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# 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 to expand opportunities for students to engage in work-  
6 based learning, in which students gain technical knowledge and  
7 skills that align 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. Students in the  
11 State benefit from a deep pool 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 certain  
16 work-based learning programs.



1 SECTION 2. Section 390-1, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Youth vocational training program or internship" means a  
5 program or internship that is recognized by the State; provided  
6 that the student is employed under a written agreement that:

- 7 (1) Specifies that the work of the student in the  
8 occupation declared particularly hazardous shall be  
9 incidental to training;
- 10 (2) Provides that the work shall be under the direct and  
11 close supervision of a qualified and experienced  
12 supervisor;
- 13 (3) Provides that safety instructions shall be given by  
14 the school and correlated by the employer with on-the-  
15 job training;
- 16 (4) Outlines the planned program of job training and work  
17 experience for the student, appropriate to the  
18 student's abilities, which includes training related  
19 to pre-employment and employment industry skills to be  
20 mastered at progressively higher levels that are  
21 coordinated with learning in the school-based learning



- 1           component and lead to the awarding of a skill
- 2           certificate;
- 3           (5) Specifies that tasks shall not be intended to replace
- 4           professional labor; and
- 5           (6) Is signed by the employer, school career and technical
- 6           education coordinator, principal, and the student's
- 7           parent or legal guardian and kept on file by the
- 8           school and employer."

9           SECTION 3. Section 390-2, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "**§390-2 Employment of minors under eighteen years of age.**

12           (a) No minor under eighteen years of age shall be employed or  
13 permitted to work in, about, or in connection with any gainful  
14 occupation at any time except as otherwise provided in this  
15 section. In no event, however, shall the minor be permitted to  
16 be employed or permitted to work in, about, or in connection  
17 with adult entertainment or any gainful occupation prohibited by  
18 law or which has been declared by rule of the director to be  
19 hazardous for the minor.

20           (b) A minor who has attained the age of sixteen years but  
21 not eighteen years may be employed during periods when the minor



1 is not legally required to attend school or when the minor is  
2 excused by school authorities from attending school; provided  
3 that the employer of the minor records and keeps on file the  
4 number of a valid certificate of age issued to the minor by the  
5 department.

6 (c) A minor who has attained the age of fourteen years but  
7 not sixteen years may be employed or permitted to work:

- 8 (1) During periods when the minor is not legally required  
9 to attend school or when the minor is excused by  
10 school authorities from attending school;
- 11 (2) If the employer of the minor procures and keeps on  
12 file a valid certificate of employment;
- 13 (3) No more than five hours continuously without an  
14 interval of at least thirty consecutive minutes for a  
15 rest or lunch period;
- 16 (4) Between 7:00 a.m. and 7:00 p.m. of any day; provided  
17 that during any authorized school break, the minor may  
18 be employed between 6:00 a.m. and 9:00 p.m.;
- 19 (5) No more than six consecutive days;
- 20 (6) No more than eighteen hours in a calendar week during  
21 which the minor is legally required to attend school,



1 and no more than forty hours in a calendar week during  
2 which the minor is not legally required to attend  
3 school or when the minor is excused by school  
4 authorities from attending school;

5 (7) No more than three hours on any school day; and

6 (8) No more than eight hours on any nonschool day.

7 (d) A minor under fourteen years of age may be employed or  
8 permitted to work in theatrical employment or in harvesting of  
9 coffee under circumstances and conditions prescribed by the  
10 director by rule; provided that:

11 (1) The work is performed during periods when the minor is  
12 not legally required to attend school or when the  
13 minor is excused by school authorities from attending  
14 school;

15 (2) With respect to employment in harvesting of coffee,  
16 the director has determined after a public hearing  
17 that sufficient adult labor to perform the work is  
18 unavailable; and

19 (3) The employer of the minor procures and keeps on file a  
20 valid certificate of employment.



1       (e) A minor under eighteen years of age may be employed or  
2 permitted to work:

3       (1) In a youth vocational training program or internship;

4       (2) As an apprentice in a registered apprenticeship  
5 program validated by the United States Department of  
6 Labor or the department; or

7       (3) In an occupation in which the minor has completed a  
8 vocational or career education program approved by the  
9 department of education;

10 provided that the work is performed during periods when the  
11 minor is excused by school authorities from attending school and  
12 the employer of the minor procures and keeps on file a valid  
13 certificate of employment."

14       SECTION 4. New statutory material is underscored.

15       SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Child Labor Law; Internships; Exceptions

**Description:**

Specifies additional exceptions under child labor laws to include certain work-based learning programs. Defines youth vocational training program or internship. Allows employment in youth vocational training programs or internships under chapter 390, Hawaii Revised Statutes. Effective 7/1/2050. (SD1)

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

