

**CHILD LABOR ABSTRACT SUPPLEMENT****Rules and Regulations**

Power driven machinery as used in the prohibited occupation section of the Child Labor Act shall not include:

1. Standard office type machines.
2. Standard domestic type machines or appliances when used in domestic or business establishments. (Power tools, including but not limited to power lawn mowers, power wood-working and metalworking tools and power-driven meat slicing and meat grinding machines, shall not be considered standard domestic type machines or appliances)
3. Standard types of poultry feeders, egg graders, egg washers, egg coolers and milking machines when used on a farm.
4. Work in, about, or in connection with an unattended standard type of passenger elevator or riding as a passenger on a standard type of passenger elevator operated by a duly authorized operator.
5. Stationary machines operated by electrical, steam or mechanical power, which are so completely guarded as to adequately and thoroughly protect any and all persons working about or in connection with them.

Construction work as used in the prohibited occupations section of the Child Labor Act means work which involves the skilled craftsmen, including laborers and helpers who work in the building or construction industry in the fabricating any building, road or structure or performance of any other operation, including, but without limitation, excavation which has a permanent site or location, and the laying of conduit, wiring or piping in any such excavation and the filling of such excavation. It shall also include any function or work performed within thirty feet of any part of the construction work. The term "construction" shall not include the building, painting, or repairing of fences or small outbuildings having a height of not more than twelve feet when the building, painting or repairing of such fences or small outbuildings is not in any way connected related to any other construction work.

Additional Prohibited Occupations

1. Work in, on, or directly in connection with the following agricultural machinery: corn pickers, power driven hay balers or power field choppers.
2. Employment in, about, or in connection with a junk or scrap metal yard. The term "junk or scrap metal yard", as herein used, means the place where old iron, metal, paper, cordage and other refuse may be collected and deposited or both and sold or may be treated so as to be again used in some form or discarded or where automobiles or machines are demolished for the purpose of salvaging of metal or parts.
3. Employment in, about or in connection with any place or condition operated or maintained for immoral purposes or a disorderly house.
4. Employment in, about, or in connection with any demolition of buildings, ships or heavy machinery.

Interpretation

The wording "the manufacture, transportation or use of explosives or highly inflammable substances" as used in the prohibited occupations section of the Child Labor Act does not include the filling of the gasoline tanks of gasoline motor driven vehicles by use of a hose which is a part of the type of automatic or manual powered pumping equipment commonly used for that purpose in gasoline service stations.

This interpretation does not in any way affect any prohibition contained in the Child Labor Law concerning power driven or hazardous machinery or hazardous occupations.

THIS NOTICE IS TO BE PUT IN A CONSPICUOUS PLACE AND IS POSTED BY AUTHORITY OF THE STATE.

NEW JERSEY DEPARTMENT OF LABOR & INDUSTRY

RAYMOND F. MALE, Commissioner

ABSTRACT

OF CHILD LABOR LAWS PERTAINING TO THE EMPLOYMENT OF MALE AND FEMALE MINORS UNDER 18 YEARS OF AGE.

