

CHAPTER 11. EMPLOYMENT OF MINORS

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Subchapter A. EMPLOYMENT OF MINORS IN PERFORMANCES

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Authority

The provisions of this Subchapter A issued under act of May 13, 1915 (P.L. 286, No. 177), (43 P. S. §§ 41—71), unless otherwise noted.

Source

The provisions of this Subchapter A adopted July 15, 1964, unless otherwise noted.

§ 11.1. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*Employer*—Any person who for his own account or benefit or that of his patrons, directly or indirectly, or through an employe, agent, independent contractor, or any other person employs or permits any minor to work in theatrical productions, musical recitals or concerts, entertainment acts, modeling, radio, television, motion picture making, or in other similar forms or media of entertainment.

*Employment*—A minor engaged in a performance shall be deemed employed, if any person, including the performer, his parent or teacher, receives remuneration from the performance or if any performer in the production is paid for performing.

*Hazardous performances, acts, or exhibitions*—These terms shall include all of the following:

- (i) All aerial acts including suspension from trapezes, ropes, wires, or like contrivances.
- (ii) The use of or exposure to weapons.
- (iii) The taking of dangerous leaps, falls, throws, catches, knee drops or slides.
- (iv) Working with partners hand to hand or head to head.

- (v) Bicycle or unicycle acts.
- (vi) Assisting performers in an animal act, conducting an animal into a ring or on stage, or riding an animal when the animal exceeds half the weight of the child performer. This paragraph shall not necessarily apply to performances with trained seals.

### § 11.2. Purpose.

This subchapter is designed to carry out the intent and purpose of section 7.1 of the Child Labor Law, as amended (43 P. S. § 48.1), establishing conditions for the issuance of special permits for employment of minors over seven and under 18 years of age in certain performances.

### § 11.3. Applicability; general provisions.

(a) Every employer or person exercising direction or control over a minor or minors under 18 years of age in public performances shall be responsible for complying with the Child Labor Law (43 P. S. §§ 41—71), and this subchapter.

(b) The issuance of special performance permits is the duty of the Bureau of Women and Children, Hours and Minimum Wages of the Department.

(c) Special performance permits shall be issued only when in the judgement of the Bureau there is adequate provision for the educational instruction, supervision, safety, health and welfare of the minor and for the safeguarding for the minor of the earnings derived by the minor from his performances, and only when the requirements of this subchapter have been met.

(d) The special performance permit shall be valid only under conditions specified in the permit.

(e) The special performance permit shall be kept at the location where the performance takes place.

(f) The Department shall have the power to revoke any permit for violation of the terms specified in the permit or for any other condition endangering the safety and welfare of the child.

### § 11.4. Application for permit.

(a) Application for the special performance permit for a minor aged seven to 18 years shall be made by the employer on a form provided by the Department and signed by the employer of the minor and the parent or guardian of the minor.

(b) The application shall be notarized and contain a statement that the facts as set forth in the application are true and correct.

(c) The application shall set forth for all performances, accurate information regarding all of the following:

- (1) The legal and professional name of the minor.
- (2) The date and place of his birth.

- (3) The name and permanent address of the parent or guardian and the name of the parent or representative of the parent who will accompany the minor to rehearsals and performances.
  - (4) The name and type of production.
  - (5) The nature of the performance of the minor.
  - (6) The dates of performances and the number of performances per day and per week as well as the length of time the minor is actually performing.
  - (7) The dates of rehearsals.
  - (8) The maximum combined rehearsal and performance time per day and per week.
  - (9) Whether the minor is to be paid for performing, whether there is remuneration other than financial, and whether he is to be paid by the week or the performance.
  - (10) The hours at which the minor reports for performances.
  - (11) Whether the total earnings of the minor from all sources exceed \$150 per week and, if so, what provisions have been made for conservation of the earnings of the minor.
  - (12) The name and address of the booking agent of the minor, if any.
  - (13) Whether the minor has performed in the same production in other states requiring a permit or certificate to perform and whether the permit or certificate was obtained.
- (d) For all performances or rehearsals during school hours the application shall set forth in addition accurate information regarding all of the following:
- (1) The name and address of the school attended and of the school district where the minor resides.
  - (2) The grade he has completed in school.
  - (3) The hours per week the minor attends school.
  - (4) One of the following:
    - (i) A statement signed by the principal of the school attended and the school official who issues employment certificates in the school district where the minor resides attesting that to the best of their knowledge and belief the performance and rehearsals as set forth in the application will not interfere with the educational instruction or school progress of the minor.
    - (ii) A guarantee that arrangements are made for a qualified tutor for the minor. If the minor is to be tutored, the application shall set forth the name and address of the tutor, whether the tutor is a certified teacher, the name and address of the school official approving the subjects for tutoring and the tutoring arrangements, and the number of hours per week the minor is to be tutored.
- (e) Applications shall contain other information as may be requested by the Bureau of Women and Children, Hours and Minimum Wages.

