

PA STATE AGENCIES

ONLINE SERVICES

[L&I Home](#)[Laws and Regulations](#)[Laws and Regulations](#)[Laws](#)[Certified Interpreters
Law](#)[Interpreter's Law
Guide](#)[Regulations](#)[Log In](#)

Child Labor Law

Act of 1915, P.L. 286, No. 177

at a time and for not more than eighteen holes of golf in any one day and except that a minor between the ages of fourteen and sixteen years may be employed as hereinafter provided in such work as will not interfere with school attendance: Provided, however, That nothing contained in this section shall be construed as superseding or modifying any provisions contained in section seven of the act to which this is an amendment.

(2 amended Oct. 4, 1978, P.L. 938, No. 182)

Section 3.

(3 repealed July 19, 1935, P.L. 1335, No. 418)

Section 4.

No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with any establishment, or in any occupation, for more than six consecutive days in any one week, or more than forty-four hours in any one week, or more than eight hours in any one day: Provided, That messengers employed by telegraph companies at offices where only one such minor is employed as a messenger in which case such minor shall not be employed for more than six consecutive days in any one week, or more than fifty-one hours in any one week, or more than nine hours in any one day: And provided further, That no minor under eighteen years of age, who is enrolled in regular day school and working outside school hours, shall be employed or permitted to work for more than twenty-eight hours during a school week.

No minor under sixteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment or in any occupation before seven o'clock in the morning or after seven o'clock in the evening of any day except during school vacation period from June to Labor Day when such minor may work between the hours of seven o'clock in the morning and ten o'clock in the evening nor shall such minor who is enrolled in school and working outside school hours be employed or permitted to work in, about, or in connection with, any establishment or in any occupation more than four hours on a school day, or more than eight hours on any other day, or more than eighteen hours during a school week: Provided, That, students fourteen years of age and over whose employment is part of a recognized school-work program, supervised by a recognized school authority, may be employed for hours which, combined with the hours spent in school, do not exceed eight a day: And further provided, That minors over the age of fourteen may be employed in the distribution, sale, exposing or offering for sale, of any newspaper, magazine, periodical or other publication for not more than fifty-one hours in any one week, or more than nine hours in any one day, and after six o'clock in the morning and before eight o'clock in the evening: And further provided, That a minor under sixteen years of age employed on a farm by a person other than the farmer in the hatching, raising or harvesting of poultry may be employed or permitted to work until 10 o'clock in the evening as long as the minor is not working in an agricultural occupation declared hazardous by the United States Secretary of Labor.

No minor under eighteen years of age shall be employed or permitted to work for more than five hours continuously in, about, or in connection with, any establishment without an interval of at least thirty minutes for a lunch period and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work.

No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment between the hours of twelve in the evening and six in the morning if such minor is

ski resorts, golf courses and amusement parks as long as they are not permitted to serve or handle alcoholic beverages and as long as they do not work in any room in which alcohol is being served or stored. (Par. amended Dec. 15, 1999, P.L. 946, No. 67)

No minor shall be employed or permitted to serve or handle alcoholic liquor in any establishment where alcoholic liquors are sold or dispensed; nor be employed or permitted to work in violation of the laws relating to the operation of motor vehicles by minors.

In addition to the foregoing, it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any occupation dangerous to the life or limb, or injurious to the health or morals, of the said minor, as such occupations shall, from time to time, after public hearing thereon, be determined and declared by the Industrial Board of the Department of Labor and Industry: Provided, That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

(5 amended Aug. 23, 1961, P.L. 1107, No. 494)

Compiler's Note: Section 12(a) of Act 80 of 1998 provided that section 5 is repealed insofar as it is inconsistent with that act.

Compiler's Note: Section 3 of Act 83 of 1975 provided that section 5 is repealed insofar as it is inconsistent with that act.

Section 6.

No minor shall be permitted to work as messenger for a telephone, telegraph, or messenger company, in the distribution, collection, transmission, or delivery of goods or messages, before six o'clock in the morning or after eight o'clock in the evening of any day.

Section 7.

No minor under eleven years of age, shall distribute, sell, expose, or offer for sale any newspaper, magazine, periodical, or other publication, or any article of merchandise of any sort, in any street or public place. No minor under fourteen years of age, shall be suffered, employed, or permitted to work at any time as a scavenger, bootblack, or in any other trade or occupation performed in any street or public place. No minor under sixteen years of age, shall engage in any occupation mentioned in this section before five o'clock in the morning, or after eight

during, or may otherwise watch, the filming or rehearsal for filming of any sexual act. Nothing in this section shall be construed to supersede or repeal in part 18 Pa.C.S. §5903 (relating to obscene and other sexual materials) or 6312 (relating to sexual abuse of children).