R. S. 34:2-21.1 to 34:2-21.22



N.J. Dept. of Labor and Industry
Division of Labor, Wage and
Hours Bureau

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1. KIND OF EMPLOYMENT.	2. MINIMUM AGE IN YEARS.	3. EMPLOYMENT CERTIFICATE. NOTE: When required must be kept on file in place of employment. See below regular and vacation employment certificates.	4. SPECIAL PERMIT.	5. HOURS OF WORK.	6. NIGHT WORK PROHIBITED.	7. Posting of Abstract—Hours of Labor Schedule—list of Prohibited Occupations. Keeping Work Time Record in Place of Employment.	8. PROHIBITED OCCUPATIONS.	9. LUNCH PERIOD.
A. FACTORY.	16	Required for employment of any minor under 18 years of age.	Does not apply.	16 to 18; must not exceed 8 hours per day, 40 hours per week, or 6 days in any one week.	16 to 18—after 10 P. M.; before 6 A. M. 7 A. M. for females.	Required	As listed below	UNDER 18—30 minutes after 5 consecutive hours. OVER 18—30 minutes after 6 consecutive hours. (*) See below.
B. (a) MERCANTILE ESTABLISHMENTS, RESTAURANTS, GOLF CADDYING, OFFICES and OTHER PLACES OF MEANS OF GAINFUL OCCUPATION, EXCEPT AS OTHERWISE SPECIFIED BELOW	16 for employment during the hours school is in session. 14 for employment during the hours school is not in session.	Required for employment of minors between 14 and 18.	Not required.	14 to 16—not more than 8 hours per day, 40 hours per week nor more than 6 days in any one week; combined hours of work and in school not to exceed 8 hours per day. 16 to 18—must not exceed 8 hours per day, 40 hours per week nor more than 6 days in any one week.	14 to 16—after 6 P. M. before 7 A. M. 16 to 18—after 10 P. M.; before 6 A. M. (except during regular school vacation, male minors after 11 P. M.)	Required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.
(b) PUBLIC BOWLING ALLEYS.	16 for employment during the hours school is in session. 14 for employment during the hours school is not in session.	Required for employment of minors 14-18 except when special permit is issued.	Required if male minors 16-18 who attend school are to work until 11:30 p.m. as pinsetters only. Valid for three months	14 to 16—not more than 8 hours per day, 40 hours per week nor more than 6 days in any one week; combined hours of work and in school not to exceed 8 hours per day. 16 to 18—must not exceed 8 hours per day, 40 hours per week and 6 days in any one week.	14 to 16—after 6 P. M. before 7 A. M. 16 to 18—after 10 P. M.—6 A. M. except male pinsetters with the special permit who may work until 11:30 P. M. 16 to 18—male minors when not attending school—11:30 P.M.—6:00 A. M.	Required	As listed below except for minors 16-18 years of age who are employed as pinsetters only and in conformity with hour and night work provisions.	UNDER 18—30 minutes after 5 consecutive hours.
C. AGRICULTURE. (No restrictions on work performed outside of school hours in connection with minor's own home and directly for his parent or legal guardian.)	16 for employment during the hours school is in session. 12 for employment during the hours school is not in session.	Not required.	Required for minors under 16. Valid for 6 months.	Must not exceed 10 hours per day nor more than 6 days in any one week.	No restrictions.	Not required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.
D. DOMESTIC SERVICE IN PRIVATE HOMES. (No restrictions on work performed outside of school hours in connection with minor's own home and directly for his parent or legal guardian.)	16 for employment during the hours school is in session. 14 for employment during the hours school is not in session.	Required for employment of minors between 14 and 18.	Not required.	No restrictions, except under 16; combined hours of work and in school not to exceed 8 hours per day.	No restrictions.	Not required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.
E. (a) CONCERT OR THEATRICAL PERFORMERS, except for minors under 16 during summer school vacations in theatrical performances.	16 for employment during the hours school is in session. 14 for employment during the hours school is not in session.	Required for employment of minors between 14 and 18.	Not required.	14 to 16—not more than 8 hours per day, 40 hours per week nor more than 6 days in any one week; combined hours of work and in school not to exceed 8 hours per day. 16 to 18—must not exceed 8 hours per day, 40 hours per week nor more than 6 days in any one week.	14 to 16—after 11 P. M. before 7 A. M. 16 to 18—after 11 P. M. before 6 A. M.	Required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.
(b) Minors under 16 in theatrical performances during the summer school vacations.	8	Not required	Required for minors under 16. See requirements below.	Not more than five hours per day nor more than 24 hours per week nor more than 6 days in any one week.	Between 11:30 p. m. and 7 a. m.	Required	As listed below	Under 18 - 30 minutes after 5 consecutive hours.
F. MESSENGERS FOR Communications Companies under F. C. C. supervision and control.	Boys—16 for employment during the hours school is in session. Girls—18 (includes delivery of goods and messages for any firm).	Required for employment of minors between 16 and 18.	Not required.	No restrictions.	No restrictions.	Required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.
G. STREET TRADES; Defined as engaging in—	Boys—16 for employment during the hours school is in session. 14 for employment during the hours school is not in session. Girls—18	Required for employment of minors between 16 and 18.	Required for minors under 16.	14 to 16—not more than 8 hours per day, 40 hours per week nor more than 6 days in any one week; combined hours of work and in school not to exceed 8 hours per day. 16 to 18—must not exceed 8 hours per day, 40 hours per week nor more than 6 days in any one week.	14 to 16—after 6 P. M.; before 7 A. M. (except when selling newspapers and magazines only then 6 P. M. to 5:30 A. M.) 16 to 18—after 10 P. M.; before 6 A. M. (except during regular school vacation, after 11 P. M.)	Required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.
a. Selling, offering for sale, soliciting for, collecting for, displaying or distributing any articles, goods, merchandise, commercial service, posters, circulars, newspapers, magazines; blacking shoes.	Boys—16 for employment during the hours school is in session. 12 for employment during the hours school is not in session. Girls—18	Required for employment of minors between 16 and 18.	Required for minors under 16.	Boys 12 to 16—not more than 8 hours per day, 40 hours per week nor more than 6 days in any one week; combined hours of work and in school not to exceed 8 hours per day. Boys 16 to 18—must not exceed 8 hours per day, 40 hours per week nor more than 6 days in any one week.	12 to 14—after 6 P. M.; before 7 A. M. 14 to 16—after 6 P. M.; before 5:30 A. M. 16 to 18—after 10 P. M.; before 6 A. M. (except during regular school vacation, after 11 P. M.)	Required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.
b. Newspaper and Magazine Delivery. Soliciting and collecting over routes in residential neighborhoods.	Boys—16 for employment during the hours school is in session. 12 for employment during the hours school is not in session. Girls—18	Required for employment of minors between 16 and 18.	Required for minors under 16.	Boys 12 to 16—not more than 8 hours per day, 40 hours per week nor more than 6 days in any one week; combined hours of work and in school not to exceed 8 hours per day. Boys 16 to 18—must not exceed 8 hours per day, 40 hours per week nor more than 6 days in any one week.	12 to 14—after 6 P. M.; before 7 A. M. 14 to 16—after 6 P. M.; before 5:30 A. M. 16 to 18—after 10 P. M.; before 6 A. M. (except during regular school vacation, after 11 P. M.)	Required	As listed below	UNDER 18—30 minutes after 5 consecutive hours.