**§ 11.5. Number of performances per day and per week.**

(a) In counting the number of performances per day and per week, out-of-state performances shall be included in the calculation.

(b) Minors under 16 years of age shall have one day in seven free of school performances and travel connected with school or performances.

(c) Permits granted for children under 14 years of age may be issued only if scrutiny of the schedule of the minor over a period of months indicates a work load and travel schedule suitable for the age of the child.

**§ 11.6. Supervision of child performers.**

Certain minors shall be accompanied by a parent, guardian or responsible adult designated by the parent or guardian whose primary responsibility is not related to the production of the performance, under the following circumstances:

(1) Every minor under 18 years of age when the location of rehearsals or performances requires lodgings overnight at a place outside the place of residence of the minor.

(2) Every minor under 16 years of age when the rehearsals or performances are located in the permanent place of residence of the minor and if they terminate after 6 p.m.

(3) Every minor under 12 years of age for all rehearsals and performances at all times.

**§ 11.7. Penalty.**

Any person who violates any of the provisions of this subchapter or who interferes with the Department or its duly authorized representative in the enforcement of such provisions may be deemed guilty of a misdemeanor and may, upon conviction, be punished by fine or imprisonment, or both.

**Subchapter B. EMPLOYMENT OF MINORS IN INDUSTRY****GENERAL PROVISIONS**

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#### Authority

The provisions of this Subchapter B issued under act of June 2, 1913 (P. L. 396, No. 267) (71 P. S. §§ 1441—1446) and act of May 13, 1915 (P. L. 286, No. 177) (43 P. S. §§ 41—71), unless otherwise noted.

#### Source

The provisions of this Subchapter A adopted February 10, 1925, amended through June 1, 1969, unless otherwise noted.

### GENERAL PROVISIONS

#### § 11.21. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*Act*—The Child Labor Law (43 P. S. §§ 41—71).

*Apprentice*—A minor of 16 years of age or over who is employed in a craft recognized as an apprenticeable trade where the work in an occupation or process otherwise prohibited is incidental to the apprentice training, is intermittent and for short periods of time, and is under the direct and close supervision of a journeyman, and who is registered by the Pennsylvania Apprenticeship and Training Council or employed under a written apprenticeship agreement under conditions which conform to the Federal and State standards of apprenticeship training.

*Laboratory student aide*—A student 16 years of age or over who is enrolled for scientific studies in an educational institution, employed in a research or development laboratory under the close supervision of a qualified scientist or development engineer in a program of diversified training activities and working in any occupation otherwise prohibited only intermittently and for short periods of time incidental to his training in diversified laboratory activities.

*Student learners*—Minors enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local educational authority or in a course of study in a substantially similar program conducted by a private school and employed under a written agreement which provides the following:

(i) That the work of the student learner in the occupations declared particularly hazardous shall be incidental to his training.

(ii) That such work shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person.

(iii) That safety instructions shall be given by the school and correlated by the employer with on-the-job training.

(iv) That a schedule of organized and progressive work processes to be performed on the job shall have been prepared. Each such written agreement shall contain the name of the student learner and shall be signed by the employer and the school coordinator or principal. Copies of each agreement shall be kept on file by both the school and the employer.

**Source**

The provisions of this § 11.21 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial pages (8267) and (8268).

**§ 11.22. Scope.**

This subchapter sets out rules to safeguard the lives, limbs and health of minors in industry and places the responsibility of compliance with such rules upon both employer and minor employe.

**§ 11.23. Administration**

(a) Every employer or person exercising direction or control over minors in industry shall be responsible for complying with the provisions of this subchapter.

