

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3064

By: Hamilton

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5
6 AS INTRODUCED

7 An Act relating to labor; amending 40 O.S. 2001,
8 Section 75, which relates to the employment of women
9 and children; modifying certain age requirement;
10 providing exceptions; providing an effective date;
11 and declaring an emergency.

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

13 SECTION 1. AMENDATORY 40 O.S. 2001, Section 75, is
14 amended to read as follows:

15 Section 75. A. No child under the age of ~~sixteen (16)~~ eighteen
16 (18) years shall be employed or permitted to work in any gainful
17 occupation, other than agriculture or domestic service, for more
18 than:

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

23 2. Eight (8) hours on a nonschool day;
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1 3. Eighteen (18) hours in any one (1) week when school is in
2 session; or

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

7 B. As used in this section, "in session" means the period
8 beginning on the first Tuesday after Labor Day through May 31 of the
9 following year.

10 C. Children under the age of ~~sixteen (16)~~ eighteen (18) years
11 must be permitted a ~~one (1) hour~~ one-hour cumulative rest period for
12 each eight (8) consecutive hours worked. However, no such child
13 shall work more than five (5) consecutive hours unless permitted a
14 ~~one half (1/2) hour~~ one-half-hour cumulative rest period.

15 D. Children under the age of eighteen (18), that maintain a 3.5
16 grade point average or higher, as certified by their school, shall
17 be able to work up to thirty-five (35) hours a week, but no later
18 than 10:00 p.m. on school nights, with a waiver from their parent or
19 guardian.

20 E. Students over the age of eighteen (18), but below the age of
21 nineteen (19), who are full-time students in high school and have
22 not graduated, shall be allowed to work a total of thirty-five (35)
23 hours a week, but no later than 10:00 p.m. on school nights.

24 SECTION 2. This act shall become effective July 1, 2008.

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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6 51-2-9188 LRB 12/31/07

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