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**SUBSTITUTE HOUSE BILL 1030**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Lisk, Carlson, Dyer, Skinner, Cooke, Schoesler, Thompson, Goldsmith, Chandler, Basich, Foreman, Honeyford, Hankins, D. Schmidt, Mulliken, McMorris, Clements, Fuhrman, Sheldon, L. Thomas, Huff, Silver, Buck and McMahan)

Read first time 01/16/95.

1 AN ACT Relating to the employment of minors; amending RCW  
2 49.12.121; repealing RCW 49.12.123; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 49.12.121 and 1993 c 294 s 9 are each amended to read  
5 as follows:

6 ~~(1) ((The department may at any time inquire into wages, hours, and  
7 conditions of labor of minors employed in any trade, business, or  
8 occupation in the state of Washington and may adopt special rules for  
9 the protection of the safety, health, and welfare of minor employees.  
10 However, the rules may not limit the hours per day or per week, or  
11 other specified work period, that may be worked by minors who are  
12 emancipated by court order.~~

13 ~~(2))~~ The department shall issue work permits to employers for the  
14 employment of minors, after ~~((being assured))~~ determining that the  
15 proposed employment of a minor meets the standards for the health,  
16 safety, and welfare of minors as set forth in ~~((the rules adopted by  
17 the department))~~ this chapter. No minor person shall be employed in  
18 any occupation, trade, or industry subject to chapter 16, Laws of 1973  
19 2nd ex. sess., unless a work permit has been properly issued, with the

1 consent of the parent, guardian, or other person having legal custody  
2 of the minor and with the approval of the school which such minor may  
3 then be attending. However, the consent of a parent, guardian, or  
4 other person, or the approval of the school which the minor may then be  
5 attending, is unnecessary if the minor is emancipated by court order.  
6 The employer who is required to have a work permit under this section  
7 or RCW 49.12.124 shall keep the permit on file during the employment of  
8 a minor or minors.

9 (2)(a) Except as otherwise provided in this chapter, minors under  
10 the age of sixteen may not be employed:

11 (i) When school is in session, more than three hours per day on  
12 school days, more than eight hours per day on nonschool days, or more  
13 than eighteen hours per week;

14 (ii) When school is not in session, more than eight hours per day  
15 or more than forty hours per week;

16 (iii) After 8:00 p.m. in service occupations unless supervised by  
17 a responsible adult who is required to be on the premises;

18 (iv) More than five hours without a meal period of at least thirty  
19 minutes. Minors shall be given a rest period of at least ten minutes  
20 in every four-hour period of employment;

21 (v) During school hours unless special permission has been granted  
22 under RCW 28A.225.010 and 28A.225.080;

23 (vi) Before 7:00 a.m. or after 7:00 p.m. during the school year; or

24 (vii) Before 7:00 a.m. or after 9:00 p.m. during the summer school  
25 vacation.

26 (b) The limits in (a) of this subsection do not apply to minors who  
27 are emancipated by court order.

28 (3) No minor may be employed in occupations determined by  
29 department rule to be unreasonably hazardous. In adopting rules under  
30 this subsection, the department shall not restrict employment beyond  
31 the restrictions of the occupation standards of the child labor  
32 provisions of the fair labor standards act (29 C.F.R. Part 570, Subpart  
33 C), as existing on January 1, 1994.

34 (4) The minimum wage for minors shall be as prescribed in RCW  
35 49.46.020.

36 NEW SECTION. Sec. 2. RCW 49.12.123 and 1991 c 303 s 8, 1983 c 3  
37 s 156, & 1973 c 51 s 3 are each repealed.

1        NEW SECTION.    **Sec. 3.**    This act is necessary for the immediate  
2 preservation of the public peace, health, or safety, or support of the  
3 state government and its existing public institutions, and shall take  
4 effect immediately.

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