(b) Every minor in industry shall comply with the provisions of this subchapter which may concern or affect his conduct.

(c) The Department of Education is charged by statute with the responsibility for issuing employment certificates.

**§ 11.24. Penalty.**

Any person who violates any of the provisions of this subchapter or any regulations of the Department or who interferes with the Department or its duly authorized representative in the enforcement of such provisions and regulations shall be subject to penalty under the provisions of the act.

**PROHIBITIONS AND SPECIFICATIONS**

**§ 11.31. Employment of minors on outside electrical wiring.**

Employment of minors under 18 years of age on outside electrical wiring is prohibited, except for apprentices, student learners, and graduates of an approved vocational, technical, or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.32. Operation of elevators.**

Employment of minors under 18 years of age as operators or managers of passenger or freight elevators, or other hoisting or lifting machinery is prohibited.

**§ 11.33. Welding.**

Employment of minors under 18 years of age at acetylene or electric welding is prohibited except for apprentices, student learners and graduates of an approved vocational, technical, or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.34. Wire-stitching machines.**

Employment of minors under 18 years of age on wire-stitching machines is prohibited, except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.35. Meter testing and reading.**

(a) Employment of minors under 18 years of age at testing electric meters as part of the process of manufacture or repair of the meter is prohibited, except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

(b) This, however, does not prohibit the minor adjustment of electric meters incidental to their use.

**Source**

The provisions of this § 11.35 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8270).

**§ 11.36. [Reserved].****§ 11.37. Rolling mills.**

Employment of minors under 18 years of age on machines or processes in connection with roll tables, roll cars and greasers in rolling mills is prohibited, except for apprentices, student learners and graduates of an approved vocational, technical, or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.38. Electrical work.**

Employment of minors under 18 years of age at installing and removing electric light and power meters, and doing inside wiring is prohibited, except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation, and minors between the ages of 16 and 18 who are acting as assistants to trained electricians or electrical engineers over 21 years of age. This exception however, only applies to work on voltages up to and including 220 volts.



**§ 11.39. Educational and charitable institutions.**

All institutions of an educational or charitable nature, where any product is sold on a commercial basis and which employ minors shall conform to the provisions of the act and this subchapter.

**§ 11.40. Training establishments.**

The employment of minors under 18 years of age in training establishments where such employment specifically pertains to the tanning process is prohibited. This includes such work as that performed in a beam house, filling vats with hides, dipping hides, and cleaning vats.

**§ 11.41. Section hands.**

Employment of minors under 18 years of age as section hands on railroads and railways is prohibited.

**Source**

The provisions of this § 11.41 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8271).

**§ 11.41a. Highways.**

Minors under 16 years of age are permitted to work on sections of the highways that are not open to the public for vehicular travel.

**Source**

The provisions of this § 11.41a adopted June 10, 1977, 7 Pa.B. 1591.

**§ 11.42. Quarries.**

Employment of minors between 16 and 18 years of age is permitted in quarries but such minors shall be prohibited from engaging in any of the following occupations in quarries:

- (1) Drilling, shot firing or assisting in loading or tamping holes.
- (2) Face cleaning.
- (3) Attaching blocks to chains for cable hoisting.
- (4) Operating or assisting in operating steam, air or electric shovels, or in any other occupation prohibited by section 5 of the act (43 P. S. § 46).

**§ 11.43. Employment near explosives.**

Employment of minors under 18 years of age in establishments where black powder of any variety, dry gun-cotton, nitroglycerine, dynamite, chlorates, fulminates, picric acid, fireworks, any other substances which are subject to expansion by the aid of shock, friction, spark or heat are manufactured, handled or stored is prohibited. Smokeless powder, wet gun-cotton and wet nitro-starch, while not properly classed as explosives are also included. This, however, does not prohibit

the employment of minors, male or female, between the ages of 16 and 18, in any establishment where such explosives are handled or stored. The minimum distance any minor may be so employed shall be 360 feet from the point of handling or storage of the explosives and maximum quantity of explosives for this distance shall be 200 pounds. Increase in the quantity of explosives handled or stored, where minors are so employed, shall increase the distance. The quantity and distance table of § 5.122 (relating to tables of quantity and distance) shall govern the distance.

