

H

B

3

1

4



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

SUMMARY HB 314am:

Changes the hours which a child (minor under 16) may be employed. If employed a child may work only between 5 (6)am and 9 (7)pm, not to exceed 23 hours outside school in one week, nor a combined total of nine hours school attendance and employment.

Bill No. House Bill 314 am

Date April 3, 1981

Title "An Act relating to employment of children;
and providing for an effective date."

Contact: Judy Knight *JK*
465-2700
Dale Cheek
465-4870

This bill changes the time frames in which minors are permitted to work by allowing the workday to begin at 5:00 a.m., one hour earlier than now permitted; and to end at 9:00 p.m., two hours later than is now permitted. The bill does not change the total number of hours a minor is permitted to work in any day or week.

If this bill is passed there would be a conflict with federal regulations in that 29 CFR permits a minor under 16 to work only between the hours of 7:00 a.m. and 7:00 p.m. when school is in session. However, Alaska law is already in conflict with the federal regulation because currently AS 23.10.340(a) permits a minor to begin to work at 6:00 a.m. The department considers these conflicts to be minor in nature and would not adversely affect the welfare of the children involved.

The Department of Labor supports the passage of this bill.



Alaska State Legislature

Senate

Official Business

Labor & Commerce Committee

Pouch V
State Capitol
Juneau, Alaska 99811

Committee Meeting Minutes:

27 May, 1981

The Senate Labor and Commerce Committee meeting was called to order by Senator Mulcahy at 3:04pm, and the first item of business was HB 314am. Representative Haugen, sponsor of the bill, provided testimony on the bill, and Senator Fahrenkamp made a motion to move the bill with individual recommendations.

Senator Mulcahy brought up HB 274, and a motion was made by Senator Fahrenkamp that the bill be moved from committee with individual recommendations.

Chairman Mulcahy brought up CS SB 318, and a motion was made by Senator Fahrenkamp that the bill be moved with individual recommendations.

The final piece of legislation addressed at the meeting was CS SB 552 and after a brief discussion by committee members, a motion was made by Senator Fahrenkamp that CS SB 552 move from committee with individual recommendations. The committee meeting was adjourned at 3:14pm.

SENATE

FURTHER: None

3/31/81

Date: _____

Mr. President:

The Committee on LABOR & COMMERCE has had HB 314 am
employment of children

under consideration and (a majority of the committee) (the committee)
reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Steve Schenk

Bob Mulcahy

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Bob Mulcahy

CHAIRMAN

Sec. 23.10.335. Employment of children under 14. No minor under 14 years of age may be employed or allowed to work in an occupation outside school hours except in domestic employment, baby-sitting and handiwork in and about private homes; newspaper delivery or sales; or canneries in warehouse work casing cans under competent supervision. (§ 1 ch 73 SLA 1949)

Sec. 23.10.340. Children under 16. (a) A minor under 16 years of age may not be employed for more than a combined total of nine hours school attendance and employment in one day. If employed, his work may be performed only between 6 a.m. and 7 p.m. His employment outside school hours may not exceed 23 hours in one week, domestic work and baby-sitting excepted.

(b) No minor under 16 years of age may be employed or allowed to work in a restaurant. (§ 1 ch 73 SLA 1949; § 3 ch 73 SLA 1949; am § 2 ch 28 SLA 1951)

ALR reference. — Constitutionality children and women in private industry of statute limiting hours of labor of industry, 90 ALR 815.

Sec. 23.10.345. Exemptions for minors over 16 or who have graduated from high school. (a) While on school vacation, a minor over 16 years of age may be employed in work not otherwise prohibited by §§ 350—355 of this chapter, or by regulations promulgated under § 360 of this chapter, if the employment meets the conditions of wages and hours prevailing for the majority of employees in the industry at the time of employment.

(b) The commissioner of labor may grant an exemption, in writing, for a minor over 16 years of age while on school vacation, or a minor under 18 years of age who has graduated from high school to work in an occupation prohibited by § 350 (1), (2), and (4) of this chapter, or by regulations promulgated under § 360 of this chapter, if the commissioner determines that the actual duties to be performed by the minor would not unduly endanger the life, limb, health, or morals of the minor.

(c) The commissioner, in order to determine whether or not an exemption may be granted to a minor under (b) of this section, may require the minor or his prospective employer to provide information concerning the nature of the employment. (§ 2 ch 73 SLA 1949; am § 1 ch 28 SLA 1951; am § 1 ch 26 SLA 1964)

Effect of amendment.—The 1964 amendment rewrote the former section, designating it subsection (a), and added subsections (b) and (c).

Sec. 23.10.350. Employment of children under 18. No minor under 18 years of age may be employed or allowed to work

(1) in a gainful occupation for more than eight hours in a day, 40 hours in a week, or for more than six days in a week;

(2) in excavations, or in surface mining, or underground in

§ 23
mine
crane
(3
or
(4
health
1951
AL
of sta
Se
plove
in ar
cons
(d).
245
Eff
amend
"mino
and ar
Leg
Se
oppo
publi
estat
kind
empl
rates
welfa
(b
other
tions
perie
SLA
Am
Labor
Se
325—
Am
Labor
Se
325—
victi
priso
1949
Am
Labor