((a.1) amended Dec. 21, 1998, P.L. 1908, No. 192)

(a.2) A special permit shall not be required under this section for a minor who participates in a nonprofit, educational, theatrical production if there is informed, written consent of a parent or guardian; if the participation is for a period of no more than fourteen consecutive days; if the participation is not during school hours; and if the minor receives no direct or indirect remuneration. All other existing limitations of this section shall remain applicable.

((a.2) added Dec. 21, 1998, P.L. 1242, No. 158)

(b) Rehearsals for performances as set forth in this section shall be permitted, providing the length of time and hours of starting and finishing such rehearsals added to performance duties are not such as to be injurious or harmful to the minor. Rehearsal time, if any, expected and the hours of starting and finishing same shall be set forth in the application as provided in this section, and the special permit issued shall state what rehearsal time is permissible.

(c) Nothing in this section shall be deemed to supersede or repeal any provisions of this act unless and until such special permit is issued for any such performance or series of performances.

(d) Application forms shall be in such form as shall be provided by the Department of Labor and Industry. Such forms shall be signed by both the employer of the minor and the parent or guardian of the minor, and shall contain the seal of a notary public and a statement that the facts as set forth in the application are true and correct. The application shall state what provisions are in effect to provide for the minor's educational instruction, supervision, health and welfare and the safeguarding and conservation for the

(b) The activities of minors under sixteen years of age shall be limited to:

- (1) Training.
- (2) First aid.
- (3) Clean-up service at the scene of a fire, outside the structure, after the fire has been declared by the fire official in charge to be under control.
- (4) Coffee wagon and food services.

(c) In no case, however, shall minors under sixteen years of age be permitted to:

- (1) Operate high pressure hose lines, except during training activities;
- (2) Ascend ladders, except during training activities; or
- (3) Enter a burning structure.

(d) All other activities by minors who are members of a volunteer fire company or a volunteer forest fire crewman shall be permissible unless specifically prohibited by this act.

(e) No rule or regulation of any State agency concerning minor volunteer firemen shall be adopted or promulgated except by amendment to this act.

(f) All other existing provisions of this act and the regulations promulgated thereunder affecting the employment of minors shall be applicable in all cases, including the requirements for employment certificates and the limitations on hours of employment: Provided, That a minor sixteen or seventeen years of age who is a member of a volunteer fire company who answers a fire call while lawfully employed and continues in such service until excused by the one acting as chief of that fire company shall not be considered in violation of this act for any part of the period so occupied: And further provided, That a minor who is fourteen or fifteen years of age, who is a member of a volunteer fire company and who performs the training or fire-fighting activities permitted for such minor under the provisions of this act between the hours of seven o'clock in the evening and ten o'clock in the evening before a day of school with written parental consent shall not be considered in violation of this act.

(g) Any minor who is a member of a volunteer ambulance corps or rescue squad may participate in training and any other activity as provided by regulations adopted by the Department of Labor and Industry but in any case, drivers of all ambulances or other official ambulance corps or rescue squad vehicles must be eighteen years of age.

(7.3 amended Dec. 21, 1998, P.L. 1242, No. 158)

Application for the employment certificate must be made by the parent, guardian, or legal custodian of the minor for whom such employment certificate or transferable work permit is requested; or, if said minor have no parent, guardian, or legal custodian, then by the next friend, who must be over eighteen years of age. In lieu of the personal appearance of the parent, guardian, legal custodian, or next friend of the minor, such person may execute a statement before a notary public or other person authorized to administer oaths attesting to the accuracy of the facts set forth in the application on a form prescribed by the Department of Education, which statement shall be attached to the application. No employment certificate shall be issued until the said minor has personally appeared before, and been examined by, the officer issuing the certificate, except that where the applicant is a graduate of an accredited high school and exhibits official proof of such graduation, no personal appearance or countersigned application shall be required.

(10 amended Dec. 21, 1998, P.L. 1908, No. 192)

comprehensive than the standard examination given by the school physician, certified nurse practitioner, or certified registered nurse practitioner or family physician will be deemed to meet the requirements of this section, and the certificate of physical fitness may be signed by the physician designated by the prospective employer to perform such examination. For the purposes of this section, "certified nurse practitioner" shall mean a certified school nurse who is a graduate of a nurse practitioner program which has been approved by the Department of Health School Nurse Advisory Committee, or a certified registered nurse practitioner who has been approved by the State Board of Nurse Examiners of the Department of State.

