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ENGROSSED SUBSTITUTE HOUSE BILL 1045

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State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Orr, Mastin, Riley, Zellinsky, Roland, Sheldon, Dorn, R. Meyers, Grant, Kremen, Ludwig, R. Fisher, Morris, R. Johnson, Scott, Bray, Talcott, Campbell, Rayburn, Padden, Foreman, Dyer, Sheahan, Ballasiotes, Long, Springer, Stevens, Brumsickle, Horn, Forner, Miller, Schmidt, Sehlin, Edmondson, Hansen, Lemmon, Schoesler, Morton, Fuhrman, Tate, Vance, Thomas, Mielke, Chandler, Lisk, Wood, Cooke, Sommers and Silver)

Read first time 03/03/93.

1 AN ACT Relating to working hours for minors; amending RCW  
2 49.12.121; providing an effective date; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 49.12.121 and 1989 c 1 s 3 are each amended to read as  
5 follows:

6 (1) The ((committee, or the director,)) department may at any time  
7 inquire into wages, hours, and conditions of labor of minors employed  
8 in any trade, business or occupation in the state of Washington and may  
9 adopt special rules for the protection of the safety, health and  
10 welfare of minor employees.

11 (2) Except as otherwise provided in this chapter, the hours of  
12 employment for minors age sixteen and seventeen shall not be restricted  
13 except as follows:

14 (a) The total number of hours worked during the school year may not  
15 exceed:

16 (i) A maximum of six hours per day on any school day preceding  
17 another school day except Sundays, or otherwise a maximum of eight  
18 hours per day including Sundays;

19 (ii) A maximum of six days per week; or

1 (iii) A maximum of twenty hours per week.

2 (b) Employment during the school year may not:

3 (i) Begin earlier than 7:00 a.m. on a school day;

4 (ii) Begin earlier than 5:00 a.m. on Saturdays, Sundays, or school  
5 holidays or vacations;

6 (iii) End later than 10:00 p.m. on any day preceding a school day;  
7 or

8 (iv) End later than 12:00 a.m. on Fridays, Saturdays, and the day  
9 preceding a school holiday or vacation.

10 (c) Minors may not work during school hours, unless the minor has  
11 been excused from school attendance by the minor's school district  
12 superintendent or her or his authorized agent, or the minor is in home-  
13 based instruction under RCW 28A.225.010(4) and the employer keeps on  
14 file a copy of the declaration of intent required under RCW  
15 28A.200.010.

16 (d) The total number of hours worked during school vacations may  
17 not exceed a maximum of eight hours per day or forty-eight hours per  
18 week.

19 (e) Employment during school vacations may not begin earlier than  
20 5:00 a.m. or end later than 12:00 a.m.

21 (f) Minors employed past 8:00 p.m. in service occupations must be  
22 supervised by a responsible adult employee who is on the premises at  
23 all times.

24 (3)(a) A variance to the requirements of subsection (2)(a)(iii) of  
25 this section may be granted by the minor's school with concurrence of  
26 the minor's parent or legal guardian. The department shall adopt rules  
27 establishing the procedures that the school must follow in granting a  
28 variance under this subsection. The variance may permit up to a  
29 maximum of twenty-eight hours of work per week during the school year.

30 (b) Sixteen and seventeen-year-old minors who have been issued a  
31 certificate of educational competence pursuant to RCW 28A.305.190, are  
32 enrolled in a bona fide college program, are named on a valid  
33 certificate of marriage, or are shown as the parent on a valid  
34 certificate of birth may work as would be permitted during school  
35 vacations.

36 (4) The minimum wage for minors shall be as prescribed in RCW  
37 49.46.020.

38 (5) The ((committee)) department shall issue work permits to  
39 employers for the employment of minors, after being assured the

1 proposed employment of a minor meets the standards ~~((set forth))~~  
2 concerning the health, safety and welfare of minors ~~((as))~~ set forth in  
3 this chapter and the rules ~~((and regulations promulgated))~~ adopted by  
4 ~~the ~~((committee))~~ department.~~ No minor person shall be employed in any  
5 occupation, trade or industry subject to ~~((this 1973 amendatory act))~~  
6 chapter 16, Laws of 1973 2nd ex. sess., unless a work permit has been  
7 properly issued~~((, with))~~. The consent of the parent, guardian or  
8 other person having legal custody of the minor and ~~((with))~~ the  
9 approval of the school which ~~((such))~~ the minor may then be attending  
10 is also required if a minor age sixteen or seventeen is working more  
11 than twenty hours per week during the school year, or if a minor is  
12 under age sixteen.

13 NEW SECTION. Sec. 2. This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of the  
15 state government and its existing public institutions, and shall take  
16 effect July 1, 1993.

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