

CHAPTER 66

AN ACT allowing minors to serve as election workers and amending P.L.1940, c.153.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of P.L.1940, c.153 (C.34:2-21.3) is amended to read as follows:

C.34:2-21.3 Limitations on minors' working hours.

3. a. Except as provided in section 15 of P.L.1940, c.153 (C.34:2-21.15) and except for domestic service or messengers employed by communications companies subject to the supervision and control of the Federal Communications Commission, no minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation more than six consecutive days in any one week, or more than 40 hours in any one week, or more than eight hours in any one day, nor shall any minor under 16 years of age be so employed, permitted, or suffered to work before 7 a.m. or after 7 p.m. of any day, except that during the school year, a minor who is at least 14 or 15 years of age may work during non-school hours, for no more than three hours on a school day and no more than 18 hours in a school week, and up to eight hours on a non-school day during a school week, and except a minor who is 14 or 15 years of age may work in a restaurant, supermarket or other retail establishment, or in any occupation not prohibited by the provisions of this act, P.L.1940, c.153 (C.34:2-21.1 et seq.) or by regulations promulgated by the commissioner pursuant to this act, P.L.1940, c.153 (C.34:2-21.1 et seq.), up to 40 hours in a week during the period beginning on the last day of a minor's school year and ending on Labor Day of each year until 9 p.m. of any day, and except a minor who is 14 or 15 years of age may be employed as a little league umpire for little leagues chartered by Little League Baseball, Incorporated, until 9 p.m. of any day; nor shall any minor between 16 and 18 years of age be so employed, permitted, or suffered to work before 6 a.m. or after 11 p.m. of any day; provided that minors between 16 and 18 years of age may be employed after 11 p.m. during any regular vacation season, and on days which do not precede a regularly scheduled school day; provided that minors between 16 and 18 years of age may be employed in a seasonal amusement or restaurant occupation after 11 p.m. and following 12:01 a.m. of the next day, if that employment is a continuation of a workday which began before 11 p.m., either during any regular school vacation season, or on workdays which do not begin on a day which precedes a regularly scheduled school day, except that in no case shall minors between 16 and 18 years of age be employed after 3 a.m. or before 6 a.m. on a day which precedes a regularly scheduled school day; provided, further, that minors may be employed in a concert or a theatrical performance up to 11:30 p.m.; provided, further, that minors between 16 and 18 years of age may serve at an election pursuant to R.S.19:6-2, between the hours of 5:30 a.m. and 9:00 p.m. on a day that the election is held; and provided, further, that minors not less than 16 years of age and who are attending school may be employed as pinsetters, lane attendants, or busboys in public bowling alleys up to 11:30 p.m.; and provided, further, that minors between 16 and 18 years of age may not be employed after 10 p.m. during the regular school vacation seasons in or for a factory or in any occupation otherwise prohibited by law or by order or regulation made in pursuance of law. The hours of work of minors under 16 employed outside school hours shall not exceed three hours in any one day when school is in session and shall not exceed in any one week when school is in session the maximum number of hours permitted for that period under the federal "Fair Labor Standards Act of 1938," 29 U.S.C.s.201 et seq., and regulations promulgated pursuant to that federal act.

b. Notwithstanding the provisions of subsection a. of this section, a minor between 16 and 18 years of age may work up to 50 hours in one week and up to 10 hours in one day during the period

beginning on the last day of the minor's school year and ending on Labor Day. This subsection shall take effect immediately upon the date of enactment.

c. This section is not applicable to the employment of a minor between 16 and 18 years of age during the months of June, July, August or September by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association, unless the employment is primarily general maintenance work or food service activities.

2. This act shall take effect immediately.

Approved July 28, 2022.