

**REVENUE:** No revenue impact

**FISCAL:** No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	9 - 0 - 1
<b>Yeas:</b>	Barton, Cameron, Esquivel, Holvey, Kennemer, Matthews, Thatcher, Witt, Schaufler
<b>Nays:</b>	0
<b>Exc.:</b>	Edwards C.
<b>Prepared By:</b>	Theresa Van Winkle, Administrator
<b>Meeting Dates:</b>	3/25

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**WHAT THE MEASURE DOES:** Clarifies that the Commissioner of the Bureau of Labor and Industries is responsible for issuing special overtime permits for minors under the age of 16 working in agriculture. Establishes that fourteen and fifteen year old minors can work between the hours of 7:00 a.m. to 7:00 p.m., and between 7:00 am to 9:00 p.m. when working between June 1 and Labor Day.

**ISSUES DISCUSSED:**

- Provisions of the measure
- Need for students to learn work and life skills
- Whether minors are covered under wage and hour statutes; i.e. minimum wage, meal and rest periods
- If special permits are needed for all employed minors

**EFFECT OF COMMITTEE AMENDMENT:** Clarifies that the Commissioner of the Bureau of Labor and Industries, not the Wage and Hour Commission, is responsible for issuing special overtime permits for minors under the age of 16 working in agriculture. Deletes obsolete provision pertaining to permits that can be issued by the Wage and Hour Commission for suitable work not detrimental to the minor employee's physical and moral wellbeing. Removes provision which exempted hour limitations for minors under the age of 16 working during a vacation period of at least five consecutive days in a school year.

**BACKGROUND:** The Bureau of Labor and Industries (BOLI) has the statutory authority to regulate working conditions for minors under the age of 18 working in Oregon. Minors are generally protected by the same employment laws that protect adults, such as being paid the same minimum wage for all hours worked and overtime laws. In most circumstances, a minor must be at least 14 years old to work in Oregon. There are no statutory limits on the number of hours that 16 and 17 year olds can work in a day, but they cannot work more than 44 hours per week. 14 and 15 year old minors cannot work during school hours, and cannot work more than three hours on a school day or more than eight hours on non-school days. Under the provisions of HB 2826-A, minors who are working in most types of jobs can work between the hours of 7:00 am to 7:00 pm, but can work as late as 9:00 pm between June 1<sup>st</sup> and Labor Day. Currently, time restrictions cannot be imposed for 14 and 15 year-olds in specific jobs, such as for delivering newspapers, or babysitting.

State and federal child labor laws have different requirements for different age groups of minors working in agriculture. The types of work that can be performed, as well as the amount of time they can work per day or per week, vary upon such factors as if they are working at the same farm their parents are employed and if the work is performed during the school year or during a vacation period. BOLI has the statutory authority to issue a special permit for minors who are working more than ten hours per day and 60 hours per week during school vacations lasting more than one week. Prior to September 1995, employers had to obtain special permits when hiring any minor; currently, the employer verifies the age of every minor hired and applies each year for a single annual employment certificate, which covers all employed minors.

3/31/2009 2:22:00 PM

***This summary has not been adopted or officially endorsed by action of the committee.***