(14 amended Dec. 21, 1998, P.L. 1908, No. 192)

Section 15.

The evidence of age required by section twelve of this act shall consist of one of the following proofs of age, which shall be required in the order herein designated:

- (a) A duly attested transcript of the birth certificate, filed according to law with a register of vital statistics, or other officer charged with the duty of recording birth; or,
- (b) A baptismal certificate or transcript of the record of baptism, duly certified, and showing the date of birth; or,
- (c) A passport showing the age of the immigrant; or,

engaged. A photocopy of the transferable work permit may be used as a record for the information contained on that permit: Provided, however, That the employer record the occupation in which the minor is engaged on such photocopy.

(c) In addition, upon termination of the employment of such minor, the employer shall, within five days, notify in writing the issuing school district of the fact employment has been terminated.

(d) The school district shall maintain for two years the records required to be filed by employers under subsection (a).

(17.1 amended Dec. 2, 1998, P.L. 1908, No. 192)

Section 18.

(a) All employment certificates shall be issued on forms supplied by the Secretary of Education, and shall contain the name, sex, date, and place of birth, place of residence, color of hair and eyes, and any distinguishing physical characteristics or physical limitations of the minor for whom it shall be issued. It shall certify that the minor named has personally appeared before the issuing officer, and has been examined; and that all the papers required by law have been duly examined, approved and filed; and that all the conditions and requirements for issuing an employment certificate have been fulfilled. Every certificate shall be signed, in the presence of the issuing officer, by the minor for whom it shall be issued. The certificate shall bear a number, shall show the date of its issue, and shall be signed by the issuing officer. Vacation employment certificates shall be of a color different from the general employment certificates, and shall bear across their face the legend "Vacation Employment Certificate."

(b) All transferable work permits shall be issued on wallet sized forms supplied by the Secretary of Education and shall state the name, sex, date and place of birth, place of residence, color of hair and eyes, and any distinguishing physical characteristics or physical limitations of the minor for whom it shall be issued. It shall certify that the minor named has personally appeared before the issuing officer and has been examined; and that all the papers required by law have been duly examined, approved and filed; and that all the conditions and requirements for issuing a transferable work permit have been fulfilled. Every transferable work permit shall be signed, in the presence of the issuing officer, by the minor for whom it shall be issued. The transferable work permit shall bear a number, shall show the date of its issue and shall be signed by the issuing officer. Transferable work permits shall be of a color different from general and vacation employment certificates and shall bear across their face the legend "Transferable Work Permit."

(18 amended Dec. 21, 1998, P.L. 1908., No. 192)

Section 18.1.

The Department of Labor and Industry shall have the power to prescribe rules and regulations to carry out the intent of this act. Such rules and regulations shall be approved by the Industrial Board.

(18.1 added Aug. 23, 1961, P.L. 1107, No. 494)

Compiler's Note: The act of June 30, 1998, P.L. 475, No. 80 repealed this section insofar as it is inconsistent with that act.

Section 19.

(19 repealed July 19, 1935, P.L. 1335, No. 418)

Section 20.

Whenever the State Superintendent of Public Instruction cannot secure effective enforcement of the foregoing provisions of this act, in any school district, he is hereby authorized and required to secure such enforcement by appointing attendance officers in such districts. The salary and expenses of such attendance officers shall be a charge against said district where said attendance officers are actually employed, and shall be deducted from any State moneys apportioned to said district for school purposes.

(20 amended Aug. 13, 1963, P.L. 688, No. 366)

Section 21.

It shall be the duty of every person who shall employ any minor, under the age of eighteen years, to post and keep posted, in a conspicuous place in every establishment wherein said minor is employed, permitted or suffered to work, a printed abstract of the sections of this act relating to the hours of labor, and a list or lists of all minors employed under the age of eighteen years and a schedule of the hours of labor of such minors. The schedule of hours of labor herein required shall contain the name of the minor employed or permitted to work, the maximum number of hours such minor shall be required or permitted to work on each day of the week with the total for the week, the hours for commencing and stopping work, and the hours when the time allowed for meals shall begin and end for each day of the week. Such minor may begin work after the time for beginning and stop before the time for ending work stated in such schedule, but he shall not otherwise be employed or permitted to work in or in connection with any establishment except as stated in such schedule: Provided, however, That in the case of messengers employed by telegraph companies, such schedule may be varied in accordance with business on hand so long as a minor is not

