

STATE OF ARIZONA
30th LEGISLATURE
1st REGULAR SESSION

SENATE

S. B. 269
INTRODUCED
February 16, 1971

Roll Call	Present	Absent	Excused	Not Voting
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Introduced by Senators O'Connor, Kret, Ellsworth, Stinson, Conlan, Koory

AN ACT

RELATING TO LABOR; PROVIDING FOR REGULATION OF CHILD LABOR; AMENDING SECTIONS 15-322, 23-231, 23-232, 23-235, 23-240, 23-241, 23-244 AND 23-245, ARIZONA REVISED STATUTES, AND REPEALING SECTIONS 23-236, 23-242 AND 23-244.01, ARIZONA REVISED STATUTES.

- 1 Be it enacted by the Legislature of the State of Arizona:
- 2 Section 1. Section 15-322, Arizona Revised Statutes,
- 3 is amended to read:
- 4 15-322. Employment of children under
- 5 sixteen years of age during
- 6 school hours
- 7 A. ~~No~~ SUBJECT TO THE PROVISIONS OF SECTIONS 23-231, 23-
- 8 232 AND 23-237, A child ~~under~~ OF the age of ~~sixteen~~ FOURTEEN
- 9 OR FIFTEEN years ~~shall~~ MAY be employed by any person during
- 10 the hours that the public schools of the district in which
- 11 the child resides are in session ~~unless~~ ONLY AFTER the child
- 12 presents a certificate from the attendance officer of the
- 13 district stating that he has been excused from attendance
- 14 for one of the reasons set forth in section 15-321. Such a
- 15 certificate may be revoked BY THE ISSUING OFFICER at any
- 16 time.
- 17 B. ~~Immediately~~ THE CERTIFICATE REQUIRED BY SUBSECTION
- 18 A MUST BE PRESENTED TO THE CHILD'S EMPLOYER OR TO THE OFFICER
- 19 ISSUING THE EMPLOYMENT CERTIFICATE IF SUCH CERTIFICATE IS RE-
- 20 QUIRED PURSUANT TO SECTION 23-237. IF AN EMPLOYMENT CERTIFICATE

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1 IS NOT REQUIRED, IMMEDIATELY upon employment of a child, the
2 employer shall file with the county school superintendent the
3 certificate specified by subsection A, together with a state-
4 ment of the nature of the employment. Upon termination of
5 the employment, written notice shall be given by the employer
6 to the county school superintendent.

7 C. A child employed as described by this section shall
8 attend part time school or class when established in a dis-
9 trict.

10 Sec. 2. Section 23-231, Arizona Revised Statutes, is
11 amended to read:

12 23-231. Employment of children under
13 fourteen prohibited; exception

14 A. A child under fourteen years of age shall not be em-
15 ployed or allowed to work in, about or in connection with a
16 mill, factory, workshop, or mercantile establishment, tene-
17 ment house, manufactory or workshop, store, business office,
18 telegraph or telephone office, restaurant, bakery, barber
19 shop, apartment house, bootblack stand or parlor, or in
20 the distribution or transportation of merchandise or messages.

21 B. A ~~boy~~ CHILD over ten and under fourteen years of age
22 may be authorized by the board of trustees of the school dis-
23 trict where the child resides to sell papers or engage in
24 other work outside of school hours when in the judgment of
25 the board such work will not be harmful to the ~~boy~~ CHILD either
26 physically or morally.

27 Sec. 3. Section 23-232, Arizona Revised Statutes, is
28 amended to read:

29 23-232. Employments prohibited to
30 children under sixteen

31 A. A child under sixteen years of age shall not be em-
32 ployed or allowed to work at any of the following occupations:

33 1. Sewing or adjusting machine belts in a workshop or
34 factory, or assisting therein.

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1 ~~2. Oiling, wiping, or cleaning machinery, or assisting~~
2 ~~therein.~~

3 3. Operating or assisting in operating circular or
4 band saws, wood shapers, wood joiners, planers, sandpaper
5 or wood polishing machinery, picker machines, machines used
6 in picking wool, cotton or any upholstering material,
7 paper lacing machines, leather burnishing machines, burnish-
8 ing machines in any tannery or leather manufactory.

9 4. Operating or assisting in operating job or cylinder
10 printing presses operated by power other than foot power, emery
11 or polishing wheels used for polishing metal, wood turning or
12 boring machinery, stamping machines used in sheet-metal and
13 tinware manufacturing, stamping machines in washer and nut
14 factories, corrugating rolls such as are used in roofing and
15 washboard factories.

16 5. Operating or assisting in operating steam
17 boilers, steam machinery or other steam generating apparatus,
18 dough brakes or cracker machinery of any description, wire or
19 iron straightening machinery, rolling mill machinery, punches,
20 or shears.

21 6. Operating or assisting in operating washing,
22 grinding or mixing mills.

23 7. Operating or assisting in operating calender
24 rolls in rubber manufacturing and laundering machinery.

25 8. Preparing any composition in which dangerous
26 or poisonous acids are used, or manufacturing of paints, colors,
27 or white lead.

28 9. Dipping, drying, or packing matches.

29 10. Employment in or about, or in connection with any
30 mine, coal breaker, quarry, smelter, ore reduction works, laun-
31 dry, tobacco warehouse, cigar factory or other factory where
32 tobacco is processed.

33 ~~11. Employment in any hotel, theater, concert hall,~~
34 ~~drug store or place of amusement.~~

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1 ~~12~~ 10. Operating any automobile, motor car or truck.
2 ~~13~~ 11. Employment in a bowling alley WHICH IS DANGER-
3 OUS TO LIFE OR LIMBS.
4 ~~14~~ 12. Employment in any other occupation declared
5 by the state board of health to be dangerous to lives or
6 limbs, or injurious to the health or morals of children
7 under sixteen years of age.