**§ 11.44. [Reserved].**

**§ 11.45. Motion picture projectionists.**

Employment of minors under 18 years of age as motion picture projectionists is prohibited. No minor under 17 years of age may be employed as an apprentice of a motion picture projectionist.

**§ 11.46. Woodworking machinery.**

(a) Employment of minors under 18 years of age on power-driven woodworking machinery is prohibited except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

Employment on power-driven woodworking machinery includes the following:

(1) The occupation of operating power-driven woodworking machines, including supervising or controlling the operation of such machines, feeding material into such machines and helping the operator to feed material into such machines but not including the placing of material on a moving chain or in a hopper or slide for automatic feeding.

(2) The occupations of setting up, adjusting, repairing, oiling or cleaning power-driven woodworking machines.

(3) The operations of off-bearing from circular saws and from guillotine-action veneer clippers.

(b) The term “power-driven woodworking machines” shall mean all fixed or portable machines or tools driven by power and used or designed for cutting, shaping, forming, surfacing, nailing, stapling, wire stitching, fastening or otherwise assembling, pressing or printing wood or veneer.

(c) The term “off-bearing” shall mean the removal of material or refuse directly from a saw table or from the point of operation. Operations not considered as off-bearing within the intent of this section include the following:

(1) The removal of material or refuse from a circular saw or guillotine-action veneer clipper where the material or refuse has been conveyed away from the saw table or point of operation by a gravity chute or by some mechanical means such as a moving belt or expulsion roller.

(2) The following operations when they do not involve the removal of material or refuse directly from a saw table or from a point of operation:

- (i) The carrying, moving or transporting of materials from one machine to another or from one part of a plant to another.
- (ii) The piling, stacking or arranging of materials for feeding into a machine by another person.
- (iii) The sorting, tying, bundling or loading of materials.

**Source**

The provisions of this § 11.46 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8272).

**§ 11.47. Mixing machines in bakeries.**

Employment of minors under 18 years of age at operating mixing machines in bakeries is prohibited except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.48. Proof of age cards.**

In order to secure better administration of the act, employers may require of all applicants for work who are over 18 and under 21 years of age, a proof of age certificate authorized by the Attendance Bureau of the Department of Education and issued and signed by the proper officers of the local school board after obtaining the proper evidence of age that is required for the issuance of employment certificates. This certificate may be retained in the files of the employer during term of employment of the minor but shall be returned to the minor when employment terminates or when the minor reaches the age of 21 years.

**§ 11.49. Punch presses.**

(a) *Prohibition.* Employment of minors under 18 years of age on punch presses is prohibited except for apprentices, student learners, laboratory student aides and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

(b) *Manufacture of artificial foliage.* Machines which are used in the manufacture of artificial foliage and are of such a character that the action of the machine would be stopped by contact of the hand are not considered to be within the application of subsection (a).

**§ 11.50. Coal dredges.**

Employment of minors under 16 years of age on coal dredges is prohibited.

**§ 11.51. Emery wheels.**

Employment of minors under 18 years of age in the use or operation of emery wheels is prohibited except for apprentices, student learners, laboratory student aides and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.52. Heating and passing rivets.**

Minors under 16 years of age are prohibited from engaging in the occupation of heating and passing rivets. Minors between the ages of 16 and 18 shall not be permitted to engage in such occupations at a distance of more than ten feet above the ground level unless a scaffold equipped with guardrails and the boards is provided in accordance with Chapter 47, Subchapter G (relating to railings, toeboards, open-sided floors, platforms and runways).

**§ 11.53. Furnaces.**

Employment of minors under 18 years of age adjacent to furnaces of the metal industry is prohibited.

**Source**

The provisions of this § 11.53 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8273).

**§ 11.54. Pugging machines.**

Employment of minors under 18 years of age in the brick-making industry on horizontal or vertical pug mills is prohibited.

**§ 11.55. Metal plate-bending machines.**

Employment of minors under 18 years of age on metal plate-bending machines operated by power is prohibited except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.56. Bull ladles.**

Employment of minors under 18 years of age in the handling of bull ladles containing molten metal is prohibited.

