

§773-A. Occupations

1. Minors under 16 years of age. A minor under 16 years of age may not be employed, permitted or suffered to work in, about or in connection with any manufacturing or mechanical establishment, hotel, rooming house, laundry, except a laundry commonly known as an automatic laundry, dry cleaning establishment, bakery, poolroom or commercial place of amusement, including a traveling show or circus, or in conjunction with an amusement, game or show that allows or conducts betting. [PL 2017, c. 286, §4 (NEW).]

2. Minors 14 and 15 years of age. The provisions of subsection 1 pertaining to manufacturing establishments do not apply to minors 14 years of age or older and under 16 years of age who are employed in retail establishments where any frozen dairy product or frozen dairy product mix or related food product is produced on the premises for retail sale locally, regardless of trade name or brand or coined name.

The provisions of subsection 1 pertaining to hotels or rooming houses do not apply to minors 14 years of age or older and under 16 years of age who are employed in outdoor occupations on the grounds of a hotel or who are employed in kitchens, dining rooms, recreational areas, lobbies and offices of a hotel. Minors 14 years of age or older and under 16 years of age are expressly prohibited from performing room service, housekeeping and making deliveries to guest rooms.

The provisions of subsection 1 pertaining to bakeries do not apply to minors 14 years of age or older and under 16 years of age who are employed in retail sales, product decorating, customer service operations or office work for these establishments, as long as the retail, decorating, customer service or office areas are in a room separate from any baking operation.

Notwithstanding other provisions of subsection 1, a minor 14 years of age or older and under 16 years of age may be employed at a commercial place of amusement operating at a permanent location, except that the minor may not be employed at games of chance as defined in Title 17, chapter 62 or hazardous occupations as determined by the director.

Subsection 1 does not apply to any minor under 16 years of age employed in a business solely owned by the minor's parents. A parent is prohibited from employing the parent's minor child in occupations declared hazardous by the director pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570.

A minor 14 years of age or older and under 16 years of age may not be employed when the distance between the workplace and the home of the minor, or any other factor, necessitates the minor's remaining away from home overnight.

[PL 2017, c. 286, §4 (NEW).]

3. Minors 16 and 17 years of age. A minor who is 16 years of age or older and under 18 years of age:

A. May perform work in both nonagricultural and agricultural employment not in direct contact with hazardous machinery or hazardous substances in accordance with rules adopted pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570; [PL 2017, c. 286, §4 (NEW).]

B. May perform work as a theatrical actor or film actor; [PL 2017, c. 286, §4 (NEW).]

C. May be employed by a parent, but a parent is prohibited from employing the parent's minor child who is 16 years of age or older and under 18 years of age in occupations declared hazardous by the director in accordance with rules adopted pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570; [PL 2017, c. 286, §4 (NEW).]

D. Is exempt from section 774, subsection 1, paragraphs A and C when performing work in the taking or catching of lobsters, fish or other marine organisms; and [PL 2017, c. 286, §4 (NEW).]

E. Who has graduated from high school, or who has successfully attained a high school equivalency diploma or its equivalent, and who has graduated from a vocational, career and technical or cooperative education program approved by the Department of Education and is hired by an employer to work in an occupation for which the minor has been trained and certified by the vocational program may work for that employer in that occupation. [PL 2019, c. 66, §1 (AMD).]
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SECTION HISTORY

PL 2017, c. 286, §4 (NEW). PL 2019, c. 66, §1 (AMD).

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