

JAN 21 2022

A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the career readiness
2 of Hawaii's students is of the utmost importance, both for the
3 economic stability of these individuals and the State more
4 broadly. Hawaii's schools have made great progress in recent
5 years with expanding opportunities for students to engage in
6 work-based learning, whereby they gain technical knowledge and
7 skills in alignment with particular industries.

8 The legislature further finds that employer-school
9 partnerships are a vital and powerful tool for creating
10 authentic learning experiences for students. It is beneficial
11 for Hawaii students to have a deep set of work-based learning
12 partnerships and employers to choose from in order to pursue
13 their interests most effectively.

14 Accordingly, the purpose of this Act is to update the list
15 of exceptions under state child labor laws to include work-based
16 learning programs with employers.



1 SECTION 2. Section 390-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§390-5 Exceptions.** (a) This chapter shall not apply to
4 any minor employed:

5 (1) By the minor's parent or legal guardian;

6 (2) In performance of work in connection with the sale or
7 distribution of newspapers;

8 (3) In domestic service in or about the private home of
9 the employer;

10 (4) As a golf caddy; ~~[or]~~

11 (5) By any religious, charitable, or nonprofit
12 organization in exempt employment as prescribed by the
13 director by rule;

14 (6) In the course of a youth vocational training program
15 or internship;

16 (7) As an apprentice in a registered apprenticeship
17 program validated by the United States Department of
18 Labor or the department; or

19 (8) In an occupation, in which the minor has completed a
20 vocational or career education program approved by the
21 department of education;



1 provided that such employment is during periods when the minor
2 is not legally required to attend school or when the minor has
3 been excused by school authorities from attending school; in an
4 occupation which has not been declared by rule of the director
5 to be hazardous; and not in connection with adult entertainment.

6 (b) As used in this section, "youth vocational training
7 program or internship" means a program or internship that is
8 recognized by the State; provided that the student is employed
9 under a written agreement that:

10 (1) Specifies that the work of the student in the
11 occupation declared particularly hazardous shall be
12 incidental to training;

13 (2) Provides that the work shall be under the direct and
14 close supervision of a qualified and experienced
15 supervisor;

16 (3) Provides that safety instructions shall be given by
17 the school and correlated by the employer with on-the-
18 job training;

19 (4) Outlines the planned program of job training and work
20 experience for the student, appropriate to the
21 student's abilities, which includes training related



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1 to pre-employment and employment industry skills to be
2 mastered at progressively higher levels that are
3 coordinated with learning in the school-based learning
4 component and lead to the awarding of a skill
5 certificate;

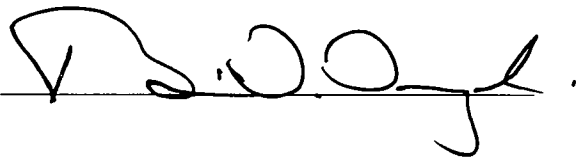
6 (5) Specifies that tasks shall not be intended to replace
7 professional labor; and

8 (6) Is signed by the employer, school career and technical
9 education coordinator, principal, and the student's
10 parent or legal guardian and kept on file by the
11 school and employer."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.

15
INTRODUCED BY:



S.B. NO. 2711

Report Title:

Child Labor Law; Internships; Exceptions

Description:

Specifies additional exceptions under child labor laws to include work-based learning programs with employers.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