**§ 11.57. Food-chopping and meat-grinding machines.**

Employment of minors under 18 years of age on power-driven food-chopping, meat-grinding, slicing or processing machines is prohibited, except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.58. Spray coating operations.**

No minor under 18 years of age may be permitted to spray-coat objects with any substances containing lead, benzol or ground siliceous materials except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

**§ 11.59. Coal mining industry.**

Employment of minors under 18 years of age is prohibited in all occupations which necessitate their presence in any underground work, open pit or surface part of any coal mining plant that contributes to the extraction, grading, cleaning or other handling of coal, except the occupation of slate or other refuse picking at a picking table or picking chute in a tippie or breaker and the occupation requiring the performance of duties solely in offices, or in repair or maintenance shops, located in the surface part of any coal mining plant.

**§ 11.60. Strikes and lockouts.**

Employment of minors under 16 years of age in an establishment where a strike or lockout is in progress is prohibited except that this prohibition shall not apply to minors who were legally certified for work in such an establishment before the strike or lockout was declared.

**§ 11.61. Window cleaners.**

Employment of minors under 16 years of age at outside window washing that involves working from window sills, and at all work requiring the use of ladders, scaffolds or their substitutes is prohibited.

**Source**

The provisions of this § 11.61 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8275).

**§ 11.62. Radioactive substances and ionizing radiation.**

(a) Employment of minors under 18 years of age in any occupation involving exposure to radioactive substances and to ionizing radiation is prohibited, except for laboratory student aides and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupations. Such minors may not engage in work in any work-room in which any of the following conditions exist:

- (1) Radium is stored or used in the manufacture of a self-luminous compound.
- (2) A self-luminous compound is made, processed or packaged.
- (3) A self-luminous compound is stored, used or worked upon.

(4) Incandescent mantles are made from fabric and solutions containing thorium salts, or are processed or packaged.

(5) Other radioactive substances are present in the air in average concentrations exceeding 10% of the maximum permissible concentrations in the air recommended for occupational exposure by the National Committee on Radiation Protection, as specified in the 40 hour week column of Table 1 of the National Bureau of Standards Handbook No. 69 entitled "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," issued June 5, 1959.

(b) Employment of minors under 18 years of age in any occupation which involves exposure to ionizing radiations in excess of 0.5 rem per year is prohibited.

#### **§ 11.63. Roofing operations.**

Employment of minors under 18 years of age in all occupations in roofing operations is prohibited, except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation.

#### **§ 11.64. Wrecking and demolition.**

Employment of minors under 18 years of age in all occupations in wrecking and demolition is prohibited.

#### **§ 11.65. Meat packing industry.**

Employment in any of the following occupations of minors under 18 years of age in or about slaughtering or meat packing establishments and rendering plants, except those engaged solely in the killing or processing of poultry, rabbits or small game and except for apprentices and student learners and graduates of an approved vocational, technical, or industrial education curriculum which prepared them for employment in the specific occupation, is prohibited:

(1) All occupations on the killing floor, in curing cellars and in hide cellars, except the work of messengers, runners, hand truckers and similar occupations which require entering such workrooms or workplaces infrequently and for short periods of time.

(2) All occupations involved in the recovering of lard and oils, except for operation of a lard-roll machine and occupations in the packaging and shipment of such products.

(3) All occupations involved in tankage or inedible rendering of dead animals, animal offal, animal fats, scrap meats, blood and bones into stock feeds, tallow, inedible greases, fertilizer ingredients, and the like.

(4) All occupations involved in the operation of feeding of the following power-driven meat processing machines, including the occupations of setting up, adjusting, repairing, oiling or cleaning such machines; meat and bone cutting

saws, knives, headsplitters and guillotine cutters, snout pullers and jaw-pullers; skinning machines, horizontal rotary washing machines; casing-cleaning machines such as crushing, stripping, and finishing machines; grinding, mixing, chopping and hashing machines; and presses, except belly-rolling machines.

(5) All boning occupations, except cutting, scraping or trimming meat from cuts containing bones.

(6) All occupations that involve the pushing or dropping of any suspended carcass, half carcass or quarter carcass.

(7) All occupations that involve the handlifting or handcarrying of any beef, pork or horse carcass, half carcass of the same, or any beef or horse quarter carcass.

#### Source

The provisions of this § 11.65 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial pages (8276) and (13410).

