

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 628

Committee Substitute Favorable 5/14/91

Third Edition Engrossed 5/23/91

Senate Manufacturing and Labor Committee Substitute Adopted 7/9/92

Short Title: Limit Students' Work Hours.

(Public)

Sponsors:

Referred to:

April 9, 1991

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE NUMBER OF HOURS THAT YOUTHS ENROLLED IN SCHOOL ARE ALLOWED TO WORK.

The General Assembly of North Carolina enacts:

Section 1. G.S. 95-25.5 is amended by adding a new subsection to read:

"(b1) Youths 16 or 17 years of age who are enrolled in school in grade 12 or in a grade lower than 12 may be employed by an employer:

(1) No more than eight hours on a Sunday and no more than five hours on a day when school is in session and when there is school for the youth the next day; and

(2) No more than 40 hours per week when school is in session for the youth.

When a youth fails to maintain a 'C' grade average, or above, on subject matter courses for the last grading period, the youth's guidance counselor, teacher, or principal may send written notification to the employer of the youth's grade status. Upon such written notification to the employer, the youth shall not be allowed to work more than the hours provided in this subsection until the youth attains a 'C' grade average or better for the next or subsequent grading periods. A youth maintaining a 'C' grade average or above on subject matter courses for the last grading period is exempt from the provisions of this subsection."

Sec. 2. G.S. 95-25.5(i) reads as rewritten:

1 "(i) Youths under ~~16~~ 18 years of age employed by their parents are exempt from
2 all provisions of this section, except the certificate requirements of subsection (a), the
3 prohibition from hazardous or detrimental occupations of subsection (b), and the
4 prohibitions of subsection (j)."

5 Sec. 3. G.S. 95-25.5(k) reads as rewritten:

6 "(k) Persons and establishments required to comply with or subject to regulation
7 of child labor under the Fair Labor Standards Act are exempt from all provisions of this
8 section, except the certificate requirements of subsection (a), the prohibition from
9 occupations found and declared to be detrimental by the Commissioner of Labor
10 pursuant to subsection (b), the provisions of subsection (b1), and the prohibitions of
11 subsection (j). In addition, employment certificates will not be issued if such person's
12 employment will be in violation of the applicable child labor provisions of the Fair
13 Labor Standards Act. Such employers may also be assessed civil penalties pursuant to
14 G.S. 95-25.23 for each violation of the provisions of this section or any regulation
15 issued hereunder from which there is no exemption."

16 Sec. 4. This act becomes effective October 1, 1992.