DIGEST

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Ponti HB No. 303

Abstract: Provides for limitations in the employment of minors as well as technical changes and alterations to update terms and bring La. employment law in line with federal laws as it relates to minors.

Proposed law changes the term "secretary" to "executive director" to refer to the director of the La. Workforce Commission (LWC).

Present law provides that employers shall keep an employment certificate for each minor except for those employed in federally funded training programs.

Proposed law extends the exception that no employment certificate be kept on file to include minors employed in performing arts.

Present law requires that minors may use certain documents as proof of age.

Proposed law adds a school ID and any other state-issued ID as admissible documents for proof of age.

Present law requires that the employment certificate be signed by the minor and mailed to the employer.

Proposed law repeals the requirement that the employment certificate be mailed to the employer, and instead requires that it be returned to the minor for delivery to the employer.

Present law requires that the employer return the employment certificate to the issuing officer within three days.

Present law repeals the three-day requirement and instead requires the employer to maintain the certificate on file for 14 days.

Present law allows the secretary to revoke the employment of a minor if he judges that the certificate was improperly issued or if the minor is otherwise illegally employed.

Present law further provides that upon revocation, the issuing authority, the employer, and the minor shall be notified in writing.

Proposed law removes the requirement that the notification be in writing.

Present law provides that minors who work any five-hour period shall be given at least a 30 minute interval for meals.

Present law provides that if the period of work before the meal exceeds five hours by less than 15 minutes, the difference shall be considered de minimis.

Proposed law changes the 15-minute interval in present law to an interval of 10 minutes or less.

Proposed law provides that if the meal break is actually between 20 and 30 minutes, that such interval is de minimis and not a violation of present law.

Proposed law requires that the breaks shall be documented and, if the minor fails to clock in or out and an edit is necessary, that the edit be documented.

Present law requires that minors under the age of 16 shall not work more than three hours a day, or work between the hours of 7:00 p.m. and 7:00 a.m when school is in session.

Proposed law specifies that the school year and week shall be determined by the school calendar of the school at which the minor is enrolled, or the public school calendar for the district in which the minor attends school.

Proposed law further provides that between June 1 and Labor Day, the hours during which a minor under the age of 16 may work are extended to 9:00 p.m. to 7:00 a.m.

Present law prohibits minors under the age of 16 from engaging in certain performance occupations.

Proposed law removes singing, dancing, theatrical exhibition, and playing a musical instrument from the list of prohibited occupations for minors under the age of 16.

Present law (R.S. 23:253 and 254) provides exceptions to the prohibition of the employment of minors under the age of 16 in certain performing arts.

Proposed law repeals present law (R.S. 23:253 and 254) because the performing arts were removed in proposed law as prohibited occupations, and as such, the limitations and exceptions are not needed.

(Amends R.S. 23:152, 182, 183, 184(2)(f) and (g), 187, 191, 192, 213, 214, 215(B), 233, and 251(A); Repeals R.S. 23:253 and 254)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Labor and Industrial Relations to

the original bill.

1. Clarified that minors employed in the motion picture and television production occupations are included in the exception to the requirement that the employer keep an employment certificate on file for the minor.