

SENATE, No. 259

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator GIRGENTI

1 AN ACT permitting certain minors to be employed during certain hours  
2 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,  
23 c.153 (C.34:2-21.1 et seq.), during the period beginning on the last  
24 day of a minor's school year and ending on Labor Day of each year  
25 until 9 p.m. of any day with written permission from a parent or legal  
26 guardian, and, except a minor who is 14 or 15 years of age may be  
27 employed as a little league umpire for little leagues chartered by Little  
28 League Baseball, Incorporated, until 9 p.m. of any day with written  
29 permission from a parent or legal guardian; nor shall any minor  
30 between 16 and 18 years of age be so employed, permitted, or suffered  
31 to work before 6 a.m. or after 11 p.m. of any day; provided that  
32 minors between 16 and 18 years of age may be employed after 11 p.m.

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

41 This section is not applicable to the employment of a minor between  
42 16 and 18 years of age during the months of June, July, August or  
43 September by a summer resident camp, conference or retreat operated  
44 by a nonprofit or religious corporation or association, unless the

1 employment is primarily general maintenance work or food service  
2 activities.

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

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill allows 14 or 15 year old minors to work as little league  
11 umpires for little leagues chartered by Little League Baseball,  
12 Incorporated, until 9 p.m. of any day with written permission from a  
13 parent or legal guardian.

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19 Permits certain minors to be employed during certain hours as little  
league umpires.