

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 229
Economic Matters

(Delegate Queen)

Finance

Employment for Minors - Opportunities for Work

This bill requires the Commissioner of Labor and Industry to release the name, home address, and telephone number of a minor who is at least 16 years old and has a work permit to the following organizations that request and have registered with the Maryland Department of Labor (MDL) for the purpose of receiving the information: (1) employers and apprenticeship sponsors; (2) educational programs and institutions; and (3) local workforce development boards that meet specified requirements. The commissioner may release information relating to a minor only if the minor's parent or guardian or the minor elects to allow the sharing of the information. MDL must adopt regulations to implement the bill, including allowing minors or their parents or guardians to opt in to sharing their information.

Fiscal Summary

State Effect: None. MDL can release minors' information to specified organizations with existing budgeted resources.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: A minor's parent or guardian may apply for a work permit for the minor 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. After reviewing an online work permit application, the commissioner may issue the permit if the employment is allowed for the minor under State law.

Children between the ages of 14 and 18 may not work without a permit unless the work is performed outside school hours, does not involve manufacturing or mining, is not hazardous, and is restricted to the following occupations:

- farming;
- domestic work;
- working in a business owned by a parent or guardian;
- caddying;
- sailing instruction;
- newspaper delivery;
- making an evergreen wreath;
- camp counselor or instructor; or
- volunteer work for a nonprofit or charitable organization.

Except under conditions specified in statute, a minor between the age of 14 and 18 may not work in about a dozen hazardous professions delineated in statute; additional occupations are restricted for minors younger than age 16. Statute includes additional requirements related to the working hours of minor children that generally limit the number of hours and time of day during which a minor may be employed.

For an overview of registered apprenticeship programs in the State, please see the **Appendix – Apprenticeship**.

Additional Comments: Although the General Assembly passed similar legislation in the 2022 session (Senate Bill 420), the Governor vetoed the bill.

MDL advises that the bill does not prevent the groups authorized to receive a minor’s identifying information under the bill from resharing to other individuals or groups not intended to receive the information.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See SB 420 and HB 719 of 2022.

Designated Cross File: SB 172 (Senator Rosapepe) - Finance.

Information Source(s): Maryland Department of Labor; Department of Legislative Services

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Appendix – Apprenticeship

Generally, apprenticeship is a voluntary, industry-sponsored system that prepares individuals for occupations typically requiring high-level skills and related technical knowledge. Apprenticeships are sponsored by one or more employers and may be administered solely by the employer or jointly by management and labor groups. An apprentice receives supervised, structured, on-the-job training under the direction of a skilled journeyman and related technical instruction in a specific occupation. Apprenticeships are designed to meet the workforce needs of the program sponsor. Many industry sponsors use apprenticeship as a method to train employees in the knowledge necessary to become a skilled worker. This also means the number of apprenticeships available is dependent on the current workforce needs of the industry and the capacity and willingness of employers to supervise them.

Apprenticeships are available to individuals age 16 and older; an employer, however, may set a higher entry age. By law, individuals must be age 18 to apprentice in hazardous occupations. Apprenticeships last from one to six years, although most are three to four years, and involve a minimum of 144 hours of classroom instruction per year and at least 2,000 hours per year of on-the-job training. A national apprenticeship and training program was established in federal law in 1937 with the passage of the National Apprenticeship Act, also known as the Fitzgerald Act. The purpose of the Act was to promote national standards of apprenticeship and to safeguard the welfare of apprentice workers.

Along with [26 other states and the District of Columbia](#), Maryland has chosen to operate its own apprenticeship programs under the federal law. The Division of Workforce Development and Adult Learning (DWDAL) within the Maryland Department of Labor is responsible for the daily oversight of State apprenticeship programs. More specifically, DWDAL approves new apprenticeship programs as well as changes to current programs and ensures compliance with State and federal requirements. The approval process involves assessing the appropriateness of an apprenticeship program in a proposed industry, the education that will be provided to the apprentice, the current staffing level of the entity proposing the program to determine whether adequate supervision can be provided, recruitment and retention efforts, and the overall operations of the entity. The Maryland Apprenticeship and Training Council serves in an advisory role for legislation and regulations, recommending changes to update apprenticeship laws.

As of December 2021, there were 11,404 apprentices registered, and there were 3,833 participating employers. During calendar 2021, the State added 23 new apprenticeship programs.