

ASSEMBLY, No. 1336

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman DeCROCE

1 AN ACT concerning hours worked by minors for municipal recreation  
2 departments and amending 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 read  
8 as follows:

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

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

**Matter underlined thus is new matter.**

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

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

43 Notwithstanding any other provision of this section, a minor who  
44 is 14 or 15 years of age working for a municipal recreation department  
45 may work between the hours of 7 a.m. and 10 p.m. with written

1 permission from a parent or legal guardian.

2 (cf: P.L.1989, c.121, s.1)

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4 2. This act shall take effect immediately.

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STATEMENT

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9 This bill permits any minor 14 or 15 years old to work for a  
10 municipal recreation department between the hours of 7 a.m. and 10  
11 p.m., if written permission is given by the minor's parent or legal  
12 guardian.

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18 Permits minors to work from 7 a.m. to 10 p.m. for municipal  
recreation departments.