

EMPLOYMENT OF MINORS

EMPLOYMENT OF MINORS UNDER 14 YEARS OF AGE

Except as provided in §§ 32-206 and 32-207, no minor under 14 years of age shall be employed, permitted, or suffered to work in the District of Columbia, in, about, or in connection with any gainful occupation, with the exemption of housework performed outside of school hours in the home of the minor's parent or legal guardian or agricultural work performed outside of school hours in connection with the minor's own home and directly for the minor's parent or legal guardian; provided, that minors 10 years of age and over may be employed outside of school hours in the distribution or sale of newspapers.

EMPLOYMENT OF MINORS UNDER 18 YEARS OF AGE

Except as provided in § 32-206, no minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work, or housework, or in the distribution or sale of newspapers, as prescribed in § 32-201, and except in newspaper stuffing, subject to the provisions of § 32-215, more than 6 consecutive days in any 1 week, or more than 48 hours in any 1 week, or more than 8 hours in any 1 day, nor shall any minor 16 or 17 years of age be employed, permitted, or suffered to work before 6:00 a.m. or after 10:00 p.m. of any day; nor shall any minor under 16 years of age be employed, permitted, or suffered to work before 7:00 a.m. or after 7:00 p.m. of any day, except during the summer (June 1 through Labor Day) when the evening hour shall be 9:00. Every employer shall post and keep conspicuously posted in the establishment, in or about which any minor is employed, permitted, or suffered to work, a printed notice, furnished by the official authorized to enforce this subchapter, setting forth the legal regulations governing the employment and hours of work of minors and occupations prohibited to minors in such establishments, and, in addition, shall keep accessible in the place of employment a list of minors under 18 employed, permitted, or suffered to work, and an accurate time record showing the hours of beginning and ending work each day.

EMPLOYMENT DANGEROUS OR PREJUDICIAL TO LIFE PROHIBITED

No minor shall be employed, permitted, or suffered to work in any place of employment, or at any employment, dangerous or prejudicial to the life, health, safety, or welfare of such minor.

EMPLOYMENT OF MINORS UNDER 16 YEARS OF AGE IN CERTAIN OCCUPATIONS PROHIBITED

(a) No minor under 16 years of age shall be employed, permitted, or suffered to work at any of the following occupations:

- (1) In the operation of any machinery operated by power other than hand or foot power; or
- (2) In oiling, wiping, or cleaning machinery or assisting therein.

(b) This section does not apply to any duly approved vocational education program or training under the auspices of the Board of Education or the Trustees of the University.

EMPLOYMENT OF MINORS UNDER 18 YEARS OF AGE IN CERTAIN OCCUPATIONS PROHIBITED

No minor under 18 years of age shall be employed, permitted, or suffered to work at operating any freight or nonautomatic elevator, or in any quarry, tunnel, or excavation.

THEATRICAL PERMITS FOR MINORS UNDER 18 YEARS OF AGE FOR PERFORMANCES AND PROFESSIONAL SPORTS ACTIVITIES

(a) The Board of Education may issue a theatrical employment permit to a minor under 18 years of age permitting the minor to:

- (1) Perform on the stage of a licensed theatre within the District of Columbia in a professional theatrical production;
- (2) Perform in a musical or dance recital or concert;
- (3) Participate in a radio or television program;
- (4) Participate in a motion picture;
- (5) Appear as a fashion model; or
- (6) Participate in a professional sports activity or circus.

(b) An application for a theatrical permit shall be made by the parent or guardian, and by the agent if applicable, of the minor to the Board of Education.

WORK OR VACATION PERMIT--PROCUREMENT BY EMPLOYER

No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work or housework as specified in § 32-201, unless the employer procures and keeps on file and accessible to any attendance officer, inspector or other person authorized to enforce this subchapter a work or vacation permit

WORK OR VACATION PERMIT

The work or vacation permit required by this subchapter shall be issued by the Board of Education and shall state the name, sex, date, and place of birth, and place of residence of the minor, the grade last completed by said minor, and the kind of evidence of age accepted, and such other details as may be necessary for the identification of the minor.

WORK OR VACATION PERMIT--APPLICATION REQUIREMENTS

The Board of Education shall issue a work or vacation permit only upon application in person of the minor desiring employment, and upon submission to and approval by the Board.

EVIDENCE OF AGE

The evidence of age required by this subchapter shall consist of 1 of the following proofs of age, which shall be required in the order herein designated:

- (1) A birth certificate or attested transcript issued by a registrar of vital statistics or other officer charged with the duty of recording births;
- (2) A record of age as given in the records of the school first attended by the minor, if obtainable, or in the earliest available school census;
- (3) A baptismal record or duly certified transcript thereof showing the date of birth and place of baptism of the minor; or
- (4) A bona fide contemporary record of the date and place of the minor's birth kept in the Bible in which the records of the births in the family of the minor are preserved, or other documentary evidence satisfactory to the Board of Education, such as a passport showing the age of the minor, a certificate of arrival in the United States issued by the United States immigration officers and showing the age of the minor, or a life insurance policy.

