

SB248S1

Permitted Occupations for Minors Amendments

OVERVIEW

- Brings Utah into compliance with federal law for minors under 16
 - Contains references to federal law to ensure that if the referenced regulations or statutes change, Utah does not have to make changes to our own laws



WHAT THIS BILL CHANGES:

- Updates and brings into compliance hours requirements for minors under 16 working while school is in session
- Makes technical changes to update code
 - Example: references to “years of age” are changed to “years old”
- Updates permitted occupations for different age groups

FAQ

- Why is this needed?
 - Several Utah businesses have received fines for violating federal code even though they followed state code
- Is this more restrictive than federal law?
 - No. This bill was structured to ensure that Utah follows federal law closely. This bill contains references to federal exceptions and exemptions which ensure that this bill is not narrower than federal law
- Does this impact school internships?
 - No. Unpaid internships are not impacted by this
- Does this impact seasonal work?
 - Possibly. Seasonal workers are not treated differently under this area of code. There is no legal exception that would prevent this from applying to seasonal workers.

SPECIFIC LINE-BY-LINE CHANGES

- 34-23-103
 - Updated definitions by bringing them into this section to match them to federal law.
 - "Hazardous agricultural occupation" was incorporated at the request of UDAF because, under federal law, this is broken out separately from other occupations.
 - "Hazardous agricultural occupation" has references to the CFRs because agricultural occupations have many exceptions/exemptions under federal law that needed to be referenced in order to bring into compliance.
 - These definitions mirror the definitions found in federal law.
- 34-23-202
 - Referenced federal exemptions because they exist under federal law and referencing these exemptions brings this statute into compliance. This also allows the state law to stay in compliance in case there is an additional change to that federal statute.
 - Change the hours requirements here to bring them into compliance with federal law. These new hours requirements are substantively the same as the hours requirements under federal law.
- 34-23-204, 205, 206
 - Any job struck from these sections is because it would be illegal under federal law for a minor of that age to work that job.
 - Makes technical drafting changes.
- 34-23-207
 - We added that the hour restrictions do not apply to the occupations listed in this section. This was done to bring this into compliance with federal law.
 - Agricultural definition was changed to reference hazardous agricultural occupation to comply with federal law. Federal law references nonhazardous occupations, not "work including the operation of power-driven..."
 - Added performing arts because that is another category that federal law references as have no specific age or hour restrictions.