

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1623

By: Pope (Tim)

AS INTRODUCED

An Act relating to labor; amending 40 O.S. 1991, Section 75, as last amended by Section 8, Chapter 391, O.S.L. 1997 (40 O.S. Supp. 2000, Section 75), which relates to hours of employment of children; prohibiting children seventeen years of age or younger who are still attending school from being employed to work certain times; requiring certain rest periods; modifying definition; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 40 O.S. 1991, Section 75, as last amended by Section 8, Chapter 391, O.S.L. 1997 (40 O.S. Supp. 1999, Section 75), is amended to read as follows:

Section 75. A. No child under the age of sixteen (16) years or seventeen (17) years of age or younger who is still attending school shall be employed or permitted to work in any gainful occupation, other than agriculture or domestic service, for more than:

1. Three (3) hours in any one (1) school day, except that if the employer is not covered by the Fair Labor Standards Act, a child may work eight (8) hours or less on a school day which precedes a nonschool day;

2. Eight (8) hours on a nonschool day;

3. Eighteen (18) hours in any one (1) week when school is in session; or

4. Forty (40) hours in any one (1) week when school is not in session, except that if the employer is not covered by the Fair Labor Standards Act, a child may work forty (40) hours in any one (1) week when school is in session if attendance is not compulsory.

B. As used in this section, "in session" means the period beginning on the first ~~Tuesday after Labor Day~~ official school day through ~~May 31~~ the last official school day of the following year.

C. Children under the age of sixteen (16) years or seventeen (17) years of age or younger who is still attending school must be permitted a one (1) hour cumulative rest period for each eight (8) consecutive hours worked. However, no such child shall work more than five (5) consecutive hours unless permitted a one-half (1/2) hour cumulative rest period.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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