

SENATE, No. 2209

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

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 introduced.



(Sponsorship Updated As Of: 3/19/2020)

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

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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 day of a minor's school year and ending on
25 Labor Day of each year until 9 p.m. of any day with written
26 permission from a parent or legal guardian, and except a minor who
27 is 14 or 15 years of age may be employed as a little league umpire
28 for little leagues chartered by Little League Baseball, Incorporated,
29 until 9 p.m. of any day with written permission from a parent or
30 legal guardian; nor shall any minor between 16 and 18 years of age
31 be so employed, permitted, or suffered to work before 6 a.m. or
32 after 11 p.m. of any day; provided that minors between 16 and 18
33 years of age may be employed after 11 p.m. during any regular
34 vacation season, and on days which do not precede a regularly
35 scheduled school day, with a special written permit from their
36 parents or legal guardian stating the hours they are permitted to
37 work; provided that minors between 16 and 18 years of age may be
38 employed in a seasonal amusement or restaurant occupation after 11
39 p.m. and following 12:01 a.m. of the next day, if that employment is
40 a continuation of a workday which began before 11 p.m., either
41 during any regular school vacation season, or on workdays which
42 do not begin on a day which precedes a regularly scheduled school
43 day, with a special written permit from their parents or legal
44 guardian stating the hours they are permitted to work, except that in
45 no case shall minors between 16 and 18 years of age be employed

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

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

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

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41 2. This act shall take effect immediately.

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STATEMENT

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46 This bill existing law to permit minors between the ages of 16
47 and 18 to be employed as election workers, pursuant to R.S.19:45-
48 6, between the hours of 5:30 a.m. and 9:00 p.m. on a day that an
49 election is held.