 p.m. of any day, except a minor who is 14 or 15 years of age
19 may work in a restaurant, supermarket or other retail establishment, or
20 in any occupation not prohibited by the provisions of this act,
21 P.L.1940, c.153 (C.34:2-21.1 et seq.) or by regulations promulgated by
22 the commissioner pursuant to this act, P.L.1940, c.153 (C.34:2-21.1 et
23 seq.), during the period beginning on the last day of a minor's school
24 year and ending on Labor Day of each year until 9 p.m. of any day
25 with written permission from a parent or legal guardian, and except a
26 minor who is 14 or 15 years of age may be employed as a little league
27 umpire for little leagues chartered by Little League Baseball,
28 Incorporated, until 9 p.m. of any day with written permission from a
29 parent or legal guardian; nor shall any minor between 16 and 18 years
30 of age be so employed, permitted, or suffered to work before 6 a.m. or
31 after 11 p.m. of any day; provided that minors between 16 and 18
32 years of age may be employed after 11 p.m. during any regular
33 vacation season, and on days which do not precede a regularly
34 scheduled school day, with a special written permit from their parents
35 or legal guardian stating the hours they are permitted to work;
36 provided that minors between 16 and 18 years of age may be
37 employed in a seasonal amusement or restaurant occupation after 11
38 p.m. and following 12:01 a.m. of the next day, if that employment is a
39 continuation of a workday which began before 11 p.m., either during
40 any regular school vacation season, or on workdays which do not
41 begin on a day which precedes a regularly scheduled school day, with
42 a special written permit from their parents or legal guardian stating the
43 hours they are permitted to work, except that in no case shall minors
44 between 16 and 18 years of age be employed after 3 a.m. or before 6
45 a.m. on a day which precedes a regularly scheduled school day;

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

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted June 21, 2021.

1
2 provided, further, that minors may be employed in a concert or a
3 theatrical performance up to 11:30 p.m.; provided, further, that minors
4 between 16 and 18 years of age may serve at an election pursuant to
5 '[R.S.19:45-6] R.S.19:6-2¹, between the hours of 5:30 a.m. and 9:00
6 p.m. on a day that the election is held; and provided, further, that
7 minors not less than 16 years of age and who are attending school may
8 be employed as pinsetters, lane attendants, or busboys in public
9 bowling alleys up to 11:30 p.m., but may not be so employed during
10 the school term without a special written permit from the
11 superintendent of schools or the supervising principal, as the case may
12 be, which permit shall state that the minor has undergone a complete
13 physical examination by the medical inspector, and, in the opinion of
14 the superintendent or supervising principal, may be so employed,
15 without injury to health or interference with progress in school, such
16 special permits to be good for a period of three months only and are
17 revocable in the discretion of the superintendent or supervising
18 principal. Such permit may not be renewed until satisfactory evidence
19 has been submitted to the superintendent or supervising principal
20 showing that the minor has had a physical examination and the minor's
21 health is not being injured by said work; and provided, further, that
22 minors between 16 and 18 years of age may not be employed after 10
23 p.m. during the regular school vacation seasons in or for a factory or in
24 any occupation otherwise prohibited by law or by order or regulation
25 made in pursuance of law. The hours of work of minors under 16
26 employed outside school hours shall not exceed three hours in any one
27 day when school is in session and shall not exceed in any one week
28 when school is in session the maximum number of hours permitted for
29 that period under the federal "Fair Labor Standards Act of 1938," 29
30 U.S.C.s.201 et seq., and regulations promulgated pursuant to that
31 federal act.

32 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,
34 August or September by a summer resident camp, conference or
35 retreat operated by a nonprofit or religious corporation or association,
36 unless the employment is primarily general maintenance work or food
37 service activities.

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

39

40 2. This act shall take effect immediately.