GENERAL PROVISIONS

When school is in session, school attendance for minors under 16 is compulsory.
CERTIFICATES: Certificates are granted by the issuing officer (issuing officer is any superintendent of schools, supervising principal, or teacher in a school district, who is designated by the district board of education, to issue certificates or permits) and are of six kinds, namely:
1. Regular employment certificate permitting employment during school hours.
2. Vacation employment certificate permitting employment during school vacation

PROHIBITED OCCUPATIONS

Work performed by pupils in public or private schools under the supervision and instruction of officers or teachers of the school is entirely exempted from the following list. No minor under sixteen years of age shall be employed, permitted or suffered to work in, about, or in connection with power-driven machinery.
No minor under eighteen years of age shall be employed, permitted or suffered to work in, about, or in connection with the following:
The manufacture or packing of paints, colors, white lead, or red lead;
The handling of dangerous or poisonous acids or dyes;
Injurious quantities of toxic or noxious gas, fumes, or vapors.

RECORDS

(1) Schedule of hours of labor to be on a form loaned by the Department of Labor & Industry, to the employer, said form to be filled out and posted in a conspicuous place.
(2) Record of work time to be kept on a form approved by the Department of Labor & Industry and shall state for the employment of every minor under 18 years of age:
a. Name.
b. Address.
c. Date of birth.

GENERAL PROVISIONS

When school is in session, school attendance for minors under 16 is compulsory.

CERTIFICATES: Certificates are granted by the issuing officer (issuing officer is any superintendent of schools, supervising principal, or teacher in a school district, who is designated by the district board of education, to issue certificates or permits) and are of six kinds, namely:

1. Regular employment certificate permitting employment during school hours.
2. Vacation employment certificate permitting employment during school vacation and the school term when public schools are not in session.
3. Special permit authorizing a child under 16 years of age to work in any street trade, or in agricultural pursuits, when the district schools are not in session.
4. Age certificate issued to a minor between 18 and 21 years of age upon presentation of proof of age.
5. Age certificate for agriculture issued to a minor 16 and 17 years of age upon presentation of proof of age.
6. Summer Theatrical Employment Permits may be issued to minors 8-16 authorizing employment in theatrical productions during summer school vacations. They require, among other things, information that employment will not exceed 2 performances a day nor 8 a week, nor more than 6 days a week or 24 hours per week, nor more than 5 hours a day. Contemplated employment is not to be after 11:30 p. m. and minor must be accompanied by parent, guardian or specially designated adult solely devoted to the minor during the hours of employment.

