Child Labor Law

Act of 1915, P.L. 286, No. 177

AN ACT

To provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates or transferable work permits for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recoding of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Secretary of Labor and Industry, the representative of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing for the issuance of special permits for minors engaging in the entertainment and related fields; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith, further providing for entertainment, rehearsals, permits, applications and appeals; and providing for volunteer fire company activities. (Tit. amended Dec. 21, 1998, P.L. 1242, No. 158)

Section 1. Be it enacted, &c., That wherever the term "establishment" is used in this act, it shall mean any place within this Commonwealth where work is done for compensation of any kind, to whomever payable: Provided, That this act shall not apply to children employed on the farm, or in domestic service in private homes.

The term "person," when used in this act, shall be construed to include any individual, firm, partnership, unincorporated association, corporation, or municipality.

The term "week," when used in this act, shall mean seven consecutive days which may begin on any day of a week.

The term "minor," when used in this act, shall mean any person under eighteen years of age. Wherever the singular is used in this act the plural shall be included, and wherever the masculine gender is used the feminine and neuter shall be included.

(1 amended Dec. 21, 1988, P.L. 1908, No. 192)

Section 2. No minor under sixteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment or in any occupation except that a minor between the ages of twelve and fourteen years may be employed as a caddy subject to the limitation that he or she carry not more than one golf bag at a time and for not more than eighteen holes of golf in any one day and except that a minor between the ages of
fourteen and sixteen years may be employed as hereinafter provided in such work as will not interfere with school attendance: Provided, however, That nothing contained in this section shall be construed as superseding or modifying any provisions contained in section seven of the act to which this is an amendment.


Section 3. (3 repealed July 19, 1935, P.L. 1335, No. 418)

Section 4. No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with any establishment, or in any occupation, for more than six consecutive days in any one week, or more than forty-four hours in any one week, or more than eight hours in any one day: Provided, That messengers employed by telegraph companies at offices where only one such minor is employed as a messenger in which case such minor shall not be employed for more than six consecutive days in any one week, or more than fifty-one hours in any one week, or more than nine hours in any one day: And provided further, That no minor under eighteen years of age, who is enrolled in regular day school and working outside school hours, shall be employed or permitted to work for more than twenty-eight hours during a school week.

No minor under sixteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment or in any occupation before seven o'clock in the morning or after seven o'clock in the evening of any day except during school vacation period from June to Labor Day when such minor may work between the hours of seven o'clock in the morning and ten o'clock in the evening nor shall such minor who is enrolled in school and working outside school hours be employed or permitted to work in, about, or in connection with, any establishment or in any occupation more than four hours on a school day, or more than eight hours on any other day, or more than eighteen hours during a school week: Provided, That, students fourteen years of age and over whose employment is part of a recognized school-work program, supervised by a recognized school authority, may be employed for hours which, combined with the hours spent in school, do not exceed eight a day: And further provided, That minors over the age of fourteen may be employed in the distribution, sale, exposing or offering for sale, of any newspaper, magazine, periodical or other publication for not more than fifty-one hours in any one week, or more than nine hours in any one day, and after six o'clock in the morning and before eight o'clock in the evening: And further provided, That a minor under sixteen years of age employed on a farm by a person other than the farmer in the hatching, raising or harvesting of poultry may be employed or permitted to work until 10 o'clock in the evening as long as the minor is not working in an agricultural occupation declared hazardous by the United States Secretary of Labor.

No minor under eighteen years of age shall be employed or permitted to work for more than five hours continuously in, about, or in connection with, any establishment without an interval of at least thirty minutes for a lunch period and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work.
No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment between the hours of twelve in the evening and six in the morning if such minor is enrolled in regular day school: Provided, That, minors sixteen and seventeen years of age may be employed until, but not after, one o'clock in the morning on Fridays and Saturdays, and on days preceding a school vacation occurring during the school year, excepting the last day of such vacation period.

Notwithstanding any other provision of this section, a minor who is sixteen or seventeen years of age who is employed during the months of June, July, August or September by a summer resident camp or a conference or retreat operated by a religious or scout organization shall receive one day of rest (twenty-four consecutive hours of rest) during every seven-day period: Provided, That this paragraph shall not apply to a minor employed primarily for general maintenance work or food service activities.

