

§772. Minors under 18 years of age; hazardous employment

1. Prohibition against certain employment. A minor under 18 years of age may not be employed in any capacity that the director determines to be hazardous, dangerous to life or limbs or injurious to the minor's health or morals.

[PL 2003, c. 59, §1 (NEW).]

2. Rules; list of employment and occupations. The director shall adopt rules to develop and maintain a list of employment and occupations not suitable for a minor. The rules must conform as far as practicable to the child labor provisions of the federal Fair Labor Standards Act of 1938, 29 United States Code, Section 212 and any associated regulations. The rules must also contain provisions prohibiting the employment of minors in places having nude entertainment and in registered dispensaries of cannabis for medical use authorized under Title 22, chapter 558-C and in establishments that cultivate, produce or sell cannabis or products in which cannabis is an ingredient as authorized under Title 28-B, chapter 1.

[PL 2017, c. 409, Pt. A, §5 (AMD); PL 2021, c. 669, §5 (REV).]

3. Rules relating to confined spaces and height. The director shall adopt rules prohibiting a minor under 18 years of age from working in confined spaces or at a designated height when regulations of the federal Occupational Safety and Health Administration, adopted under the general industry standards, 29 Code of Federal Regulations, Part 1910, require special precautions or procedures for such work. The rules must provide exceptions to the prohibition in specific exceptional circumstances, such as work required for public safety.

[PL 2003, c. 59, §1 (NEW).]

4. Rules are routine technical. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2003, c. 59, §1 (NEW).]

5. Application. This section does not apply to minors in public and approved private schools where mechanical equipment is installed and operated primarily for purposes of instruction or minors who are volunteer participants in a career-oriented law enforcement program and perform traffic control duties at civic events pursuant to section 786.

[PL 2013, c. 142, §1 (AMD).]

SECTION HISTORY

PL 1971, c. 620, §13 (AMD). PL 1979, c. 663, §159 (AMD). PL 1997, c. 597, §1 (AMD). PL 1999, c. 30, §1 (AMD). PL 2003, c. 59, §1 (RPR). PL 2009, c. 631, §47 (AMD). PL 2009, c. 631, §51 (AFF). PL 2013, c. 142, §1 (AMD). PL 2017, c. 286, §2 (AMD). PL 2017, c. 409, Pt. A, §5 (AMD). PL 2021, c. 669, §5 (REV).

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