### § 11.66. Excavating operations.

Employment of minors under 18 years of age in any of the following occupations involving excavating operations is prohibited except for apprentices, student learners and graduates of an approved vocational, technical or industrial education curriculum which prepared them for employment in the specific occupation:

(1) Excavating, working in or backfilling trenches except for manually excavating or manually backfilling trenches that do not exceed 4 feet in depth at any point or working in trenches that do not exceed 4 feet in depth at any point.

(2) Excavating for buildings or other structures or working in such excavations, except for manually excavating to a depth not exceeding 4 feet below any ground surface adjoining the excavation, working in an excavation not exceeding such depth, or working in an excavation where the side walls are shored or sloped to the angle of repose.

(3) Working within tunnels prior to the completion of all driving and shoring operations.

(4) Working within shafts prior to the completion of all sinking and shoring operations.

### § 11.67. Training and fire fighting.

(a) Minors who are members of a volunteer fire company, including all classifications of membership, may participate in training and firefighting activities in compliance with the following:

(1) Drivers of trucks, ambulances or other official vehicles shall be 18 years of age.

(2) Minors 17 years of age who have successfully completed a course of training equal to the standards for basic firefighting established by the Depart-

ment of Education may engage in general firefighting activities, provided such minors are under the direct supervision and control of the fire chief or a trained, experienced officer over 21 years of age, except minors may not do the following:

- (i) Operate an aerial ladder, aerial platform, hydraulic jack or high pressure hose.
  - (ii) Ascend ladders.
  - (iii) Use rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets or acetylene cutting units.
  - (iv) Enter a burning structure.
- (3) The activities of minors 16 years of age at the scene of a fire shall be limited to the following:
- (i) First aid.
  - (ii) Clean-up service outside of the structure after the fire has been declared by the fire official in charge to be under control.
- (4) Activities of minors 14 and 15 years of age shall be limited to the following:
- (i) Training.
  - (ii) Cleaning and storing of equipment.
- (5) Minors 14 and 15 years of age may not do the following:
- (i) Ride an official vehicle to the scene of a fire.
  - (ii) Participate in any fire fighting activities.
- (b) All existing provisions of the Child Labor Law (43 P. S. §§ 41—65.) and the regulations affecting the employment of minors shall be applicable in all cases, including the requirement for employment certificates and the limitations on hours of employment.

#### Source

The provisions of this § 11.67 added July 22, 1971, 1 Pa.B. 1652, amended May 5, 1972, 2 Pa.B. 813. Immediately preceding text appears at serial page (8278).

### § 11.68. Apprentices in pattern shops.

Employment of minors over 16 years of age as apprentices in pattern making shops is permissible.

### § 11.69. Print machines.

Employment of minors over 16 years of age on blue print machines is permissible.

### § 11.70. Steel plants.

The following occupations in iron and steel plants are permissible for minors over 16 years of age:

- (1) Testers, if they do not take samples.



- (2) Messengers.
- (3) Door operators.
- (4) Shippers.
- (5) Weighmasters.
- (6) Water carriers.
- (7) Soaking pit cover operators.
- (8) Shear gaugers.
- (9) Transfer tables.

**Source**

The provisions of this § 11.70 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8279).

**§ 11.71. Laboratories of blast furnaces.**

Minors over 16 years of age are permitted to be employed as assistants to chemists in laboratories of blast furnaces, if they do not engage in taking samples.

**§ 11.72. Part-time industrial schools.**

(a) Whenever any establishment provides and maintains a part-time industrial school for the education of minors between the ages of 14 and 16 years, such minors may be permitted to engage in those occupations that are not specifically prescribed as hazardous in section 5 of the act (43 P. S. § 44) or which have not been declared as such by the Department, if the minors are at all times under the special supervision and instruction of competent foremen, and if all machinery is properly guarded, according to the rules and regulations of the Department. In such cases, however, arrangement shall be made with local school authorities to provide for school attendance of at least the minimum prescribed by the school laws administered by the Department of Education.

(b) In all part-time industrial schools the provisions of the act for hours of labor, employment certificates, and the like shall be complied with.

**§ 11.73. Canal boats.**

The employment of minors on or in connection with the operation of canal boats is subject to the provisions of the act.

**§ 11.74. Use of automobiles in the delivery of merchandise.**

(a) Minors 16 years of age and under may ride on automobiles while engaged in such occupations as delivery of merchandise, but shall not assist in the operation of such automobile.