8 B. NO CHILD UNDER THE AGE OF SIXTEEN YEARS SHALL BE
9 EMPLOYED DURING THE HOURS THAT THE PUBLIC SCHOOLS OF THE
10 DISTRICT IN WHICH THE CHILD RESIDES ARE IN SESSION, EX-
11 CEPT AS PROVIDED IN SECTION 15-322.

12 Sec. 4. Section 23-235, Arizona Revised Statutes,
13 is amended to read:

14 23-235. Minimum age of newsboys
15 and bootblacks

16 A. No ~~male~~ child under ten ~~and no female child under~~
17 ~~sixteen~~ years of age shall in any city or town sell, expose
18 or offer for sale newspapers, magazines, periodicals, or
19 other merchandise in any street or public place.

20 B. No child shall work as a bootblack in any street
21 or public place unless he is over ten years of age.

22 Sec. 5. Section 23-240, Arizona Revised Statutes,
23 is amended to read:

24 23-240. Records and information required
25 for issuance of employment
26 certificate

27 The person authorized to issue the employment certifi-
28 cate required by section 23-237 shall not issue the certifi-
29 cate until he has received, examined, approved and filed a
30 duly executed copy of ~~the school record of the child~~ ANY
31 CERTIFICATE REQUIRED BY SECTION 15-322 and a passport or
32 duly attested transcript of the certificate of birth or bap-
33 tism or other religious record showing the date and place
34 of birth of the child. If a passport, certificate of birth

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1 or baptism, or other religious record showing the date and
2 place of birth of the child is not obtainable, the person
3 authorized to issue an employment certificate shall accept
4 the affidavit of the parent, guardian or custodian of the
5 child, showing the place and date of birth. The affidavit
6 shall be taken before the officer issuing the employment
7 certificate who shall administer the oath without fee.

8 Sec. 6. Section 23-241, Arizona Revised Statutes,
9 is amended to read:

10 23-241. Statement and examination required
11 to be made by officer examining
12 child; contents of certificate

13 A. An employment certificate required by section 23-237
14 shall not be issued until the child has been personally ex-
15 amined by the officer issuing the certificate, nor until the
16 officer, after making the examination, has signed and filed
17 in his office a statement setting forth:

18 ~~1. That the child can read and legibly write simple~~
19 ~~sentences in the English language.~~

20 2. 1. That in his opinion the child is fourteen years
21 of age or more and has reached normal development for a child
22 of its age.

23 3. 2. That the child is in sufficiently sound health
24 and physically able to perform the work which it intends to
25 perform. The work which the child intends to perform shall
26 be stated.

27 4. 3. The question of normal development, sound health,
28 and physical fitness shall MAY be determined by a medical offi-
29 cer of the board or department of health or by a physician ap-
30 pointed by the school board.

31 B. The employment certificate shall set forth:

32 1. The name, sex, date and place of birth of the child.

33 2. The color of the hair and eyes, height, weight and
34 any distinguishing facial marks of the child.

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1 3. That the papers required to be filed have been duly
2 filed, examined and approved.

3 4. That the child named in the certificate has appeared
4 before the officer signing the certificate and has been ex-
5 amined.

6 5. A DESCRIPTION OF THE WORK TO BE PERFORMED. SUCH
7 DESCRIPTION MAY BE AS GENERAL OR SPECIFIC AS THE ISSUING
8 OFFICER DEEMS NECESSARY IN LIGHT OF THE CHILD'S AGE AND
9 HEALTH.

10 C. The employment certificate shall be signed in the
11 presence of the officer issuing it by the child in whose name
12 it is issued and shall show the date of issue.

13 Sec. 7. Section 23-244, Arizona Revised Statutes, is
14 amended to read:

15 23-244. Limitation on weekly hours of
16 labor of child under sixteen;
17 exceptions

18 ~~A~~ A ~~boy~~ CHILD under the age of sixteen years ~~or a girl~~
19 ~~under the age of eighteen years~~ shall not be employed or allowed
20 to work at any gainful occupation other than domestic service
21 or work on a farm more than forty-eight hours in any ~~one-week~~
22 SEVEN CONSECUTIVE DAYS, nor more than eight hours in any one
23 day, or before the hour of ~~seven~~ SIX o'clock in the morning
24 or after the hour of ~~seven~~ EIGHT o'clock ~~in the~~ ON AN evening
25 BEFORE A SCHOOL DAY OR AFTER THE HOUR OF TEN O'CLOCK ON AN
26 EVENING BEFORE A NONSCHOOL DAY.

27 ~~B--The presence of a child in an establishment during~~
28 ~~working hours shall be prima facie evidence of his employment~~
29 ~~therein.~~

30 Sec. 8. Section 23-245, Arizona Revised Statutes, is
31 amended to read:

32 23-245. Posting notice of hours of
33 labor of child under six-
34 teen; violation

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1 Every employer shall post in a conspicuous place in every
2 room where a ~~boy~~ CHILD under the age of sixteen years ~~or a~~
3 ~~girl under the age of eighteen years~~ is employed or allowed
4 to work, a printed notice stating the hours of work required
5 of them each day of the week, the hours of commencing and
6 stopping work, and the hours when the time allowed for din-
7 ner or other meals begin and end. The printed form of the
8 notice shall be furnished by the inspector of factories or
9 other authorized inspector. Employment of a ~~minor~~ CHILD for
10 a longer time in any day as stated or at any time other than
11 as stated in the printed notice is a violation of this article.

12 Sec. 9. Repeal

13 Sections 23-236, 23-242 and 23-244.01, Arizona Revised
14 Statutes, are repealed.