All certificates and permits are conclusive evidence of age of minor for whom issued after issuance. Regular and vacation employment certificates can be issued only if the minor desiring employment applies in person and files the following papers:

1. Promise of employment signed by prospective employer.
2. Evidence of age.
3. Statement of physical fitness signed by a medical inspector employed by the district board of education.
4. School record signed by principal of school which minor last attended.

Such employment certificates are valid only for employment of minor by employer signing promise of employment.

Special permits are issued for minors under 16 years of age for employment in street trades and agriculture. Such permits are not restricted to employment by any one employer. Special agricultural permits expire 6 months after date of issue. Street trades permits are valid, while the minor is in the age group noted on the permit.

Age certificates may be retained by employer during period of employment as evidence of age.

A pin-setter's permit may be issued to a male minor between 16 and 18 years of age who is attending school. It is valid for a period of three months only.

PROHIBITED OCCUPATIONS

Work performed by pupils in public or private schools under the supervision and instruction of officers or teachers of the school is entirely exempted from the following list.

No minor under sixteen years of age shall be employed, permitted or suffered to work in, about, or in connection with power-driven machinery.

No minor under eighteen years of age shall be employed, permitted or suffered to work in, about, or in connection with the following:

- The manufacture or packing of paints, colors, white lead, or red lead;
- The handling of dangerous or poisonous acids or dyes;
- Injurious quantities of toxic or noxious dust, gases, vapors or fumes;
- Work involving exposure to benzol or any benzol compound which is volatile or which can penetrate the skin;
- The manufacture, transportation or use of explosives or highly inflammable substances; Oiling, wiping, or cleaning machinery in motion or assisting therein;
- Operation or helping in the operation of power-driven woodworking machinery; provided that apprentices operating under conditions of bona-fide apprenticeship may operate such machines under competent instruction and supervision;
- Grinding, abrasive, polishing or buffing machines, provided that apprentices operating under conditions of bona-fide apprenticeship may grind their own tools;
- Punch presses or stamping machines if the clearance between the ram and the die or the stripper exceeds one-fourth inch;
- Cutting machines having a guillotine action;
- Corrugating, crimping or embossing machines;
- Paper lace machines;
- Dough brakes or mixing machines in bakeries or cracker machinery;
- Calender rolls or mixing rolls in rubber manufacturing;
- Centrifugal extractors or mangles in laundries or dry cleaning establishments;
- Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place in which the heating, melting, or heat treatment of metals is carried on;
- Mines or quarries;
- Steam boilers carrying a pressure in excess of fifteen pounds;
- Construction work of any kind;
- Fabrication or assembly of ships;
- Operation or repair of elevators or other hoisting apparatus;
- Any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled or sold for consumption on the premises;
- Pool and billiard rooms.

The transportation of payrolls other than within the premises of the employer.

RECORDS

(1) Schedule of hours of labor to be on a form loaned by the Department of Labor & Industry, to the employer, said form to be filled out and posted in a conspicuous place.

(2) Record of work time to be kept on a form approved by the Department of Labor & Industry and shall state for the employment of every minor under 19 years of age:

- a. Name.
- b. Address.
- c. Date of birth.
- d. Hours of beginning and ending daily work, hours of beginning and ending meal periods, the number of hours worked each day.
- e. Wages paid.
- f. Any other information required by regulation of the Department of Labor & Industry.

(3) Regular and vacation employment certificates must be kept on file at place of employment and be returned to issuing officer at termination of employment.

(4) Special agricultural permit must be kept on file by farmer and returned to minor at termination of employment.

(*) Revised Statutes 34:6-63 refers to meal-times for employees in various establishments.

DIVISION OF LABOR
WAGE AND HOUR BUREAU