

1 AN ACT relating to employment of minors.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 339.220 TO 339.450 IS CREATED
4 TO READ AS FOLLOWS:

5 *(1) Except as provided in subsection (2) of this section, a person under eighteen (18)*
6 *years of age shall not be employed in any of the following gainful occupations:*

7 *(a) Manufacturing or storing explosives;*

8 *(b) Driving a motor vehicle or working as an outside helper on a motor vehicle,*
9 *except for a seventeen (17) year old who meets the requirements of 29*
10 *U.S.C. sec. 213(c)(6);*

11 *(c) Coal mining;*

12 *(d) Forest firefighting, forest fire prevention, timber tract operations, forestry*
13 *service, logging, or sawmilling;*

14 *(e) Operating power-driven woodworking machines;*

15 *(f) Work involving exposure to radioactive substances;*

16 *(g) Operating a power-driven hoisting apparatus, including a forklift;*

17 *(h) Operating a power-driven metal-forming, punching, or shearing machine;*

18 *(i) Mining, other than coal mining;*

19 *(j) Operating power-driven meat processing equipment, including meat slicers*
20 *and other food slicers, in retail establishments and wholesale*
21 *establishments, and most occupations in meat and poultry slaughtering,*
22 *packing, processing, or rendering;*

23 *(k) Operating power-driven bakery machines including vertical dough or batter*
24 *mixers;*

25 *(l) Operating power-driven balers, compactors, or paper processing machines;*

26 *(m) Manufacturing bricks, tile, and kindred products;*

27 *(n) Operating power-driven circular saws, bandsaws, chain saws, guillotine*

- 1 shears, wood chippers, or abrasive cutting discs;
- 2 (o) Wrecking and demolishing operations;
- 3 (p) Roofing operations and work on or about a roof;
- 4 (q) Excavating operations;
- 5 (r) Working in, about, or in connection with any establishment where alcoholic
- 6 liquors are distilled, rectified, compounded, brewed, manufactured, bottled,
- 7 sold for consumption, or dispensed unless permitted by the administrative
- 8 regulations of the Alcoholic Beverage Control Board, except that he or she
- 9 may be employed in places where the sale of alcoholic beverages by the
- 10 package is merely incidental to the main business conducted;
- 11 (s) Working in a pool or billiard room; or
- 12 (t) Working in an electrical trade, other than nonhazardous tasks such as
- 13 pulling wire, setting boxes, or bending conduit.
- 14 (2) A person who is sixteen (16) or seventeen (17) years of age may be employed in a
- 15 gainful occupation listed in subsection (1) of this section if he or she is:
- 16 (a) Enrolled in an apprenticeship in accordance with the provisions of 29
- 17 C.F.R. sec. 570.50(b) that is registered with the Bureau of Apprenticeship
- 18 and Training of the United States Department of Labor or the Kentucky
- 19 Office of Employer and Apprenticeship Services; or
- 20 (b) Enrolled in a student-learning program in accordance with the provisions
- 21 of 29 C.F.R. sec. 570.50(c).
- 22 (3) A person under sixteen (16) years of age shall not be employed in any of the
- 23 following gainful occupations:
- 24 (a) Any occupation listed in subsection (1) of this section;
- 25 (b) Work in or about an engine room or boiler room;
- 26 (c) Work in connection with maintenance or repair of machines, equipment, or
- 27 hoisting apparatus;

1 (d) Outside window washing that involves working from window sills, and any
 2 work that requires the use of ladders, scaffolds, or their substitutes;

3 (e) Baking and cooking;

4 (f) Work that involves operating, setting up, adjusting, cleaning, oiling, or
 5 repairing power-driven food slicers, grinders, choppers, cutters, or bakery-
 6 type mixers;

7 (g) Work in freezer rooms and cooler rooms;

8 (h) Work in warehouses, other than office and clerical work; or

9 (i) Work in construction, other than office and clerical work.

10 ➔SECTION 2. A NEW SECTION OF KRS 339.220 TO 339.450 IS CREATED
 11 TO READ AS FOLLOWS:

12 (1) Except as provided in subsection (2) of this section, a person under sixteen (16)
 13 years of age shall not be employed in a gainful occupation unless it occurs:

14 (a) Outside of school hours;

15 (b) For not more than forty (40) hours in any week when school is not in
 16 session;

17 (c) For not more than eighteen (18) hours in any week when school is in
 18 session;

19 (d) For not more than eight (8) hours in any day when school is not in session;

20 (e) For not more than three (3) hours in any day when school is in session,
 21 including Fridays; and

22 (f) Between 7 a.m. and 7 p.m., except during the summer, from June 1 to
 23 Labor Day, when the evening hour will be 9 p.m.

24 (2) A person who is under sixteen (16) years of age may be employed in a gainful
 25 occupation during school hours and in excess of the time restrictions set forth in
 26 subsection (1) of this section if he or she:

27 (a) Is enrolled in and employed pursuant to a school-supervised and school-

- 1 administered work-experience and career exploration program in
2 accordance with the provisions of 29 C.F.R. sec. 570.36;
3 **(b) Is enrolled in and employed pursuant to a school-supervised and school-**
4 **administered work-study program in accordance with the provisions of 29**
5 **C.F.R. sec. 570.37;**
6 **(c) Has graduated from high school;**
7 **(d) Has been excused from compulsory school attendance once he or she has**
8 **completed the eighth grade, and his or her employment complies with the**
9 **requirements of school attendance laws;**
10 **(e) Has a child to support and an appropriate official, pursuant to state law,**
11 **has waived compulsory school attendance requirements for the person;**
12 **(f) Is subject to an order of a state or federal court prohibiting him or her from**
13 **attending school; or**
14 **(g) Has been permanently expelled from the local public school he or she**
15 **would normally attend, unless he or she is required, by state or local law or**
16 **ordinance, or by court order, to attend another school.**

17 ➔Section 3. The following KRS section is repealed:

18 339.230 Restrictions on employment of minor between fourteen and eighteen.

19 ➔Section 4. The commissioner of the Department of Workplace Standards shall
20 repeal 803 KAR 1:100 upon the effective date of this Act.