

## HB 2722 STAFF MEASURE SUMMARY

### House Committee On Business and Labor

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**Meeting Dates:** 2/20

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#### WHAT THE MEASURE DOES:

Permits minors 16 and 17 years of age to operate power-driven machinery when work is incidental to their enrollment as student-learner in vocational training program recognized by state or local educational authority or their employment as registered apprentice. Requires the Act to be interpreted in manner consistent with child labor provisions under Fair Labor Standards Act (FLSA). Declares emergency, effective on passage.

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

No amendment.

##### BACKGROUND:

The Federal Labor Standards Act (FLSA) prohibits minors under age 18 from being employed in certain high-risk occupations. There are currently 17 Hazardous Occupation Orders that include a partial or total ban on the occupations or industries they cover. However, under child labor law, apprentices and student learners may qualify for limited exemption to seven [FLSA Hazardous Occupations Orders](#). A 16 and 17 year old may be able to perform hazardous work on a limited or intermittent basis if as:

An Apprentice are:

- Employed in a craft recognized as an apprenticeable trade;
- Work of the apprentice in the occupation declared particularly hazardous is incidental to their training;
- Work is intermittent and for short periods of time and is under the direct and close supervision of a journey worker as a necessary part of such apprentice training; and
- Apprentice is registered by the Bureau of Apprenticeship and Training of the U.S. Department of Labor or Bureau of Labor and Industries.

A Student-learner are:

- Enrolled in a course of study and training in a cooperative vocational training program under a recognized State or local educational authority or in a course of study in a substantially similar program conducted by a private school AND
- Employed under a written agreement which provides that the work of the student-learner in the occupations declared particularly hazardous is incidental to their training; work is intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person; safety instructions are given by the school and correlated by the employer with on-the-job training; and that a schedule of organized and progressive work processes to be performed on the job is prepared.