Section 7.2. Any minor of the age of seventeen years who is a high school graduate or who is declared to have attained his academic potential by the chief administrator of the school district wherein he resides shall, for the purposes of this act, be deemed to be a minor of the age of eighteen years.

(7.2 added Apr. 25, 1968, P.L. 99, No. 49)

Section 7.3. Minor Volunteer Fire Company, Volunteer Ambulance Corps, Volunteer Rescue Squads and Volunteer Forest Fire Crew Member Activities.

(a) Minors who are members of a volunteer fire company and volunteer forest fire crew may participate in training and fire-fighting activities as follows:

(1) Drivers of trucks, ambulances or other official fire vehicles must be eighteen years of age.

(2) Minors sixteen and seventeen years of age who have successfully completed a course of training equal to the standards for basic fire-fighting established by the Department of Education and the Department of Environmental Resources, may engage in fire-fighting activities provided that such minors are under the direct supervision and control of the fire chief, an experienced line officer or a designated forest fire warden.

(3) No person under eighteen years of age shall be permitted to

   (i) operate an aerial ladder, aerial platform or hydraulic jack,
(ii) use rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets or acetylene cutting units,

(iii) operate the pumps of any fire vehicle while at the scene of a fire, or

(iv) enter a burning structure.

(b) The activities of minors under sixteen years of age shall be limited to:

(1) Training.

(2) First aid.

(3) Clean-up service at the scene of a fire, outside the structure, after the fire has been declared by the fire official in charge to be under control.

(4) Coffee wagon and food services.

(c) In no case, however, shall minors under sixteen years of age be permitted to:

(1) Operate high pressure hose lines, except during training activities;

(2) Ascend ladders, except during training activities; or

(3) Enter a burning structure.

(d) All other activities by minors who are members of a volunteer fire company or a volunteer forest fire crewman shall be permissible unless specifically prohibited by this act.

(e) No rule or regulation of any State agency concerning minor volunteer firemen shall be adopted or promulgated except by amendment to this act.

(f) All other existing provisions of this act and the regulations promulgated thereunder affecting the employment of minors shall be applicable in all cases, including the requirements for employment certificates and the limitations on hours of employment:

Provided, That a minor sixteen or seventeen years of age who is a member of a volunteer fire company who answers a fire call while lawfully employed and continues in such service until excused by the one acting as chief of that fire company shall not be considered in violation of this act for any part of the period so occupied: And further provided, That a minor who is fourteen or fifteen years of age, who is a member of a volunteer fire company and who performs the training or fire-fighting activities permitted for such minor under the provisions of this act between the hours of seven o'clock in the evening and ten o'clock in the evening before a day of school with written parental consent shall not be considered in violation of this act.
(g) Any minor who is a member of a volunteer ambulance corps or rescue squad may participate in training and any other activity as provided by regulations adopted by the Department of Labor and Industry but in any case, drivers of all ambulances or other official ambulance corps or rescue squad vehicles must be eighteen years of age.

(7.3 amended Dec. 21, 1998, P.L. 1242, No. 158)

Section 7.4. No minor under fourteen years of age may be employed on a farm by a person other than the farmer.

(7.4 added Oct. 4, 1989, P.L. 584, No. 62)

Section 8. (a) Before any minor under eighteen years of age shall be employed, permitted or suffered to work in, about, or in connection with, any establishment, or in any occupation, the person employing such minor shall procure and keep on file, and accessible to any attendance officer, deputy factory inspector, or other authorized inspector or officer charged with the enforcement of this act, an employment certificate as hereinafter provided, issued for said minor.

(b) Any minor who has reached the age of sixteen may receive a transferable work permit instead of an employment certificate from the appropriate issuing official. All transferable work permits shall be valid for the entire period the minor is eligible for work and is under the age of eighteen. The employer shall ensure that the minors have valid transferable work permits in accordance with sections 17 and 17.1.

(8 amended Dec. 21, 1988, P.L. 1908, No. 192)

Section 9. Employment certificates shall be issued only by the following officials, for children residing within their respective public school districts: In public school districts having a district superintendent or supervising principal, by such superintendent or supervising principal; in school districts having no district superintendent or supervising principal, by the secretary of the board of school directors of that district: Provided, That any district superintendent, supervising principal, or secretary of the board of school directors, hereby authorized to issue such certificates or transferable work permits, may authorize and deputize, in writing, any other school official to act in his stead for the purpose of issuing such certificates.