VACATION PERMITS

The Board of Education shall have authority to issue a vacation permit to a minor between the age of 14 and 16 years, permitting employment during the regular summer vacation period of the public schools, or during the school term at such time as the public schools are not in session, if the age of such minor has been proved according to § 32-210, and such minor has in all other respects, except as to completion of the 8th grade, fulfilled the requirements for a work permit specified in this subchapter.

EMPLOYER TO FURNISH, ON DEMAND, PROOF OF AGE OF EMPLOYEE

Whenever any person authorized to enforce this subchapter shall have reason to doubt that any minor employed in any occupation for which a permit is required by this subchapter, and for whom a work permit or vacation permit is not on file, has reached the age of 18 years, such person may make demand on such minor's employer that such employer shall either furnish him within 10 days the evidence required for a work permit showing that the minor is in fact 18 years of age, or shall refuse to employ or permit or suffer such minor to work.

PENALTIES

(a) A person commits an offense under this subchapter if that person:

- (1) Employs a minor or permits a minor to work in violation of this subchapter, of any regulation promulgated by the Board of Education pursuant to § 32- 224, or of any order issued under the provisions of § 32-203; or
- (2) Interferes with the Board of Education, its officers or agents, or any other person authorized by the District to inspect places of employment of minors.

(b) A person convicted of a 1st offense under this section shall be fined not less than \$1,000 nor more than \$3,000, or imprisoned not less than 10 days nor more than 30 days, or both. A person convicted of a 2nd or subsequent offense under this section shall be fined not less than \$3,000 nor more than \$5,000, or imprisoned not less than 30 days nor more than 90 days, or both. Each day during which a violation of this subchapter occurs shall constitute a separate offense.

BOARD OF EDUCATION TO ENFORCE LAW

It shall be the duty of the Board of Education to cause all the provisions of this subchapter to be enforced, to make complaints against persons violating its provisions, and to prosecute violations of the same. The Board of Education, its inspectors, and agents are empowered and instructed to visit and inspect at any time, and as often as shall be necessary in order effectively to enforce the provisions of this subchapter, all places where minors are employed, and shall have authority to enter any place or establishment covered by the terms of this subchapter, and to have access to work or vacation permits kept on file by the employer and such other records as may aid in the enforcement of this subchapter.

LIMITATIONS ON EMPLOYMENT

No minor under 16 years of age shall be employed in the stuffing of newspapers, nor shall the work of any minor 16 or 17 employed stuffing newspapers exceed 40 hours in any 1 week, nor shall such minor be employed on more than 1 night in any week. No minor under 12 years of age shall distribute, sell, expose, or offer for sale any newspapers, magazines, periodicals, or any other articles or merchandise of any description, or distribute handbills or circulars, except political literature as specified below, in any street or public place, or exercise the trade of bootblack or any other trade, in any street or public place;

STREET-TRADES BADGES--REQUIRED

No minor under 16 years of age shall work at any time, or be employed or permitted or suffered to work at any time, in any of the trades or occupations mentioned in § 32-215, unless such minor shall have procured and shall wear in plain sight while so working a badge as hereinafter provided,

STREET-TRADES BADGES--APPLICATION REQUIREMENTS

The Board of Education shall issue a street-trades badge only upon the application of the minor desiring it, with the written consent of the parent, guardian, or custodian of such minor, and upon proof that the minor is of the age.

STREET-TRADES BADGES--CONTENTS

Such badge shall bear a number, and every such badge on its reverse side shall be signed in the presence of the officer issuing the same by the minor in whose name it is issued and shall contain the minor's name, address and date of birth and such other information as the officer issuing the same shall deem necessary.

VIOLATION OF §§ 32-215 TO 32-221

The Board of Education shall order any minor found to be engaged in any of the trades or occupations mentioned in § 32-215, in violation of any of the provisions of §§ 32-215 through 32-221, to cease and desist from engaging in such trade or occupation, and the parent, guardian, or custodian of such minor shall be notified by the Board of its order.

PERSONS SELLING MERCHANDISE TO MINOR FOR RESALE OR DISTRIBUTION TO ASCERTAIN THAT MINOR WEARS BADGE

Any person who either personally or as agent of any other person, or of any firm, corporation, or company, furnishes or sells or offers for sale to any minor under 16 any article of any description to be used for the purpose of sale or distribution in any public place shall first ascertain that said minor wears the badge issued by the Board of Education in plain sight

LOITERING AROUND BUSINESS ESTABLISHMENTS PROHIBITED DURING SCHOOL HOURS; PENALTY

No owner or employee of a business establishment shall permit a minor under the age of 16, having reasonable grounds to believe that such minor is a truant or unlawfully absent from school, to loiter on the premises of such business establishment during those hours when school is in session. Any person violating the provisions of this section may be fined not less than \$25 nor more than \$300, or may be imprisoned for not less than 10 days or longer than 30 days.

SEVERABILITY

If any provision of this subchapter or the application of such provision to certain circumstances be held invalid, the remainder of this subchapter and the application of such provision to circumstances other than those as to which it is held invalid shall not be affected thereby.