

SENATE BILL REPORT

SB 6238

As of January 31, 1996

Title: An act relating to the employment of minors.

Brief Description: Regulating teen-age work hours.

Sponsors: Senators Deccio, Loveland, Hale, Owen, McCaslin, Schow, Haugen, Moyer, Zarelli, Prince, Roach, Wood, Hochstatter, Newhouse, McDonald, Oke, Sellar, Swecker, A. Anderson, Johnson, West, Hargrove, Rasmussen, Bauer, McAuliffe and Finkbeiner.

Brief History:

Committee Activity: Labor, Commerce & Trade: 2/1/96.

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Staff: Jonathan Seib (786-7427)

Background: The Department of Labor and Industries is authorized to adopt rules establishing employment standards, including working conditions and hours of labor, for the protection of the safety, health, and welfare of employees. In addition, the department may adopt special rules for the protection of minor employees. The provisions granting this authority do not apply to agricultural labor, newspaper vending, or domestic or casual labor at private residences. Employment of minors in house-to-house sales is restricted by statute.

Until July 1, 1993, the department's rules regulating the employment of minors included the following restrictions:

Minors 16 or 17 years of age: a maximum of eight hours per day and five days per week; and no work after 9:00 p.m. on two consecutive nights preceding school days.

Minors under age 16: a maximum of three hours per day on school days and 18 hours per week during school weeks; a maximum of eight hours per day on nonschool days and five days per week; and no work before 7:00 a.m. or after 7:00 p.m., except during summer vacation when work must end by 9:00 p.m.

On July 1, 1993, revised rules providing for the employment of minors became effective. These rules include the following:

Minors 16 or 17 years of age: a maximum of four hours per day on a school day preceding a school day, eight hours per day on other days, 20 hours during a school week and six days per week. With a variance, these limits may be extended to a maximum of six hours per day on a school day preceding a school day and 28 hours per week. No work is permitted before 7:00 a.m. or after 10:00 p.m. on a day preceding a school day, or after midnight on Friday, Saturday, or the day before a holiday.

During school vacations, a maximum of eight hours per day and 48 hours per week is permitted, for up to six days per week. Work may not start before 5:00 a.m. or end after midnight.

Minors under age 16: a maximum of three hours per day on a school day preceding a school day, eight hours per day on other days, 16 hours during a school week, and six days per week. No work is permitted before 7:00 a.m. or after 7:00 p.m. on a day preceding a school day. On Friday, Saturday, or a day preceding a school holiday, work must end by 9:00 p.m. An ending time of 9:00 p.m. is permitted during school vacations.

During school vacations, a maximum of eight hours per day and 40 hours per week is permitted, up to six days per week.

The revised rules also changed the regulation of employment of minors in hazardous occupations.

The U.S. Department of Labor has established child labor standards under the federal Fair Labor Standards Act. These standards restrict the employment of minors in certain hazardous occupations. In addition, the federal standards limit the employment of minors under age 16 to three hours on school days, eight hours on nonschool days, 18 hours per week during school weeks, and 40 hours per week during school vacations.

Summary of Bill: Authority of the Department of Labor and Industries to adopt special rules. Provisions are deleted that give the Department of Labor and Industries authority to adopt special rules for the protection of the safety, health, and welfare of minors employed in nonagricultural and other covered employments. However, the department is authorized to adopt rules determining the unreasonably hazardous occupations in which minors may not be employed (see hazardous occupations below).

Work rules for minors under age 16. The employment of unemancipated minors under the age of 16 is restricted as follows: