

Chapter 100

(House Bill 467)

AN ACT concerning

Labor and Employment – Employment of Minors

FOR the purpose of repealing certain provisions of law regarding the issuance of a work permit by the Commissioner of Labor and Industry or a county superintendent of schools; authorizing a parent or guardian of a minor to apply for a work permit by completing a certain online application; authorizing the Commissioner to issue a work permit under certain circumstances; making conforming changes; and generally relating to the employment of minors and the Commissioner of Labor and Industry.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–206
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Labor and Employment

3–206.

[(a) A work permit shall be issued:

(1) by the Commissioner; or

(2) in accordance with the requirements of the Commissioner, by a county superintendent of schools or designee of the superintendent.

(b) Before issuing a work permit, the issuing officer shall confirm the age of the minor for whom the permit is sought by examining:

(1) a baptismal certificate for the minor;

(2) a birth certificate or other official government document that attests to the age of the minor; or

(3) a school record for the minor.

(c) The official to whom an application for a work permit is submitted shall issue the work permit, by signing and dating the application, if:

(1) the document submitted under subsection (b) of this section attests to the age stated on the application; and

(2) the employment is allowed under this subtitle for the minor for whom the permit is sought.]

(A) A PARENT OR GUARDIAN OF A MINOR MAY APPLY FOR A WORK PERMIT BY COMPLETING AN ONLINE APPLICATION THAT INCLUDES:

(1) VERIFICATION OF THE MINOR’S AGE;

(2) A DESCRIPTION OF THE WORK TO BE PERFORMED BY THE MINOR;

(3) APPROVAL BY THE PARENT OR GUARDIAN OF THE MINOR’S EMPLOYMENT; AND

(4) ANY OTHER INFORMATION THE COMMISSIONER MAY REQUIRE.

(B) AFTER REVIEWING AN ONLINE APPLICATION FOR A WORK PERMIT, THE COMMISSIONER MAY ISSUE THE PERMIT IF THE EMPLOYMENT IS ALLOWED UNDER THIS SUBTITLE FOR THE MINOR FOR WHOM THE PERMIT IS SOUGHT.

[(d)] (C) (1) [An official] THE COMMISSIONER may issue a work permit that authorizes a minor to be employed in an occupation that otherwise would be restricted under § 3–213 of this subtitle, if the minor:

(i) is exempted, under § 7–301(d)(2)(i) of the Education Article, from attendance in public school because the emotional, mental, or physical condition of the minor makes instruction detrimental to the progress of the minor;

(ii) is to be employed only in office work;

(iii) is to be employed in work that is performed outside of all rooms where goods are manufactured or processed; or

(iv) is to be employed in work that a county school system obtains and supervises as part of a work–study, student–learner, or similar program for which the employment is an integral part of the course of study.

(2) [An official] **THE COMMISSIONER** shall issue a work permit that authorizes a minor to be employed:

(i) in an occupation that otherwise would be restricted under § 3–213 of this subtitle if the minor is granted an exception by the Commissioner because, after investigation, the Commissioner determines that neither the work nor the work site where the work is to be performed is hazardous to the minor; or

(ii) in an occupation that otherwise would be restricted under § 3–213(c)(1) or (2) of this subtitle, if the minor:

1. has completed a course of study in that occupation at an accredited school and has been graduated from the school; or

2. is granted an exception by the Commissioner because employment in that occupation is part of a work–study, student–learner, or apprentice program under a federal, State, or local governmental agency.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.

Approved by the Governor, April 8, 2014.