(b) Minors 17 years of age after July 1, 1977, are permitted to operate a single vehicle not in excess of 30,000 pounds registered gross weight or any such vehicle towing a trailer not in excess of 10,000 pounds gross weight.

**Source**

The provisions of this § 11.74 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8280).

**§ 11.75. Minors in factories of parents.**

The act applies to the employment of children in the factories of parents, the same as for other children, with or without direct wage. The provisions of the act requiring employment certificates also applies to such cases.

**§ 11.76. [Reserved].****§ 11.77. Heavy work in the building trades.**

The term “heavy work in building trades” as used in section 5 of the act (43 P. S. § 44) includes the following:

- (1) Carrying or handling of heavy lumber.
- (2) Hod carrying.
- (3) Concrete mixing and mortar mixing by hand.
- (4) Wheeling sand, cement, lime, mortar, gravel, mixed concrete or other similar materials.
- (5) Digging or removing any heavy stones or rock.
- (6) Pile-driving by hand.
- (7) Handling or carrying any heavy material, such as pipe, sanitary and heating fixtures.

**§ 11.78. Preparing composition of leads, acids, or dangerous or poisonous dyes.**

The prohibited occupations specified in section 5 of the act (43 P. S. § 44) by the clause “in preparing compositions in which dangerous leads or acids are used” and “in the manufacture or use of dangerous or poisonous dyes” is interpreted to include all of the following materials:

- (1) *Lead salts.* Lead acetate, lead carbonate, lead chromate, sugar of lead, lead sulphate and lead oxide.
- (2) *Poisonous or injurious acids.* Acetic acid, arsenic acid, arsenious acid, benzoic acid, carbolic acid, chromic acid, formic acid, hydrochloric acid, nitric acid, oxalic acid, picric acid, pyrogallic acid, salicylic acid, sulphuric acid and tartaric acid.
- (3) *Dyes.* Any dyes which contain aniline, nitrobenzine or phenol.

**§ 11.79. Machines in industrial schools.**

Minors under 18 years of age who are learning the operation of power machinery under proper supervision in industrial schools and receiving no compensation for their work are not deemed to be pursuing an occupation forbidden by the act.

**§ 11.80. [Reserved].****§ 11.81. Caddies at country clubs.**

The act permits employment of caddies over 12 years of age in conjunction with the operation of country clubs, whether or not such clubs are licensed under the Liquor Control Laws of the Commonwealth, if no such employees under the age of 16 years are permitted at any time to be in or near any part of the club premises where liquor is sold, dispensed or served and, further, if all other requirements of laws governing employment of minors are met.

**Source**

The provisions of this § 11.81 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial page (8281).

**§ 11.82. [Reserved].****§ 11.83. [Reserved].****§ 11.84. Industrial home work.**

The act applies to the employment of minors in industrial home work.

**§ 11.85. Applicable provisions of other regulations.**

In addition to the provisions of this subchapter, the following provisions affecting the employment of minors shall govern where applicable:

- (1) *Lead corroding and lead oxidizing.* Reference should be made to Chapter 13, Subchapter B (relating to lead corroding and oxidizing).
- (2) *Dry color industry.* Reference should be made to Chapter 47, Subchapter C (relating to dry color industry).
- (3) *Paint grinding.* Reference should be made to Chapter 35, Subchapter A (relating to paint grinding, paint and varnish manufacturing).
- (4) *Protection from fire and panic in operation of motion picture projectors.* Reference should be made to Chapters 49—59.
- (5) *Plant railways.* Reference should be made to Chapter 25, Subchapter A (relating to plant railways).
- (6) *Printing and allied industries.* Reference should be made to Chapter 47, Subchapter F (relating to printing and related industries).
- (7) *Cranes and hoists.* Reference should be made to Chapter 25, Subchapter B (relating to cranes, booms, and hoists).
- (8) *Pits and quarries.* Reference should be made to Chapter 33, Subchapter A (Reserved).
- (9) *Mines other than coal mines.* Reference should be made to Chapter 33, Subchapter B (Reserved).

(10) *Tunnel construction and work in compressed air.* Reference should be made to Chapter 43 (relating to tunnel construction and compressed air work).

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