

ACT 86

H.B. NO. 208

A Bill for an Act Relating to Extending the Work Hours Limitation of Minors Under 16 Years of Age and Amending Chapter 390 of the Hawaii Revised Statutes.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 390-2, Hawaii Revised Statutes, is amended to read:

"Sec. 390-2 Employment of minors under eighteen years of age. (a) No minor under eighteen years of age shall be employed or permitted to work in, about or in connection with any gainful occupation at any time except as otherwise provided in this section. In no event, however, shall the minor be permitted to be employed or permitted to work in, about or in connection with any gainful occupation prohibited by law or which has been declared by rule or regulation of the director to be hazardous for the minor.

(b) A minor who has attained the age of sixteen years but not eighteen years may be employed during periods when he is not legally required to attend school or when he is excused by school authorities from attending school; provided that the employer of the minor records and keeps on file the number of a valid certificate of age issued to the minor by the department.

(c) A minor who has attained the age of fourteen years but not sixteen years may be employed or permitted to work:

(1) During periods when he is not legally required to attend school or when

- he is excused by school authorities from attending school; and
- (2) If the employer of the minor procures and keeps on file a valid certificate of employment; and
- (3) No more than five hours continuously without an interval of at least thirty consecutive minutes for a rest or lunch period; and
- (4) No more than six consecutive days nor more than forty hours in any one week, nor more than eight hours in any one day, nor before 7:00 a.m. nor after 7:00 p.m. of any day; provided that from June 1 through the day before Labor Day of each year he may be employed between 6:00 a.m. and [8:00] 9:00 p.m. The combined hours of work and hours in school of the minor employed outside school hours shall not exceed ten in a day.
- (d) A minor under fourteen years of age may be employed or permitted to work in theatrical employment or in harvesting coffee under circumstances and conditions prescribed by the director by regulation; provided that:
 - (1) The work is performed during periods when he is not legally required to attend school or when he is excused by school authorities from attending school;
 - (2) With respect to employment in harvesting of coffee, the director has determined after a public hearing that sufficient adult labor to perform the work is unavailable; and
 - (3) The employer of the minor procures and keeps on file a valid certificate of employment."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 12, 1977.)